

VICTORIA.

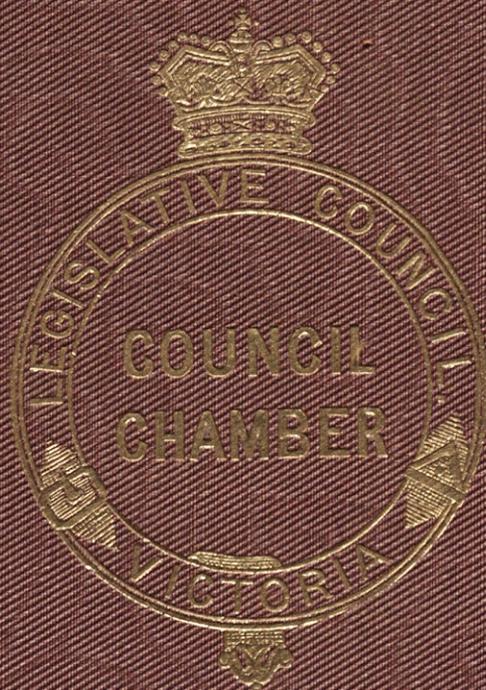


MINUTES
OF THE
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL

SESSION

1895-6.

COUNCIL CHAMBER



VICTORIA.



MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

SESSION 1895-6.

WITH COPIES OF THE VARIOUS DOCUMENTS ORDERED BY THE
COUNCIL TO BE PRINTED.

By Authority:

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JANUARY, 1895, TO 7TH MARCH, 1896, INCLUSIVE.

Provinces and Members.	Elected at—		Dates of Retirement.	Remarks.
	Nomination.	Polling.		
MELBOURNE PROVINCE :				
The Honorables—				
James Service	1 Sept. 1894	...	1900	Retired by rotation, and re-elected.
Cornelius Job Ham	27 Aug. 1892	...	1898	Retired by rotation, and re-elected.
Robert Reid	7 Feb. 1893	...	1896	Seat vacated by being appointed Minister of Defence; re-elected.
George Selth Coppin	30 Aug. 1889	...	1895	Elected under Act No. 995.
succeeded by Sir Arthur Snowden	31 Aug. 1895	...	1901	Elected in place of Hon. G. S. Coppin, who retired by rotation.
NORTH YARRA PROVINCE :				
The Honorables—				
Frederick Sheppard Grimwade	1 Sept. 1894	...	1900	Retired by rotation, and re-elected.
Nathaniel Levi ... ..	...	8 Sept. 1892	1898	Elected in place of Hon. W. H. Roberts, who retired by rotation.
William Pitt ... ..	...	1 Aug. 1891	1896	Elected in place of Hon. J. G. Beaney, deceased.
SOUTH YARRA PROVINCE :				
The Honorables—				
Edward Miller	1 Sept. 1894	...	1900	Retired by rotation, and re-elected.
Simon Fraser	27 Aug. 1892	...	1898	Retired by rotation, and re-elected.
Lieut.-Col. Sir Frederick Thomas Sargood, K. C. M. G.	6 Oct. 1894	...	1896	Seat vacated by being appointed Minister of Defence; re-elected.
John Mark Davies	18 Nov. 1890	...	1895	Seat vacated by being appointed Minister of Justice; re-elected.
succeeded by George Godfrey ... ..	...	12 Sept. 1895	1901	Elected in place of Hon. J. M. Davies, who retired by rotation.
SOUTHERN PROVINCE :				
The Honorables—				
Sir William John Clarke, Bart.	1 Sept. 1894	...	1900	Retired by rotation, and re-elected.
Donald Melville	27 Aug. 1892	...	1898	Retired by rotation, and re-elected.
Thomas Brunton ... ..	...	11 Sept. 1890	1896	Elected in place of Hon. C. H. James, who retired by rotation.
SOUTH-WESTERN PROVINCE :				
The Honorables—				
Sidney Austin	1 Sept. 1894	...	1900	Retired by rotation, and re-elected.
Joseph Henry Grey	21 Dec. 1894	...	1898	Elected in place of Hon. D. S. Wallace, resigned.
Joseph Henry Connor	29 Aug. 1890	...	1896	Retired by rotation, and re-elected.
NELSON PROVINCE :				
The Honorables—				
William Henry Seville Osmand	1 Sept. 1894	...	1900	Retired by rotation, and re-elected.
Thomas Dowling	27 Aug. 1892	...	1898	Retired by rotation, and re-elected.
Samuel Williamson ... ..	...	25 Sept. 1891	1896	Elected in place of Hon. J. P. Mac- Pherson, deceased.
WESTERN PROVINCE :				
The Honorables—				
Samuel Winter Cooke	1 Sept. 1894	...	1900	Retired by rotation, and re-elected.
Nathan Thornley	27 Aug. 1892	...	1898	Retired by rotation, and re-elected.
Agar Wynne	7 Feb. 1893	...	1896	Seat vacated by being appointed Post- master-General; re-elected.
NORTH-WESTERN PROVINCE :				
The Honorables—				
Joseph Major Pratt	31 Aug. 1895	...	1901	Retired by rotation, and re-elected.
James Bell	1 Sept. 1894	...	1900	Retired by rotation, and re-elected.
David Courtts	27 Aug. 1892	...	1898	Retired by rotation, and re-elected.
Duncan Elphinstone McBryde ... ..	...	19 Dec. 1891	1896	Elected in place of Hon. G. Young, deceased.
NORTHERN PROVINCE :				
The Honorables—				
George Simmie	31 Aug. 1895	...	1901	Retired by rotation, and re-elected.
Joseph Sternberg	1 Sept. 1894	...	1900	Retired by rotation, and re-elected.
Joseph Henry Abbott	27 Aug. 1892	...	1898	Retired by rotation, and re-elected.
William Irving Winter-Irving	29 Aug. 1890	...	1896	Retired by rotation, and re-elected.

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Provinces and Members.	Elected at—		Dates of Retirement.	Remarks.
	Nomination.	Polling.		
WELLINGTON PROVINCE :				
The Honorables—				
Edward Morey	31 Aug. 1895	...	1901	Retired by rotation, and re-elected.
David Ham	1 Sept. 1894	...	1900	Retired by rotation, and re-elected.
Thomas Drummond Wanliss	6 May 1893	...	1898	Elected in place of Hon. E. Steinfeld, deceased.
Henry Cuthbert... ..	6 Oct. 1894	...	1896	Seat vacated by being appointed Solicitor-General; re-elected.
NORTH CENTRAL PROVINCE :				
The Honorables—				
Sir William Austin Zeal, K.C.M.G.	1 Sept. 1894	...	1900	Retired by rotation, and re-elected. Re-elected President, 4th October, 1894.
Dr. William Henry Embling	27 Aug. 1892	...	1898	Elected in place of Hon. W. E. Stanbridge, who retired by rotation.
Nicholas FitzGerald	29 Aug. 1890	...	1896	Retired by rotation, and re-elected.
NORTH-EASTERN PROVINCE :				
The Honorables—				
Arthur Otto Sachse	1 Sept. 1894	...	1900	Retired by rotation, and re-elected.
Frederick Brown	27 Aug. 1892	...	1898	Retired by rotation, and re-elected; appointed Chairman of Committees, 25th June, 1895.
John Alston Wallace	29 Aug. 1890	...	1896	Retired by rotation, and re-elected.
GIPPSLAND PROVINCE :				
The Honorables—				
Charles Sargeant	31 Aug. 1895	...	1901	Retired by rotation, and re-elected.
George Davis	1 Sept. 1894	...	1900	Retired by rotation, and re-elected.
Edward Jolley Crooke	1 Sept. 1893	...	1898	Elected in place of Hon. W. Pearson, deceased.
William McCulloch	22 Feb. 1895	...	1896	Seat vacated by being appointed Minister of Defence; re-elected.
SOUTH-EASTERN PROVINCE :				
The Honorables—				
Frank Stanley Dobson, LL.D., Q.C.	1 Sept. 1894	...	1900	Retired by rotation, and re-elected. Re-appointed Chairman of Committees, 30th October, 1894.
succeeded by				
James Callender Campbell	19 June 1895	...	1900	Elected in place of Hon. Dr. Dobson, deceased.
James Buchanan... ..	27 Aug. 1892	...	1898	Retired by rotation, and re-elected.
James Balfour	29 Aug. 1890	...	1896	Retired by rotation, and re-elected.

GEORGE H. JENKINS,
Clerk of the Parliaments.

Legislative Council,
Melbourne, 7th March, 1896.

I N D E X .

1895-6.

LEGISLATIVE COUNCIL OF VICTORIA.

SECOND SESSION

OF THE

SIXTEENTH PARLIAMENT.

I N D E X.

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PROCEEDINGS ON BILLS.

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- ADVANCES TO MUNICIPALITIES (WIRE NETTING) BILL.**—Bill intituled "*An Act to authorize Advances to Municipalities for the purchase of Wire Netting.*"—(Hon. H. Cuthbert.)—Brought from the Legislative Assembly and read a first time, 13th February, 1896, p. 176.
Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 25th February, p. 197. (*Assented to 6th March. Act No. 1434.*)
- AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL.**—Bill to amend the *Agricultural Colleges Act 1890.*—(Hon. J. H. Connor.)—Initiated and read a first time, 23rd July, 1895, p. 41.
Order for second reading discharged, and Bill withdrawn, 29th January, 1896, p. 149.
- APPROPRIATION BILL.**—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 eight hundred and ninety-six and to appropriate the Supplies granted in this Session of Parliament.*"—(Hon. H. Cuthbert.)—Brought from the Legislative Assembly and read a first time, 26th February, 1896, p. 200.
Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 27th February, pp. 209-10. (*Assented to 27th February. Act No. 1429.*)
- ARARAT MECHANICS' INSTITUTE SITE SALE BILL.**—Bill intituled "*An Act to provide for the Sale of certain Land set apart as a Site for a Mechanics' Institute at Ararat.*"—(Hon. S. Williamson.)—Brought from the Legislative Assembly and read a first time, 5th December, 1895, pp. 105-6.
Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 18th December, p. 122. (*Assented to 24th December. Act No. 1407.*)
- BOOK DEBTS BILL.**—Bill relating to the Assignment or Transfer of Book Debts.—(Hon. Lieut.-Col. Sir F. T. Sargood.)—Initiated and read a first time, 15th October, 1895, p. 73.
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Message from the Legislative Assembly notifying their agreement to the Bill with amendments, 4th February, 1896, p. 155.
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- BOORT LAND BILL.**—Bill intituled "*An Act to revoke the Permanent Reservation of certain Crown Land in the parish of Boort.*"—(Hon. D. Coutts.)—Brought from the Legislative Assembly and read a first time, 20th February, 1896, p. 191.
Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 25th February, pp. 197-8.
Message from the Legislative Assembly transmitting Message from His Excellency the Governor recommending an amendment in the Bill, to which the Legislative Assembly had agreed; His Excellency's amendment considered and agreed to, 27th February, p. 210. (*Assented to 6th March. Act No. 1438.*)
- CAPE PATTERSON AND KILCUNDA JUNCTION RAILWAY ACT AMENDMENT AND CONTINUATION BILL.**—Bill intituled "*An Act to amend and continue an Act intituled 'An Act to authorize the construction of the Cape Patterson and Kilcunda Junction Railway and for other purposes.'*"—(Hon. A. Wynne.)—Brought from the Legislative Assembly. Standing Orders relating to Private Bills, by leave, suspended, and all fees remitted with regard to the Bill, and Bill read a first time, 10th December, 1895, p. 107.
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Message from the Legislative Assembly transmitting Message from His Excellency the Governor recommending an amendment in the Bill, to which the Legislative Assembly had agreed; His Excellency's amendment considered and agreed to, 17th December, p. 119. (*Assented to 24th December. Act No. 1405.*)

CHARITIES MEDICAL OFFICERS BILL.—Bill to establish a Council for the Election of Medical Officers of Public Hospitals and Charitable Institutions.—(*Hon. F. S. Grimwade.*)—Initiated and read a first time, 20th August, 1895, p. 50.

Petition presented, 27th August, p. 51.

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COMPANIES ACT AMENDMENT BILL.—Bill to amend the *Companies Act Amendment Act 1892.*—(*Hon. J. M. Davies.*)—Initiated and read a first time, 27th August, 1895, p. 52.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 3rd September, p. 57.

Message from the Legislative Assembly notifying their agreement to the Bill with amendments, 26th February, 1896, p. 208.

Amendments considered and agreed to, 4th March, p. 231. (*Assented to 7th March. Act No. 1442.*)

COMPANIES ACT 1890 FURTHER AMENDMENT BILL.

—Bill to further amend the *Companies Act 1890.*—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)—Initiated and read a first time, 4th December, 1895, p. 101.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 11th December, p. 112. Bill not returned from the Legislative Assembly.

COMPANIES ACT 1890 FURTHER AMENDMENT BILL

(No. 2).—Bill intituled "*An Act to further amend the 'Companies Act 1890.'*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 27th February, 1896, p. 210.

Read a second time and committed; considered in Committee and reported with amendments, 28th February, p. 217.

Order for consideration of report discharged and Bill recommitted for the reconsideration of clauses 48, 49, 51, 56, and proposed new clauses; reconsidered in Committee and re-reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 3rd March, pp. 224-5.

Message from the Legislative Assembly notifying that they have agreed to some of the amendments made by the Legislative Council and have disagreed with others of the said amendments, and have disagreed with others of the said amendments with certain consequential amendments, 4th March, p. 232.

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CONSOLIDATED REVENUE BILL (No. 1).—Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of One million one hundred and twenty-one thousand nine hundred and ninety-five pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six.*"—

(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time; read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 30th July, 1895, pp. 43-4. (*Assented to 30th July. Act No. 1395.*)

CONSOLIDATED REVENUE BILL (No. 2).—Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of One million and forty-two thousand six hundred and eighty pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time; read a second time, by leave, and committed; considered in Committee, 23rd October, 1895, p. 78.

Further considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 24th October, p. 79. (*Assented to 24th October. Act No. 1399.*)

CONSOLIDATED REVENUE BILL (No. 3).—Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of Seventy-four thousand nine hundred and nine pounds to the service of the year One thousand eight hundred and ninety-four and ninety-five.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 19th November, 1895, p. 89.

Read a second time and committed; considered in Committee, 19th November, p. 90.

Further considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 20th November, p. 91. (*Assented to 26th November. Act No. 1403.*)

CONSOLIDATED REVENUE BILL (No. 4).—Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of Three hundred and twenty-one thousand six hundred and seventy-seven pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six.*"—

(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time; read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 19th December, 1895, pp. 125-6. (*Assented to 24th December. Act No. 1408.*)

CREMATION BILL.—Bill to regulate Cremation.—(*Hon. F. S. Grimwade.*)—Initiated and read a first time, 6th November, 1895, p. 85.

Motion—That this Bill be now read a second time—debate adjourned, 20th November, p. 92.

Order for resumption of debate on second reading discharged and Bill withdrawn, 29th January, 1896, p. 149.

CUSTOMS AND EXCISE DUTIES BILL.—Bill intituled "*An Act for Granting Amending and Consolidating Duties of Customs and Excise.*"—

(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 22nd October, 1895, p. 75.

Motion—That this Bill be now read a second time; debate interrupted and resumed; Bill read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 29th October, pp. 82-3. (*Assented to 18th November. Act No. 1401.*)

DAIRIES SUPERVISION BILL.—Bill for the proper Supervision of Dairies and Dairy Herds and for other purposes.—(*Hon. J. Sternberg.*)—Initiated and read a first time, 2nd July, 1895, p. 28.

DAIRIES SUPERVISION BILL—*continued.*

Motion—That this Bill be now read a second time—debate adjourned, 6th November, p. 86; debate resumed; motion—That the debate be now adjourned, negatived; motion for second reading of the Bill, by leave, withdrawn, and Bill withdrawn, 12th November, p. 88.

ECHUCA AGRICULTURAL SHOW GROUNDS SALE BILL.—Bill to provide for the Sale of the Echuca Agricultural Association Show Grounds in the Borough of Echuca.—(*Hon. G. Simmie.*)—Initiated and read a first time, 4th December, 1895, p. 101.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 18th December, p. 121. Bill not returned from the Legislative Assembly.

ELECTRIC LIGHT AND POWER BILL.—Bill to facilitate and regulate the supply of Electricity for Lighting and for other purposes.—(*Hon. H. Cuthbert.*)—Initiated and read a first time, 16th July, 1895, p. 36.

Read a second time and committed to a Select Committee, 20th August, p. 50.

Select Committee appointed, 27th August, p. 51.

Member of Select Committee discharged from attendance, 27th August, p. 52; 3rd September, p. 56.

Member of Select Committee appointed, 27th August, p. 52; 3rd September, p. 56.

Quorum of Select Committee altered from "three" to "five," 27th August, p. 52.

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Power given to Select Committee to hear counsel, agents, and witnesses, &c., on behalf of certain petitioners, 27th August, p. 51.

Portions of resolution of 27th August rescinded and power given to Select Committee to hear counsel (to such extent as they shall think fit) on behalf of Petitioners, 10th September, p. 61.

Report of Select Committee brought up, 29th October, p. 84.

Report considered and adopted, 12th November, p. 88.

Bill and Bill as amended by Select Committee, committed to a Committee of the whole; considered in Committee, 12th November, p. 88.

Further considered in Committee, 19th November, p. 90; 20th November, p. 92; 27th November, p. 96.

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Bill read the third time; further amended and passed, 3rd December, p. 100.

Message from the Legislative Assembly notifying their agreement to the Bill with amendments; amendments considered and agreed to, 15th January, 1896, pp. 131-2. (*Assented to 10th February. Act No. 1413.*)

EVIDENCE BILL.—Bill to further amend the Law of Evidence.—(*Hon. H. Cuthbert.*)—Initiated and read a first time, 12th November, 1895, p. 88.

EVIDENCE BILL—*continued.*

Read a second time and committed; considered in Committee and reported with amendments, 19th November, p. 90.

Report considered and adopted; Bill read the third time and passed, 20th November, p. 92. Bill not returned from the Legislative Assembly.

FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL.—Bill intituled "*An Act to amend the 'Factories and Shops Act 1890,' and for other purposes.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 26th November, 1895, p. 94.

Petitions presented and referred to the Committee on the Bill, 3rd December, p. 99; 19th December, p. 125; 19th February, 1896, p. 187.

Petition presented, 3rd March, p. 219.

Motion—That this Bill be now read a second time—debate adjourned, 17th December, 1895, p. 120; debate resumed and further adjourned, 18th December, p. 122; 18th December, p. 122; 19th December, p. 126; debate resumed; Bill read a second time and committed to a Select Committee; Standing Order, by leave, suspended to allow the Committee to consist of 12 Members; Select Committee appointed, 19th December, p. 127.

Report of Select Committee brought up, 11th February, 1896, p. 166.

Report considered and adopted, 12th February, p. 173.

Bill committed to a Committee of the whole; considered in Committee, 12th February, p. 173.

Further considered in Committee 13th February, p. 175; 13th February, p. 175.

Reported with amendments, 13th February, p. 175.

Order for consideration of report discharged and Bill recommitted for reconsideration; reconsidered in Committee and re-reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 19th February, pp. 187-8.

Message from the Legislative Assembly notifying that they have agreed to some of the amendments of the Legislative Council; have disagreed with others; have agreed to some of the said amendments with amendments, and have made certain consequential amendments, 26th February, p. 200.

Amendments considered; the Legislative Council do not insist on some of their amendments disagreed with by the Legislative Assembly, do insist on other of the said amendments, and insist on two amendments (on division), agree to some of the amendments of the Legislative Assembly on amendments of the Legislative Council, disagree with one of such amendments, and agree to one amendment with an amendment, 28th February, pp. 213-17.

Message from the Legislative Assembly, notifying that they insist on disagreeing with some of the amendments of the Legislative Council, that they do not insist on disagreeing with one of such amendments, and have made certain consequential amendments, 28th February, p. 218.

Amendments considered; Legislative Council do not now insist on some (one on division) of their amendments disagreed with by the Legislative Assembly, still insist on other (one on division) of the said amendments, agree to the consequential amendments of the Legislative Assembly with an amendment, and call the

FACTORIES AND SHOPS ACT 1890 AMENDMENT
BILL—*continued.*

attention of the Legislative Assembly to the fact that they had not dealt with one amendment, 3rd March, pp. 219-23.

Message from the Legislative Assembly notifying that they do not now insist on disagreeing with some of the amendments of the Legislative Council, that they have agreed to the consequential amendment made by the Legislative Council in clause 3, that they do not now insist on disagreeing with another of such amendments, but have made a consequential amendment, and do still insist on disagreeing with other amendments of the Legislative Council, but have made consequential amendments in one of such amendments; and further notifying that they insist on their amendment in clause 27, disagreed with by the Legislative Council, and with which disagreement the Legislative Assembly omitted to deal in considering the Message of the Legislative Council of the 28th February; amendments considered; Legislative Council still insist on some of their amendments, do not now insist on other of such amendments, do not insist on disagreeing with an amendment of the Legislative Assembly on one of the amendments of the Legislative Council, and agree to consequential amendments made by the Legislative Assembly on certain amendments of the Legislative Council, 3rd March, pp. 225-9.

Message from the Legislative Assembly notifying that they still insist on disagreeing with the omission of clause 16, and on their consequential amendments in the said clause, and that they still insist on disagreeing with the amendments insisted on by the Legislative Council in clause 24, 4th March, p. 232.

Amendments considered; Legislative Council still insist on their amendment to omit clause 16, but agree to a new clause in place thereof, and do not now insist on certain amendments in clause 24 disagreed with by the Legislative Assembly, but propose further amendments in the said clause, 5th March, pp. 233-4. Bill not returned from the Legislative Assembly.

FEDERATION OF AUSTRALASIA ENABLING BILL.—

Bill intituled "*An Act to enable Victoria to take part in the framing acceptance and enactment of a Federal Constitution for Australasia.*" (Hon. H. Cuthbert.)—Brought from the Legislative Assembly and read a first time, 14th January, 1896, p. 129.

Motion—That this Bill be now read a second time—debate adjourned; debate resumed, and on division, further adjourned, 28th January, pp. 147-8; debate resumed; Bill read a second time and committed; considered in Committee, 29th January, p. 149.

Further considered in Committee, and reported with amendments; re-committed for the reconsideration of clauses 8, 9, 12, and 13; reconsidered in Committee and re-reported with amendments, 30th January, p. 151.

Order for consideration of report discharged and Bill re-committed for reconsideration; reconsidered in Committee and re-reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 4th February, p. 153.

Message from the Legislative Assembly notifying that they have agreed to some of the amendments of the Legislative Council and have disagreed with others of the said amendments, 12th February, p. 171.

FEDERATION OF AUSTRALASIA ENABLING BILL—
continued.

Amendments considered; Legislative Council do not insist on some of their amendments, and insist on others (some on division) with the following reasons:—Amendment 1 (relating to the clause providing for the deposit of Fifty pounds by candidates)—That the Legislative Council claim to have the right to make this amendment as in no way does it come within the operation of section 56 of *The Constitution Act*; amendments 2 to 6 (relating to the clauses providing for voting by post)—That the Legislative Council are desirous that every possible facility should be afforded to voters, especially in the country districts, to record their votes, and the Council feel certain that if this amendment be agreed to by the Legislative Assembly a far larger number of the electors will be enabled to vote than would be possible under the existing electoral law, 18th February, pp. 178-80. Bill not returned from the Legislative Assembly.

FEDERATION OF AUSTRALASIA ENABLING BILL (No. 2.)—Bill intituled "*An Act to enable Victoria to take part in the framing acceptance and enactment of a Federal Constitution for Australasia.*"—(Hon. H. Cuthbert.)—Brought from the Legislative Assembly and read a first time, 20th February, 1896, p. 189.

Read a second time and committed; considered in Committee and reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 26th February, pp. 207-8.

Message from the Legislative Assembly notifying their disagreement with the amendments of the Legislative Council; amendments considered; motion, That the Council do not insist on their amendments; debate interrupted and resumed; question, That the Council do not insist on their amendments, on division, agreed to, 27th February, pp. 210-11.

Message from the Legislative Assembly, transmitting Message from His Excellency the Governor, recommending an amendment in the Bill to which the Legislative Assembly had agreed; His Excellency's amendment considered and, after debate, agreed to, 3rd March, p. 224. (*Assented to 7th March. Act No. 1443.*)

FEDERATION OF AUSTRALASIA REPRESENTATIVES BILL.—Bill intituled "*An Act relating to the nomination of Representatives of Victoria at the Convention for framing a Federal Constitution for Australasia.*"—(Hon. H. Cuthbert.)—Brought from the Legislative Assembly and read a first time, 18th February, 1896, p. 178.

Order for second reading discharged, and Bill withdrawn, 25th February, p. 198.

FRIENDLY SOCIETIES ACTUARY'S BILL.—Bill to provide for the Transfer of certain Powers and Duties from the Government Statist to the Actuary for Friendly Societies.—(Hon. S. Williamson for the Hon. D. Courts.)—Initiated and read a first time, 25th June, 1895, p. 24.

Read a second time and committed; considered in Committee, 3rd July, p. 30.

Further considered in Committee, 9th July, p. 32; 16th July, p. 36; 23rd July, p. 41; 6th August, p. 46.

Reported with amendments, 6th August, p. 46. Report considered and adopted; Bill read the third time and passed, 20th August, p. 50.

FRIENDLY SOCIETIES ACTUARY'S BILL—*continued.*

Message from the Legislative Assembly notifying their agreement to the Bill with amendments; amendments considered and agreed to, 4th February, 1896, p. 154. (*Assented to 10th February. Act No. 1418.*)

GAOLS BILL.—Bill to amend the *Gaols Act 1890* and for other purposes.—(*Hon. H. Cuthbert.*)—Initiated and read a first time, 25th June, 1895, p. 24.

Read a second time and committed; considered in Committee, 2nd July, p. 28.

Further considered in Committee, 16th July, p. 37; 23rd July, p. 41.

Reported without amendment; report considered and adopted; Bill read the third time and passed, 23rd July, p. 41.

Message from the Legislative Assembly notifying their agreement to the Bill with an amendment; amendment considered and agreed to, 4th February, 1896, p. 154. (*Assented to 10th February. Act No. 1415.*)

GIPPSLAND WEST AND MORNINGTON (RECTIFICATION OF BOUNDARIES) BILL.—Bill intituled "*An Act to rectify the Boundaries of the Gippsland West and Mornington Electoral Districts and certain Divisions thereof.*"—(*Hon. W. McCulloch.*)—Brought from the Legislative Assembly and read a first time, 11th February, 1896, p. 167.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 13th February, p. 176. (*Assented to 20th February. Act No. 1427.*)

GOLDSBROUGH MORT AND COMPANY LIMITED ARRANGEMENT BILL.—Bill intituled "*An Act to confirm a Scheme of Arrangement between Goldsbrough Mort and Company Limited its Debenture-holders and Contributors.*"—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)—Brought from the Legislative Assembly; Standing Orders relating to Private Bills, by leave, suspended so as to permit the Bill to be read a first time this day; Bill read a first time, 17th September, 1895, p. 65.

Receipt produced showing that the sum of £20 had been paid into the hands of the Treasurer of the colony, and Bill read a second time and committed; considered in Committee and reported with amendments; Standing Orders relating to Private Bills, by leave, suspended so as to allow the Bill to pass through its remaining stages this day; report considered and adopted; Bill read the third time and passed, 24th September, p. 67.

Message from the Legislative Assembly notifying their agreement to the amendments of the Legislative Council, 24th September, p. 68. (*Assented to 26th September. Act No. 1397.*)

INCOME TAX RATE BILL.—Bill intituled "*An Act to declare the Rates of Duties of Income Tax for the Year ending on the thirty-first day of December One thousand eight hundred and ninety-six.*"—(*Hon. W. McCulloch.*)—Brought from the Legislative Assembly and read a first time, 18th December, 1895, p. 122.

Motion—That this Bill be now read a second time; further motion for the adjournment of the debate negatived; question—That this Bill be now read a second time—resolved in the affirmative; Bill read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 19th December, pp. 126–7. (*Assented to 24th December. Act No. 1410.*)

INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL.

—Bill intituled "*An Act to further amend the 'Instruments Act 1890.'*"—(*Hon. H. Cuthbert.*) Brought from the Legislative Assembly and read a first time, 26th November, 1895, pp. 93–4.

Read a second time and committed; considered in Committee, 10th December, p. 108.

Further considered in Committee, 13th December, p. 117; 17th December, p. 120.

Reported with amendments, 17th December, p. 120.

Recommitted for the reconsideration of clauses 4, 7, and 8; reconsidered in Committee and re-reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 17th December, p. 120.

Message from the Legislative Assembly notifying that they have agreed to some of the amendments of the Legislative Council, have disagreed with others, and have agreed to some of the said amendments with amendments, 22nd January, 1896, p. 137.

Amendments considered; Legislative Council do not insist (on division) on one of their amendments, insist on others (one on division), and agree to the amendments of the Legislative Assembly on amendments of the Legislative Council, 23rd January, pp. 143–4.

Message from the Legislative Assembly notifying that they do not insist on disagreeing with two of the amendments insisted on by the Legislative Council, and do insist on disagreeing with one of the said amendments, 4th February, p. 157.

Amendment considered; Legislative Council do not now insist on their amendment to omit clause 14, 5th February, p. 160.

Message from the Legislative Assembly transmitting Message from His Excellency the Governor recommending an amendment in the Bill, to which the Legislative Assembly had agreed; His Excellency's amendment considered and agreed to, 11th February, p. 166. (*Assented to 20th February. Act No. 1423.*)

INTESTATES' ESTATES BILL.—Bill to amend the Law by making better provision for the Widows of certain Intestates in the distribution of such Intestates' property.—(*Hon. A. Wynne.*)—Initiated and read a first time, 9th July, 1895, p. 31.

Read a second time and committed; considered in Committee and reported without amendment, 22nd October, p. 76.

Order for consideration of report discharged and Bill recommitted for the consideration of a proposed new clause; reconsidered in Committee and re-reported without amendment; report considered and adopted; Bill read the third time and passed, 4th December, pp. 102–3.

Message from the Legislative Assembly notifying their agreement to the Bill with amendments; amendments considered and agreed to, 4th February, 1896, p. 155. (*Assented to 10th February. Act No. 1419.*)

JUMBUNNA AND OUTTRIM RAILWAY CONSTRUCTION ACT 1895 AMENDMENT BILL.—Bill intituled "*An Act to amend the 'Jumbunna and Outtrim Railway Construction Act 1895.'*"—(*Hon. W. McCulloch.*)—Brought from the Legislative Assembly and read a first time, 15th January, 1896, p. 132.

Motion—That this Bill be now read a second time; further motion for the adjournment of the debate negatived; question—That this

JUMBUNNA AND OUTTRIM RAILWAY CONSTRUCTION ACT 1895 AMENDMENT BILL—continued.

Bill be now read a second time—resolved in the affirmative; Bill read a second time and committed; considered in Committee, 30th January, p. 152.

Further considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 4th February, p. 157. (*Assented to 10th February. Act No. 1420.*)

JURIES ACT 1890 AMENDMENT BILL.—Bill intituled "*An Act to amend the 'Juries Act 1890.'*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 19th June, 1895, p. 20.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed; title amended and agreed to, 25th June, p. 25.

Message from the Legislative Assembly notifying their agreement to the amendment of the Legislative Council, 2nd July, p. 27. (*Assented to 10th July. Act No. 1391.*)

LAND ACTS AMENDMENT BILL.—Bill intituled "*An Act to extend the provisions of the Land Acts with regard to the granting of Leases and Licences.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 12th February, 1896, p. 172.

Motion—That this Bill be now read a second time—on division, agreed to; Bill read a second time and committed; considered in Committee, 26th February, p. 199.

Further considered in Committee; reported without amendment; report considered and adopted; Bill read the third time and passed, 4th March, p. 231. (*Assented to 7th March. Act No. 1441.*)

LAPSED BILLS RESTORATION BILL.—Bill intituled "*An Act to prevent in certain cases the Lapsing of Bills by the Termination of a Session of Parliament.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly, and read a first time, 11th December, 1895, p. 111.

Motion—That this Bill be now read a second time—on division, negatived, 22nd January, 1896, p. 138.

LICENSING ACT 1890 AMENDMENT BILL.—Bill to amend the *Licensing Act 1890.*—(*Hon. N. Levi.*)—Initiated and read a first time, 3rd July, 1895, p. 29.

Motion—That this Bill be now read a second time; further motion for the adjournment of the debate negatived; question—That this Bill be now read a second time—resolved in the affirmative; Bill read a second time and committed; considered in Committee, 6th August, p. 47.

Further considered in Committee, 10th September p. 61; 17th September, p. 64; 8th October, p. 72; 15th October, p. 74.

Reported with amendments, 15th October, p. 74. Recommitted for the reconsideration of clauses 1, B, and F; reconsidered in Committee, and re-reported with amendments, 15th October, p. 74.

Order for consideration of report discharged and Bill recommitted for the reconsideration of clause F and the Schedule; reconsidered in Committee and re-reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 22nd October, p. 76. Bill not returned from the Legislative Assembly.

LICENSING ACT 1890 AMENDMENT BILL (No. 2).—

Bill intituled "*An Act to provide for the carrying on of the Business of Licensed Persons in certain circumstances and to provide for the transfer and renewal of certain Licences.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 15th January, 1896, pp. 132-3.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 23rd January, p. 144. (*Assented to 10th February. Act No. 1414.*)

LICENSING OF SURVEYORS BILL.—Bill intituled "*An Act to regulate the Licensing of Surveyors and for other purposes.*"—(*Hon. N. Thornley.*)—

Brought from the Legislative Assembly and read a first time, 1st October, 1895, pp. 69-70.

Bill read a second time and committed; considered in Committee and reported with amendments, 8th October, p. 71.

Order for consideration of report discharged and Bill recommitted for the reconsideration of clause 10; reconsidered in Committee and re-reported with an amendment; report, by leave, considered and adopted; Bill read the third time and passed, 15th October, p. 73.

Message from the Legislative Assembly notifying that they have agreed to some of the amendments of the Legislative Council, that they have disagreed with one amendment, but that they have made a further amendment; amendments considered; Legislative Council do not insist on their amendment, and agree to the further amendment of the Legislative Assembly, 29th October, p. 82. (*Assented to 18th November. Act No. 1400.*)

LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL.

—Bill intituled "*An Act to further amend the 'Local Government Act 1890.'*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time; Standing Orders suspended to allow second reading to be considered this day; Bill read a second time and committed; considered in Committee, 20th August, 1895, p. 49.

Order for further consideration in Committee discharged and Bill withdrawn, 25th February, 1896, p. 198.

MALLEE LANDS BILL.—Bill intituled "*An Act relating to Mallee Lands.*"—(*Hon. H. Cuthbert.*)—

Brought from the Legislative Assembly and read a first time, 19th November, 1895, p. 89.

Motion—That this Bill be now read a second time—debate adjourned, 26th November, p. 94; debate resumed; motion—That the debate be adjourned until Tuesday, 4th February next—negatived; question—That this Bill be now read a second time—resolved in the affirmative; Bill read a second time and committed; considered in Committee, 27th November, p. 95.

Further considered in Committee, 28th November, p. 98; 3rd December, p. 100; 4th December, p. 103; 5th December, p. 105.

Reported with amendments, 5th December, p. 105.

Order for consideration of report discharged and Bill recommitted for the reconsideration of clauses 2, 16, 17, 19, 24, 25, 39, 48, and 56; reconsidered in Committee and re-reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 10th December, p. 108.

MALLEE LANDS BILL—*continued.*

Message from the Legislative Assembly notifying that they have agreed to some of the amendments of the Legislative Council, have disagreed with others, and have agreed to some of the said amendments with amendments, and have made two consequential amendments, 22nd January, 1896, p. 137.

Amendments considered; Legislative Council do not insist on some of their amendments (with a protest as to one), do insist on others (one on division), agree to some amendments of the Legislative Assembly on the amendments of the Legislative Council, and disagree with one of such amendments, and agree to two consequential amendments, 23rd January, pp. 141-3.

Message from the Legislative Assembly notifying that they insist on disagreeing with the amendments insisted on by the Legislative Council, and insist on their amendment to omit "or block" in the amendment of the Legislative Council in clause 2; amendments considered; Legislative Council do not now insist on disagreeing with the amendment to omit "or block" in clause 2, do still insist (on division) on their amendment in clause 19, and do not now insist on certain other amendments disagreed with by the Legislative Assembly, 4th February, pp. 155-7.

Message from the Legislative Assembly notifying that they do not now insist on disagreeing with the amendment insisted on by the Legislative Council, 11th February, p. 166.

Message from the Legislative Assembly transmitting Message from His Excellency the Governor recommending certain amendments in the Bill, to which the Legislative Assembly had agreed; His Excellency's amendments considered and agreed to, 18th February, p. 177. (*Assented to 20th February. Act No. 1428.*)

MARINE ACT 1890 FURTHER AMENDMENT BILL.—

Bill intitled "*An Act to further amend the 'Marine Act 1890.'*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 4th February, 1896, p. 157.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 11th February, p. 169. (*Assented to 20th February. Act No. 1426.*)

MARONG RESERVE MINING BILL.—Bill intitled

"*An Act to provide for mining on the Marong Public Recreation Reserve by holders of miners' rights.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 23rd October, 1895, p. 77.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 29th October, p. 83. (*Assented to 18th November. Act No. 1402.*)

MARRIED WOMEN'S PROPERTY BILL.—Bill to amend the *Married Women's Property Act 1890.*—

(*Hon. J. M. Davies.*)—Initiated and read a first time, 25th June, 1895, p. 25.

Motion—That this Bill be now read a second time—debate adjourned, 2nd July, p. 28; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment, 23rd July, p. 42.

Report considered and adopted; Bill read the third time and passed, 6th August, p. 46.

MARRIED WOMEN'S PROPERTY BILL—*continued.*

Message from the Legislative Assembly notifying their agreement to the Bill with an amendment; amendment considered and agreed to, 4th February, 1896, p. 154. (*Assented to 10th February. Act No. 1416.*)

MILDURA IRRIGATION TRUSTS BILL.—Bill intitled

"*An Act to constitute Irrigation Trusts within the Irrigation Colony of Mildura and to invest such Trusts with certain powers and for other purposes.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 5th December, 1895, p. 106.

Petitions presented and referred to the Committee on the Bill, 11th December, p. 111; 12th December, p. 113; 17th December, p. 119. Read a second time and committed; considered in Committee, 11th December, p. 112.

Further considered in Committee, 12th December, p. 114; 13th December, p. 117; 17th December, p. 119; 18th December, p. 122.

Reported with amendments, 18th December, p. 122.

Recommitted for the reconsideration of clauses 1, 3, 5, 6, 9, 15, 101, 114, and 149; reconsidered in Committee and re-reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 18th December, p. 122.

Message from the Legislative Assembly notifying that they have agreed to some of the amendments of the Legislative Council, have disagreed with others of the said amendments, and have agreed to one of the said amendments with an amendment; amendments considered; Legislative Council agree to the amendment of the Legislative Assembly on an amendment of the Legislative Council, and do not insist on their amendments disagreed with by the Legislative Assembly, 19th December, p. 126. (*Assented to 24th December. Act No. 1409.*)

MILDURA WATER SUPPLY BILL.—Bill intitled

"*An Act to provide facilities for carrying out certain of the provisions of the 'Water Act 1890' at Mildura and for other purposes.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time; read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 27th August, 1895, p. 52. (*Assented to 28th August. Act No. 1396.*)

MINES BILL.—Bill to amend the *Mines Act 1890.*—

(*Hon. J. H. Abbott.*)—Initiated and read a first time, 30th May, 1895, p. 15.

Order for second reading discharged and Bill withdrawn, 3rd July, p. 29.

MOOLAP LAND LEASING BILL.—Bill intitled

"*An Act to authorize the granting of a Lease of certain Crown Land in the Parish of Moolap as a Site for the Manufacture of Salt.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 3rd December, 1895, p. 100.

Read a second time and committed; considered in Committee and reported with an amendment; report, by leave, considered and adopted; Bill read the third time and passed, 14th January, 1896, p. 130.

Message from the Legislative Assembly notifying their agreement to the amendment of the Legislative Council, 15th January, p. 133. (*Assented to 29th January. Act No. 1411.*)

MUNICIPAL OVERDRAFTS (INDEMNITY) BILL.—Bill intituled "*An Act to indemnify the Councillors of various Municipalities for Borrowing Moneys by Overdrafts on Bankers for the purposes of their Municipalities contrary to the provisions of the 'Local Government Act 1890' and for other purposes.*"—(*Hon. S. Williamson.*)—Brought from the Legislative Assembly and read a first time, 23rd October, 1895, p. 77.

Read a second time and committed; considered in Committee, 29th October, p. 83.

Further considered in Committee, 12th November, p. 87; 20th November, p. 92.

Reported without amendment; report considered and adopted; Bill read the third time and passed, 20th November, p. 92. (*Assented to 26th November. Act No. 1404.*)

MUNICIPALITIES' ADVANCES BILL.—Bill intituled "*An Act to authorize Advances to be made to certain Municipalities.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 17th September, 1895, p. 64.

Motion—That this Bill be now read a second time; further motion for the adjournment of the debate negatived; question—That this Bill be now read a second time—resolved in the affirmative; Bill read a second time and committed; considered in Committee 24th September, p. 68.

Further considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 1st October, p. 70. (*Assented to 14th October. Act No. 1398.*)

NUNAWADING LANDS EXCHANGE BILL.—Bill intituled "*An Act to authorize the Exchange of certain Land in the parish of Nunawading between the Board of Land and Works the Nunawading Shire Council and the Education Department and for other purposes.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 20th February, 1896, pp. 190-1.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 25th February, p. 197. (*Assented to 6th March. Act No. 1435.*)

PLURAL VOTING ABOLITION AND WOMEN'S SUFFRAGE BILL.—Bill intituled "*An Act to abolish Plural Voting and remove the Disqualification of Women in the Elections of Members of the Legislative Assembly.*"—(*Hon. D. Couatts for the Hon. W. McCulloch.*)—Brought from the Legislative Assembly and read a first time, 3rd December, 1895, p. 99.

Petitions presented, 10th December, p. 107.

Motion—That this Bill be now read a second time—debate adjourned, 10th December, p. 108; debate resumed and further adjourned, 11th December, p. 112; debate resumed; amendment proposed to omit all the words after "That" with a view to insert in place thereof the following words:—"this House will not proceed with the Plural Voting Abolition and Women's Suffrage Bill until a measure has been submitted to Parliament, having for its object the reduction of the number of Members in both Houses of Parliament, in accordance with the views expressed by the Members of the Legislative Assembly on the occasion of the last General Election, and demanded by the majority of the electors"; amendment, on division, negatived; question—

PLURAL VOTING ABOLITION AND WOMEN'S SUFFRAGE BILL—continued.

That this Bill be now read a second time—on division, negatived, 12th December, p. 113-13.

POLICE REGULATION ACT 1890 AMENDMENT BILL.—Bill intituled "*An Act to amend the 'Police Regulation Act 1890.'*"—(*Hon. H. Cuthbert.*)

—Brought from the Legislative Assembly and read a first time, 17th December, 1895, p. 120.

Read a second time and committed; considered in Committee and reported with an amendment; report, by leave, considered and adopted; Bill read the third time and passed, 14th January, 1896, p. 130.

Message from the Legislative Assembly notifying their agreement to the amendment of the Legislative Council, 15th January, p. 133. (*Assented to 29th January. Act No. 1412.*)

POST OFFICE ACT 1890 AMENDMENT BILL.—Bill intituled "*An Act to amend the 'Post Office Act 1890' and for other purposes.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 11th February, 1896, p. 167.

Read a second time and committed; considered in Committee, 25th February, p. 198.

Further considered in Committee and reported with amendments; report, by leave, considered; motion for recommittal on clause 8 proposed, and, by leave, withdrawn; report adopted; Bill read the third time and passed, 3rd March, p. 225. Bill not returned from the Legislative Assembly.

PRINTERS AND NEWSPAPERS BILL.—Bill to amend the *Printers and Newspapers Act 1890.*—(*Hon. H. Cuthbert.*)—Initiated and read a first time, 27th August, 1895, p. 51.

Read a second time and committed; considered in Committee and reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 3rd September, p. 57.

Message from the Legislative Assembly notifying their agreement to the Bill, 17th December, p. 120. (*Assented to 24th December. Act No. 1406.*)

PUBLIC AND BANK HOLIDAYS BILL.—Bill relating to certain Public and Bank Holidays.—(*Hon. W. McCulloch.*)—Initiated and read a first time, 25th June, 1895, p. 24.

Read a second time and committed; considered in Committee, 3rd July, p. 30.

Order for further consideration in Committee discharged and Bill withdrawn, 3rd September, p. 57.

RAILWAY LOAN APPLICATION BILL.—Bill intituled "*An Act to sanction the Expenditure of Moneys available under Loan Acts for Railways and other purposes and to prevent the further issue of Moneys under the authority of certain Railway Loan Application Acts.*"—(*Hon. W. McCulloch.*)—Brought from the Legislative Assembly and read a first time, 18th February, 1896, pp. 177-8.

Petitions presented and referred to the Committee on the Bill, 25th February, p. 195.

Motion—That this Bill be now read a second time; debate adjourned, 25th February, p. 198; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 27th February, p. 209. (*Assented to 6th March. Act No. 1437.*)

RAILWAYS BILL.—Bill intituled "*An Act to further amend the Law relating to the Victorian Railways.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 30th January, 1896, p. 151.

Motion—That this Bill be now read a second time; further motion for the adjournment of the debate proposed, and, by leave, withdrawn; question—That this Bill be now read a second time—resolved in the affirmative; Bill read a second time and committed; considered in Committee, 5th February, pp. 160–1.

Further considered in Committee and reported with amendments, and with an amended title, viz., "*An Act to create a Victorian Railways Trust and to further amend the Law relating to the Victorian Railways.*" 6th February, p. 163.

Order for consideration of report discharged, and Bill recommitted for the reconsideration of clause 17 and the Schedules; reconsidered in Committee and re-reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 11th February, pp. 167–8.

Message from the Legislative Assembly notifying that they have disagreed with the amendments of the Legislative Council, 13th February, p. 175.

Amendments considered; Legislative Council insist on their amendments for the following reasons:—

1. That the amendments are in accordance with the unanimous report of the Railway Inquiry Board.
2. That such report was in accordance with the evidence of a large number of expert and commercial witnesses.
3. That the Ministry after due consideration adopted the said report, and framed their Bill in accordance therewith providing for—

(a) A Railway Trust consisting of the Minister and four others appointed by the Governor in Council.

(b) A General Manager responsible to the Trust.

4. That the Council are of opinion that the Bill so drawn will insure the management of the railways upon a sound commercial basis.
5. On the other hand the Legislative Council are strongly of opinion that the Bill as sent to the Council will result—

(a) In the country being unable to secure the services of a competent man;

(b) In placing the General Manager under the full control of the Minister for the time being; and

(c) In re-establishing the system of political influence which in the past has been so fatal to the successful working of the railways.

—18th February, pp. 180–6.

Message from the Legislative Assembly desiring a Free Conference on the subject-matter of the amendments made and insisted on by the Legislative Council, and notifying that they have appointed nine Members of the Legislative Assembly to be Managers of the said Conference, 19th February, p. 188.

RAILWAYS BILL—continued.

Message considered; desire of the Legislative Assembly complied with, and nine Members of the Legislative Council appointed Managers of the Conference to confer with a like number of Members of the Legislative Assembly, the Conference to meet in the South Library, at half-past seven o'clock this day, 20th February, p. 189.

The Hon. Lieut.-Col. Sir F. T. Sargood reported, on behalf of the Managers for the Legislative Council, that they had met the Managers for the Legislative Assembly on the subject-matter of the amendments made and insisted on by the Legislative Council in the Bill and with which the Legislative Assembly had disagreed, and that, after discussion, the following resolutions had been agreed to:—

1. That there shall be a General Manager, to be called a Commissioner, and that the Government are to have unlimited powers as to his selection.
2. Clause 13 of the Bill to be struck out.
3. An Advisory Board to be formed, that is, at least once in each month the Commissioner shall call together the following officers:—The Engineer-in-Chief, the Secretary for Railways, the Chief Mechanical Engineer, the Engineer for Existing Lines, and the Traffic Manager for the purpose of consultation, three to form a quorum, to discuss all matters brought forward by the Commissioner or by any of the officers present, records to be kept of all their meetings, 21st February, p. 193.

Message from the Legislative Assembly notifying that they insist on disagreeing with some of the amendments insisted on by the Legislative Council, that they do not insist on disagreeing with the omission of clause 13, and that they insist on disagreeing with proposed new clauses A to CC inclusive, but have inserted a new clause (AAA) in place thereof, and have made certain consequential amendments, 25th February, p. 198.

Amendments considered; Legislative Council do not now insist on some of their amendments disagreed with by the Legislative Assembly, agree to the insertion of new clause AAA and certain consequential amendments of the Legislative Assembly, and amend clause 11, 26th February, pp. 200–7.

Message from the Legislative Assembly notifying their agreement to the amendment of the Legislative Council in clause 11, 27th February, p. 210.

Message from the Legislative Assembly transmitting Message from His Excellency the Governor recommending an amendment in the Bill, to which the Legislative Assembly had agreed; His Excellency's amendment considered and agreed to, 28th February, p. 218.

Government Shorthand Writers' notes of the Conference held between the Managers for the Legislative Council and for the Legislative Assembly presented, 5th March, p. 233. (*Assented to 6th March. Act No. 1439.*)

SALE OF GOODS BILL.—Bill for codifying the Law relating to the Sale of Goods.—(*Hon. H. Cuthbert.*)—Initiated and read a first time, 25th June, 1895, p. 24.

Read a second time and committed; considered in Committee and reported with amendments, 3rd July, p. 30.

SALE OF GOODS BILL—continued.

Order for consideration of report discharged and Bill recommitted for the reconsideration of clauses 3, 38, 51, and 62; reconsidered in Committee and re-reported with further amendments, 9th July, p. 32.

Order for consideration of report discharged and Bill recommitted for the reconsideration of clauses 35 and 62; reconsidered in Committee and re-reported without amendment; report considered and adopted; Bill read the third time and passed, 16th July, p. 36.

Message from the Legislative Assembly notifying their agreement to the Bill with amendments, 4th February, 1896, p. 155.

Amendments considered; Legislative Council agree to some of the amendments of the Legislative Assembly and disagree with others of the said amendments, 5th February, p. 160.

Message from the Legislative Assembly notifying that they do not insist on their amendments disagreed with by the Legislative Council, 11th February, p. 166. (*Assented to 20th February. Act No. 1422.*)

SEED BILL.—Bill intituled "*An Act to enable Seed to be advanced on certain terms to Cultivators of Land.*"—(*Hon. D. Coutts.*)—Brought from the Legislative Assembly and read a first time, 18th February, 1896, p. 178.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 25th February, p. 197. (*Assented to 6th March. Act No. 1433.*)

STREET BETTING SUPPRESSION BILL.—Bill to Suppress Betting in Streets.—(*Hon. H. Cuthbert.*)—Initiated and read a first time, 10th September, 1895, p. 60.

Petition presented and referred to the Committee on the Bill, 17th September, p. 64.

Read a second time and committed; considered in Committee, 17th September, p. 64.

Further considered in Committee, 24th September, p. 68; 1st October, p. 69; 8th October, p. 71.

Reported with amendments, and with an amended title, viz.:—*A Bill to Suppress Betting in Streets and for other purposes*, 8th October, p. 71.

Recommitted for the reconsideration of clauses 2 and 4; reconsidered in Committee, 8th October, p. 71.

Further considered in Committee, and re-reported with amendments, 15th October, p. 74.

Recommitted for the reconsideration of clauses 3 and C; reconsidered in Committee and re-reported with amendments, 15th October, p. 74.

Order for consideration of report discharged and Bill recommitted for the reconsideration of clause 4; reconsidered in Committee and re-reported with an amendment; report, by leave, considered and adopted; Bill read the third time and passed, 22nd October, p. 75.

Message from the Legislative Assembly notifying their agreement to the Bill with amendments, 11th February, 1896, p. 167.

Amendments considered; Legislative Council agree to some of the amendments of the Legislative Assembly and disagree with one of the said amendments, 12th February, p. 172.

Message from the Legislative Assembly notifying that they insist on their amendment disagreed with by the Legislative Council, 18th February, p. 186.

STREET BETTING SUPPRESSION BILL—continued.

Amendment considered; Legislative Council do not insist on disagreeing with the amendment of the Legislative Assembly, but agree to the same with amendments, 20th February, p. 190.

Message from the Legislative Assembly notifying their agreement to the amendments of the Legislative Council on an amendment of the Legislative Assembly in clause 5, 26th February, p. 200. (*Assented to 6th March. Act No. 1436.*)

SUGAR BEET BILL.—Bill intituled "*An Act to encourage the Establishment of the Sugar Beet Industry in Victoria.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 10th December, 1895, p. 108.

Motion—That this Bill be now read a second time—debate adjourned, 15th January, 1896, p. 133; debate resumed and further adjourned, 21st January, p. 135; debate resumed; Bill read a second time and committed; considered in Committee, 22nd January, p. 138.

Further considered in Committee, 29th January, p. 149; 4th February, p. 158; 11th February, p. 168.

Reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 11th February, p. 168.

Message from the Legislative Assembly notifying that they have agreed to some of the amendments of the Legislative Council, disagreed with others of the said amendments, and have agreed to two of the said amendments with amendments, 18th February, p. 178.

Amendments considered; Legislative Council do not insist on one of their amendments; do insist on another, and agree to the amendments of the Legislative Assembly on certain amendments of the Legislative Council, 25th February, p. 196.

Message from the Legislative Assembly notifying that they do not insist on disagreeing with the amendment insisted on by the Legislative Council, 26th February, p. 200.

Message from the Legislative Assembly transmitting Message from His Excellency the Governor, recommending certain amendments in the Bill to which the Legislative Assembly had agreed; His Excellency's amendments considered and agreed to, 3rd March, p. 224. (*Assented to 6th March. Act No. 1440.*)

SUPREME COURT ACT 1890 FURTHER AMENDMENT BILL.—Bill intituled "*An Act to further amend the 'Supreme Court Act 1890' and for other purposes.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 19th June, 1895, p. 20.

Read a second time and committed; considered in Committee and reported with an amendment; report, by leave, considered and adopted; Bill read the third time and passed, 25th June, p. 25.

Message from the Legislative Assembly notifying their agreement to the amendment of the Legislative Council, 9th July, p. 32. (*Assented to 10th July. Act No. 1392.*)

THEATRES ACT 1890 AMENDMENT BILL.—Bill to amend the *Theatres Act 1890.*—(*Hon. H. Cuthbert.*)—Initiated and read a first time, 29th May, 1895, p. 13.

Petitions presented and referred to the Committee on the Bill, 3rd July, p. 29; 9th July, p. 31.

THEATRES ACT 1890 AMENDMENT BILL—*continued.*

Read a second time and committed; considered in Committee, 25th June, p. 25.

Further considered in Committee and reported with an amendment, 9th July, p. 33.

Report considered and adopted; Bill read the third time and passed, 23rd July, p. 41.

Message from the Legislative Assembly notifying their agreement to the Bill with amendments; amendments considered and agreed to, 11th February, 1896, p. 167. (*Assented to 2nd March. Act No. 1430.*)

TREASURY DEPOSITS INTEREST BILL.—Bill intituled "*An Act to authorize the payment of Interest on certain deposits in the Treasury.*"—(*Hon. W. McCulloch.*)—Brought from the Legislative Assembly and read a first time, 23rd October, 1895, p. 78.

Motion—That this Bill be now read a second time; further motion for the adjournment of the debate, on division, resolved in the affirmative; debate adjourned, 12th November, p. 87; debate resumed; motion, by leave—That the debate on the question, That this Bill be now read a second time, be re-opened—resolved in the affirmative; motion—That this Bill be now read a second time—debate adjourned, 14th January, 1896, p. 129.

Motion—That there be laid before this House—

* * * * *

2. Any letters received by the Honorable the Treasurer from the Commissioners in relation to the Bill. * * * Agreed to, 20th November, 1895, p. 91.

Order for the resumption of debate on the second reading discharged and Bill withdrawn, 25th February, 1896, p. 198.

TRUSTS BILL—Bill to amend the Law relating to Trusts and Trustees.—(*Hon. H. Cuthbert.*)—Initiated and read a first time, 25th June, 1895, p. 24.

Read a second time and committed; considered in Committee, 9th July, p. 32.

Further considered in Committee, 23rd July, p. 41.

Reported with amendments, 23rd July, p. 41.

Report considered and adopted; Bill read the third time and passed, 6th August, p. 46.

Message from the Legislative Assembly notifying their agreement to the Bill with amendments; 4th February, 1896, p. 155.

Amendments considered and agreed to, 5th February, p. 160. (*Assented to 20th February. Act No. 1421.*)

VEGETATION DISEASES BILL.—Bill intituled "*An Act relating to Disease affecting Vegetation.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 3rd December, 1895, p. 100.

Motion—That this Bill be now read a second time; further motion for the adjournment of the debate—on division, negatived; question—That this Bill be now read a second time—resolved in the affirmative; Bill read a second time and committed, 22nd January, 1896, pp. 138–9.

Further considered in Committee and reported with amendments; report, by leave, considered and adopted, 4th February, p. 158.

Motion—That this Bill be now read a third time; amendment—That the Order of the Day for the third reading be discharged, with a view to the Bill being recommitted—proposed, and

VEGETATION DISEASES BILL—*continued.*

by leave withdrawn; question that this Bill be now read a third time—resolved in the affirmative; Bill read the third time and passed, 5th February, p. 160.

Message from the Legislative Assembly notifying that they have agreed to some of the amendments of the Legislative Council and have disagreed with others of the said amendments, 12th February, p. 171.

Amendments considered; Legislative Council insist on their amendments, 12th February, p. 172.

Message from the Legislative Assembly notifying that they insist on disagreeing with the amendments insisted on by the Legislative Council, 18th February, p. 186.

Amendments considered; Legislative Council do not now insist on their amendments disagreed with by the Legislative Assembly, 20th February, p. 190.

Message from the Legislative Assembly transmitting Message from His Excellency the Governor, recommending an amendment in the Bill to which the Legislative Assembly had agreed; His Excellency's amendment considered and agreed to, 25th February, pp. 195–6. (*Assented to 2nd March. Act No. 1432.*)

VOLUNTARY CONVEYANCES BILL.—Bill to amend the Law relating to the Avoidance of Voluntary Conveyances.—(*Hon. J. M. Davies.*)—Initiated and read a first time, 25th June, 1895, p. 26.

Motion—That this Bill be now read a second time—debate adjourned, 3rd July, p. 29; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 23rd July, p. 41.

Message from the Legislative Assembly notifying their agreement to the Bill with an amendment; amendment considered and agreed to, 4th February, 1896, p. 154. (*Assented to 10th February. Act No. 1417.*)

WATER ACT 1890 (PART 2) AMENDMENT BILL.—

Bill intituled "*An Act relating to the Making and Levying of Rates within an Urban District under the 'Water Act 1890' and for the Abolition of Fees for Summonses to recover Rates and Charges under the said Act.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 4th February, 1896, p. 157.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 11th February, p. 168. (*Assented to 20th February. Act No. 1425.*)

WIDTH OF TIRES BILL.—Bill to regulate the Weights to be carried on certain Vehicles and for other purposes.—(*Hon. H. Cuthbert.*)—Initiated and read a first time, 25th June, 1895, p. 24.

Read a second time and committed; considered in Committee, 2nd July, p. 28.

Reported with amendments, 2nd July, p. 28.

Order for consideration of report discharged and Bill recommitted for reconsideration; reconsidered in Committee, 9th July, p. 32.

WIDTH OF TIRES BILL—*continued.*

Further considered in Committee and re-reported with further amendments, 16th July, p. 36.

Recommitted for the re-consideration of clause 4; reconsidered in Committee and re-reported with amendments, 16th July, p. 36.

Order for consideration of report discharged and Bill recommitted for the reconsideration of clause 4; reconsidered in Committee and re-reported without further amendment; report considered and adopted; Bill read the third time and passed, 6th August, p. 46.

WIDTH OF TIRES BILL—*continued.*

Message from the Legislative Assembly notifying their agreement to the Bill with amendments, 19th February, 1896, p. 187.

Amendments considered; Legislative Council agree to some of the amendments of the Legislative Assembly and disagree with one of the said amendments, 20th February, p. 190.

Message from the Legislative Assembly notifying that they do not insist on their amendment disagreed with by the Legislative Council, 21st February, p. 193. (*Assented to 2nd March. Act No. 1431.*)

NOTE.—The Governor's Salary Reduction Bill and the Ministers' Salaries Reduction Bill passed in the Session 1894-5, and reserved on the 29th January, 1895 for the signification of Her Majesty's pleasure thereon, were assented to on the 11th May, 1895, and the assent proclaimed 15th July, 1895. Acts Nos. 1393 and 1394. See pp. 39-40.

MINUTES OF THE PROCEEDINGS, ETC.

VICTORIA.

No. 1.

MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

WEDNESDAY, 29TH MAY, 1895.

1. The Council met pursuant to the Proclamation of His Excellency the Administrator of the Government, bearing date the second day of May, 1895, which Proclamation was read by the Clerk, and is as follows :—

FURTHER PROROGUING PARLIAMENT AND FIXING THE TIME FOR HOLDING THE SECOND SESSION OF THE SIXTEENTH PARLIAMENT.

PROCLAMATION

By His Excellency the Honorable Sir John Madden, Knight, the Chief Justice of the Supreme Court of the Colony of Victoria, and Administrator of the Government of the said Colony, &c., &c., &c.

WHEREAS by *The Constitution Act* it was amongst other things enacted that it should be lawful for the Governor to fix such places within Victoria and, subject to the limitation therein contained, such times for holding the first and every other Session of the Council and Assembly, and to vary and alter the same respectively in such manner as he might think fit; and also from time to time to prorogue the said Council and Assembly, and to dissolve the said Assembly, by Proclamation or otherwise, whenever he should deem it expedient: And whereas the said Council and Assembly called "The Parliament of Victoria," stand prorogued until Tuesday, the seventh day of May, 1895, and it is expedient further to prorogue the same, and to fix the time for holding the next Session thereof: Now therefore I, the Administrator of the Government of Victoria, in exercise of the power conferred by the said Act, do by this my Proclamation further prorogue the said Parliament of Victoria until Wednesday, the 29th day of May, 1895; and also I do hereby fix Wednesday, the twenty-ninth day of May aforesaid, as the time for the commencement and holding of the next Session of the said Council and Assembly, called "The Parliament of Victoria," for the despatch of business, at the hour of Two o'clock in the afternoon, in the Parliament Houses, situate in Parliament-place, Spring-street, in the City of Melbourne: And the Honorable the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

Given under my Hand and the Seal of the Colony, at Melbourne, this second day of May, in the year of our Lord One thousand eight hundred and ninety-five, and in the fifty-eighth year of Her Majesty's reign.

(L.S.)

JOHN MADDEN.

By His Excellency's Command,
GEORGE TURNER.

GOD SAVE THE QUEEN!

(500 copies.)

2. APPROACH OF HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.—The approach of His Excellency the Administrator of the Government was announced by the Usher.

His Excellency came into the Council Chamber, and commanded the Usher to desire 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 :

After the prolonged period of depression, it is gratifying to be able to realize that there are unmistakable signs of returning prosperity, and that it appears as if the people of Victoria were destined, at no distant date, to reap the reward of the courage and patience with which they have borne adversity. I trust that your labours will tend to the continuance and increase of that prosperity.

During the recess a meeting of the Premiers of all the Australian Colonies took place at Hobart, with the satisfactory result that an agreement was arrived at by the Premiers of Queensland, New South Wales, South Australia, Tasmania, and Victoria that Bills should be introduced into the Legislatures of those Colonies for the election by the people of a Convention to frame a Constitution for a Federated Australia. My Advisers trust that the course of events in the mother colony will afford them the opportunity of laying before you shortly for your consideration a Bill to provide for the election of Victorian Representatives to the proposed Convention, and thus enable Victoria once again to show the zeal and earnestness with which Federation is desired.

A Session of the Federal Council has also been held during the recess, at which, for the first time, the colonies enjoyed the larger representation recently granted to them. Although no important measure was passed into law, the meeting was not unproductive of good in cementing the federal spirit amongst the colonies represented.

The Government, believing that the absolute stoppage of public works would accentuate the then prevailing distress, have proceeded with such reproductive undertakings as they could safely carry out, especially in regrading railway lines, and they have made provision for other extensive works during the coming winter.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

For the first time you will have an opportunity of appointing the Committee of Public Accounts under the provisions of the Standing Order passed last Session. It is to be hoped that the establishment of this Committee will add another salutary check to undue and extravagant expenditure of the public money ; and you will be asked to pass such legislation as will securely safeguard the Trust Funds.

The Estimates of Expenditure which will be submitted to you will show that my Advisers have redeemed their promises to effect large savings in the cost of government. Since the close of last Session they have kept steadily in view the necessity of reducing the expenditure of Victoria to a sum justified by the population and wealth of the country. By amalgamating Departments, and by otherwise exercising the strictest economy and the keenest supervision as to expenditure, they have been enabled to make systematic and permanent reductions to a very large extent in the cost of the Public Service, and this with the least hardship to individuals and without wholesale dismissals. My Advisers confidently anticipate that the expenditure of the next financial year will be kept well within the income, and they realize that it is only by continued economies on a settled plan that any permanent relief can be afforded to the taxpayer.

The first measure to be laid before you will be a Bill to provide for the Revision of the Tariff. The Board appointed to inquire into the effects of the fiscal system of Victoria upon industry and production have brought their valuable labours to a close ; and their Report, in which a mass of most important evidence regarding the industries and productions of the country has been arranged and analyzed, will be of the greatest assistance to you in dealing with this intricate question.

It is now fully recognised that the colony must use every effort to encourage the production of such articles as can be profitably exported. One great factor in successful production is the obtaining of money at a low rate of interest. As soon as the Royal Commission appointed to inquire into this subject, and as to the establishment of a State Bank, have furnished their Report, my Ministers will be prepared to lay before you a measure dealing with the whole question in a liberal and comprehensive manner.

Although, from various causes, much difficulty has occurred in the establishment of Village Settlements and the sums originally allotted to the settlers have proved inadequate, my Advisers have endeavoured to improve the condition of the settlers and make the settlements successful ; and your sanction will be asked to a further grant to enable advances to be made to settlers to the amounts that experience has shown to be necessary.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

An important factor in the success of production is the cheapness and convenience of transport. I am glad to be able to announce that arrangements have been made for the carriage of frozen produce to Europe at lower rates than any hitherto prevailing, and it is believed that even better terms will be obtained next year in response to tenders which have already been invited.

The Bill to facilitate settlement in the Mallee country failed to become law last session. As it is absolutely necessary, if the farming population are to be kept from leaving Victoria and settling in the neighbouring colonies, that sufficient inducement should be held out to them to remain here, my Advisers will take an early opportunity of again dealing with this subject.

For many years differences have, unfortunately, existed in the Mildura district which have retarded progress there, and the Government have prepared the necessary Bill to carry out the wishes of the settlers, and trust that it may be passed into law as early as possible.

A Bill for the amendment of the law relating to Companies will be again submitted for your consideration.

My Advisers have appointed a Board to inquire into the management of the Railways, in order that a further effort may be made to conduct the business in such a manner as to greatly lessen if not altogether prevent the annual deficit, and their Report will be presented to you to be dealt with.

Proposals for the amendment of the Constitution Act, for establishing the principle of one adult one vote, and for facilitating the settlement of differences between the two Houses of the Legislature will be placed before you.

As soon as the Standing Committee on Railways has reported on the two important subjects which have been remitted to them, my Advisers hope to be enabled to lay before you satisfactory proposals for the construction of railways.

Experience has shown that the Factories Act requires amendment to carry out the intentions of the framers, and you will be asked to pass a remedial measure so as to check the practice of "sweating" and insure work being carried on under proper sanitary conditions.

My Advisers, believing that the best interests of the colony will be promoted by the judicious development of its natural resources, are taking practical steps to encourage the production of valuable oil and fibre plants of various kinds; and having ascertained by actual tests that several portions of the colony are admirably suited for the growth of sugar-beet of a very superior quality, will submit to you a Bill to encourage the establishment of sugar-beet factories.

Not the least satisfactory sign of returning prosperity is the advance that the mining industry has made as regards the two great products of gold and coal. During the past year a great increase has taken place both in production and in the number of men who have been employed in mining. With the object of maintaining this increase, a Bill will be submitted to you to consolidate the law relating to mining and mining operations.

The Report of the Water Commission will be ready shortly, and you will be asked to pass the necessary Act to place the Water Trusts in a better financial position and to remove the existing difficulties.

It is a quarter of a century since the present Insolvency Law was passed, and in that time numerous defects in principles and in details have become apparent. My Advisers, having carefully considered the question and taken expert evidence, have framed a Bill to remedy these defects, which will be laid before you at the earliest opportunity.

The Royal Commission on Charities have concluded their valuable investigations, and my Advisers will place before you a Bill to provide for the better regulation and maintenance of Charitable Institutions.

Bills have also been prepared dealing with many other important matters, including the amendment of the Purification of Rolls Act, so as to facilitate the enfranchisement of electors; the regulation of Electric Lighting; the consolidation of the law relating to the Sales of Goods; the settlement of Trade Disputes; the amendment of the law relating to Trustees; the authorization of Advances to certain Municipalities; the regulation of the Width of Tires; the amendment of the Explosives Act; to provide a Site for Powder Magazines at a safe distance from Melbourne; to effectually deal with Insect Pests; to amend the law relating to Distillation; to amend the Marine Act; to deal with questions affecting the Game Act.

I now leave you to your deliberations, which I trust, by the blessing of Divine Providence, will result in the restored prosperity and continued advancement of the people of Victoria.

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

3. The President took the Chair, and read the Prayer.
4. RETURN TO WRIT.—The President announced that there had been received a return to a Writ issued by His Excellency the Governor for the election of a Member to serve for the Gippsland Province in the place of the Honorable William McCulloch, who had accepted an office of profit under the Crown, and by the endorsement on such Writ it appeared that the Honorable William McCulloch had been elected in pursuance thereof.
5. SWEARING-IN OF MEMBER.—The Honorable W. McCulloch, 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 Act 54 Victoria, No. 1075, I, WILLIAM McCULLOCH, 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 colony 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 Colac, and are known as 'Mertoun Park.'

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Colac are rated in the rate-book of such district upon a yearly value of One thousand three hundred and thirteen 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. McCULLOCH."

6. DECLARATIONS OF MEMBERS.—The Honorables the President, J. H. Abbott, S. Austin, J. Balfour, J. Bell, F. Brown, T. Brunton, J. Buchanan, Sir W. J. Clarke, Bart., J. H. Connor, S. W. Cooke, D. Coutts, E. J. Crooke, H. Cuthbert, J. M. Davies, T. Dowling, Dr. W. H. Embling, N. FitzGerald, J. H. Grey, F. S. Grimwade, C. J. Ham, N. Levi, D. Melville, E. Miller, E. Morey, W. Pitt, J. M. Pratt, R. Reid, A. O. Sachse, C. Sargeant, Licut.-Col. Sir F. T. Sargood, J. Service, G. Simmie, J. Sternberg, N. Thornley, J. A. Wallace, S. Williamson, W. I. Winter-Irving, and A. Wynne 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 Act 54 Victoria, No. 1075, I, WILLIAM AUSTIN ZEAL, 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 colony of Victoria of the yearly value of Six hundred and fifty-one 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 Prahran and South Melbourne, and are known as—

“Parts of Crown portions 14, 17, 18, and 20, parish of Prahran, at Toorak; and parts of Crown allotment 3, section I, and Crown allotment 4, section I, city of South Melbourne, all in the 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 Four hundred and fifty-six pounds; and 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 One hundred and ninety-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.

“W. A. ZEAL.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JOSEPH HENRY 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 colony of Victoria of the yearly value of Three 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 Sandhurst, Echuca, and Strathfieldsaye, and are known as—

“Firstly, part of Crown allotment five, section thirty-one C, Barkly-place, city and parish of Sandhurst, county of Bendigo.

“Secondly, Crown allotment six and six A of section sixty-eight C, Olinda and Gladstone streets, city and parish of Sandhurst, county of Bendigo.

“Thirdly, Crown allotments one, two, and three, section nineteen, parish of Mandurang, county of Bendigo.

“Fourthly, part of allotment thirteen, section one, and part of Crown allotment six of section three, parish of Mandurang, county of Bendigo, particularly described in certificate of title entered in the Register Book, vol. 1353, fol. 270462.

“Fifthly, part of Crown allotment seventeen, section one, parish of Mandurang, county of Bendigo, particularly described in certificate of title entered in the Register Book, vol. 1140, fol. 227959.

“Sixthly, part of Crown allotment three, section six, town of Echuca, parish of Echuca North, county of Rodney, particularly described in certificate of title entered in the Register Book, vol. 1786, fol. 357001.

“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 twenty-three 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 twenty-three pounds; and that such of the said lands or tenements as are situate in the municipal district of Echuca are rated in the rate book of such district upon a yearly value of seventy-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.

“JOSEPH HENRY ABBOTT.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, SIDNEY AUSTIN, of Geelong, 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 colony of Victoria of the yearly value of One hundred and sixty-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 Winchelsea, and are known as ‘Karngun Paddocks.’

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

“SIDNEY AUSTIN.”

"In compliance with the provisions of the Act 54 Victoria, No. 1075, 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 colony of Victoria of the yearly value of One hundred and four 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 part of Crown portion 18, parish of Prahran.

"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 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.

"JAMES BALFOUR."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JAMES BELL, 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 colony of Victoria of the yearly value of One hundred and sixty-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 Dunolly, and are known as my property, being allotments 4, 5, 6, 7, and 9 of section 26, and allotments 8^b and 9 of section 12, town of Dunolly.

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

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, FREDERICK BROWN, of Beechworth, 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 colony of Victoria of the yearly value of One hundred and 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 Beechworth, and are known as 'Shrublands'—Allotments 2, 3, and 4 of section F, with dwelling-house and out-offices, occupied by me; also allotment 8 of section P¹, 17 of section 4, and part of allotment 3 of section D, all in the town and parish of Beechworth.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of United Shire of Beechworth 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.

"FREDK. BROWN."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, THOMAS BRUNTON, 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 colony 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 Essendon, and are known as—

"'Roxburgh', Ascot Vale, bounded by Bloomfield-road, St. Leonard's-road, Union-road, and Roxburgh-street.

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

"THOMAS BRUNTON."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JAMES BUCHANAN, 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 colony 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 Berwick, and are known as 'Burr Hill,' Berwick, in my own occupation.

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

"JAMES BUCHANAN."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, SIR WILLIAM JOHN CLARKE, Bart., 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 colony of Victoria of the yearly value of One thousand and 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 Merriang, and are known as Three thousand four hundred and sixty-one acres, in the parishes of Kalkallo and Mickleham, No. 46 in the rate-book.

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

"W. J. CLARKE."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JOSEPH HENRY CONNOR, 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 colony of Victoria of the yearly value of over 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 Colac, shire of Colac, parish of Cundare, county of Grenville, and are known as allotments 57A and 57B, parish of Cundare, containing three hundred and eighteen acres one rood twenty-four perches.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Colac, shire of Colac, parish of Cundare, county of Grenville, are rated in the rate-book of such district upon a yearly value of One hundred and twenty-seven pounds eight shillings, and that such of the said lands or tenements as are situate in the municipal district of Colac are rated in the rate-book of such district upon a yearly value of One hundred and twenty-seven pounds eight 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.

"JOS. H. CONNOR."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, SAMUEL WINTER COOKE, 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 colony 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 Dundas, and are known as 'Murndal.'

"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 thousand three 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.

"SAML. WINTER COOKE."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, DAVID COUTTS, 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 colony of Victoria of the yearly value of over 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 Korong and East Loddon, and are known as 'Salisbury Estate,' municipal district of Korong, and the 'Elmswood Estate,' also land known as Naughton's, municipal district of East Loddon.

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

"DAVID COUTTS."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, 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 colony of Victoria of the yearly value of Three 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 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 Three hundred and sixty 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 Act 54 Victoria, No. 1075, I, HENRY CUTHBERT, of Ballarat, 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 colony 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 districts of Ballarat and shire of Ballarat, and are known as—

"Part of allotment 4 of section 9, city of Ballarat, county of Grenville; and

"Allotment 2 of section 14, parish of Ballarat, county of Grenville.

"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 Eighty pounds; and that such of the said lands or tenements as are situate in the municipal district of the shire of Ballarat are rated in the rate-book of such district upon a yearly value of One hundred and twenty 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.

"HENRY CUTHBERT."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JOHN MARK DAVIES, 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 colony 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 allotments fifty-six, fifty-seven, and fifty-eight, parish of Wandin Yallock, county of Evelyn, containing six hundred and twenty-five acres and twenty perches or thereabouts; and in the municipal district of Caulfield, and are known as part of Crown portion seventy-four, east of Elsternwick, parish of Prahran, county of Bourke, containing four 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 Two hundred and ten pounds, and that such of the said lands or tenements as are situate in the municipal district of Caulfield are rated in the rate-book of such district upon a yearly value of 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.

"JNO. M. DAVIES."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, THOMAS DOWLING, 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 colony 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 districts of Hampden and Mortlake, and are known as 'Jellalabad,' situated on Mount Emu Creek, and bounded on the south by township of Darlington, on the east by lands belonging to Messrs. Cole and Dodds, on the north by station known as 'Terrinallum,' and on the west by station known as 'Mount Fyans.'

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

"THOMAS DOWLING."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, 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 colony of Victoria of the yearly value of Two 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 St. Kilda, and are known as 'Elmwood,' Chapel-street, East 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 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.

"W. H. EMBLING."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, NICHOLAS FITZGERALD, 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 colony 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 Castlemaine and St. Kilda, and are known as 'Turlough House,' Camp Hill, Castlemaine, and 'Moirs,' Alma-road, St. Kilda, county of Bourke.

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

"N. FITZGERALD."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JOSEPH HENRY GREY, of Geelong, solicitor, 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 colony of Victoria of the yearly value of Three hundred and forty-three 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 Newtown and Chilwell, and are known as parts of Crown allotments six and seven, section ten, and Crown portions A, B, C, D, E, F, G, H, I, J, K, N, O, P, Q, R, S, T, and V of Crown allotment eight of section ten, parish of Moorpanyal, county of Grant.

"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 Three hundred and forty-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.

"J. H. GREY."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, FREDERICK SHEPPARD GRIMWADE, 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 colony of Victoria of the yearly value of Four 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 Caulfield, and are known as 'Harleston,' situate and being at the corner of Balaclava and Orrong roads, Caulfield.

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

"F. S. GRIMWADE."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, CORNELIUS JOB HAM, 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 colony of Victoria of the yearly value of One hundred and fifteen 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 No. 114 and No. 124 Grey-street, East Melbourne, and being No. 71 and 70 in the rate-book of the city of Melbourne for Albert ward.

"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 fifteen 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 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.

"C. J. HAM."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, NATHANIEL LEVI, 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 colony 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 districts of city of Melbourne, city of St. Kilda, shire of Cranbourne, and shire of Moorabbin, and are known as Printing establishment, situated in Hosier-lane, off Flinders-street east, city of Melbourne; allotment 1 of section 9 x twenty-eight perches and nine-tenths, allotment 2 of section 9 x nineteen perches and eight-tenths,

allotment 3 of section 9 x nineteen perches and six-tenths, city of St. Kilda, parish of South Melbourne, county of Bourke; allotment 10, village of Lang Lang, two roods; allotment 11, village of Lang Lang, two roods twenty-six perches, parish of Lang Lang, Yallock riding, shire of Cranbourne, county of Mornington; allotment 5, part of Crown portion 28, parish of Moorabbin, South riding, shire of Moorabbin, county of Bourke.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of city of Melbourne are rated in the rate-book of such district upon a yearly value of Eighty pounds, and that such of the said lands or tenements as are situate in the municipal district of city of St. Kilda are rated in the rate-book of such district upon a yearly value of Twenty-eight pounds, and that such of the said lands or tenements as are situate in the municipal district or shire of Cranbourne are rated in the rate-book of such district or shire upon a yearly value of Four pounds, and that such of the said lands or tenements as are situate in the municipal district or shire of Moorabbin are rated in the rate-book of such district or shire upon a yearly value of Two 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.

"NATHL. LEVI."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, 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 colony of Victoria of the yearly value of One hundred and thirteen 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, McIvor, and are known as—

"My residence, situated in Albion-street, W. Brunswick, with twenty-eight and one-half acres of land; two hundred and six acres of land within the shire of Pyalong; one hundred and forty acres of 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 Seventy 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 Twenty-eight 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 Act 54 Victoria, No. 1075, I, EDWARD MILLER, 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 colony of Victoria of the yearly value of One hundred and forty-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 land or tenements are situated in the municipal district of Kew, and are known as part of 'Findon' Estate, being land measuring four acres, situate corner of Barker's-road and Findon-street.

"And I further declare that such said land situate in the municipal district of Kew is rated in the rate-book of such district upon a yearly value of One hundred and forty-five pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said land, 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 Act 54 Victoria, No. 1075, I, EDWARD MOREY, of Ballarat, 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 colony of Victoria of the yearly value of One hundred and forty-three 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 city of Ballarat, and are known as assessment 89, Lydiard-street, Eighty pounds; assessment 1493, Armstrong-street, Sixty-three pounds; and are allotments six and nineteen, section nine, city and parish of Ballarat, county of Grenville.

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

"E. MOREY."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, WILLIAM PITT, 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 colony 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 Collingwood, and are known as land, Trenery-crescent, Collingwood.

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

"WILLIAM PITT."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JOSEPH MAJOR PRATT, 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 colony of Victoria of the yearly value of One hundred and 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 Melbourne, and are known as all that piece of land containing thirty-six perches and three-tenths of a perch or thereabouts, being part of Crown allotment four, section fourteen, city of Melbourne, parish of North Melbourne, at East Melbourne, county of Bourke.

"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 seventy-five pounds sterling, 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 seventy-five pounds sterling.

"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.

"JOSEPH MAJOR PRATT."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, ROBERT REID, merchant, Melbourne, 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 colony of Victoria of the yearly value of One hundred and twelve 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 Beaconsfield, shire of Berwick, and are known as 'Mount Pleasant,' Pakenham, being lots 1, 12, 13, 20, and 47, Pakenham, 448 acres.

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

"ROBERT REID."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, ARTHUR OTTO SACHSE, 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 colony of Victoria of the yearly value of One hundred and ten 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 city of Prahran, and are known as land and house property, No. 25 Kensington-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 One hundred and ten 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."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, CHARLES SARGEANT, 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 colony of Victoria of the yearly value of One hundred and seven 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 Warragul and Woorayl, and are known as to the said municipal district of Warragul as part of allotment one hundred and two, parish of Drouin East, county of Buln Buln, containing seventy-five acres thirty-one perches; and as to the said municipal district of Woorayl, allotments thirty-four, thirty-five, and thirty-six, on plan of subdivision No. 1374, and being part of Crown allotment thirty-eight, parish of Mirboo, county of Buln Buln.

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

"CHARLES SARGEANT."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, FREDERICK THOMAS SARGOOD, 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 colony of Victoria of the yearly value of One thousand two 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 Caulfield, and are known as 'Rippon Lea'—

"Forty-six acres of land, with dwelling-house thereon.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Caulfield are rated in the rate-book of such district upon a yearly value of One thousand two 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.

"F. T. SARGOOD."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JAMES SERVICE, 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 colony 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 Caulfield, and are known as 'Kilwinning,' being the house and lands occupied as a residence for myself in Balaclava-road, corner of Hotham-street.

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

"JAMES SERVICE."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, GEORGE SIMMIE, of Cornelia Creek, 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 colony 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 Echuca Shire, and are known as 'Cornelia Creek.'

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Echuca Shire are rated in the rate-book of such district upon a yearly value of One thousand 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.

"G. SIMMIE."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, 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 colony of Victoria of the yearly value of over 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 the shires of Deakin and Echuca 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 4 and 5, section 1A, township and parish of Rochester, county of Bendigo, in the municipal district of the shire of Echuca; thirdly, allotment 64, parish of Rochester West, county of Bendigo, in the municipal district of the shire of Echuca; fourthly, part of Crown allotment 12, section 14, Melbourne East, parish of North Melbourne, county of Bourke, particularly described in the certificate of title entered in the Register Book, vol. 1820, fol. 363905, and which land is situated in the municipal district of the city of Melbourne.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of the shire of Deakin, and are firstly above described, are rated in the rate-book of such district upon a yearly value of Fifty-five pounds; and that such of the said lands or tenements as are situate in the municipal district of the shire of Echuca, and are secondly above described, are rated in the rate-book of such district upon a yearly value of Forty pounds; and that such of the said lands or tenements as are situate in the municipal district of the shire of Echuca, and are thirdly above described, are rated in the rate-book of such district upon a yearly value of Ten pounds; and that such of the said lands or tenements as are situate in the municipal district of the city of Melbourne, and are fourthly above described, are rated in the rate-book of such district upon a yearly value of Eighty-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.

"JOSEPH STERNBERG."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, NATHAN THORNLEY, 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 colony of Victoria of the yearly value of One thousand four hundred and forty-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 Minhamite, and are known as 'Kangatong,' about 8,000 acres.

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

"N. THORNLEY."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JOHN ALSTON WALLACE, 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 colony of Victoria of the yearly value of Two 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 districts of Towong and Port Melbourne, and are known as—

"No. 1. Lands and tenements situate near Bethanga, parish of Berringa, electoral district of Benambra, shire of Towong, area six hundred and thirty-nine acres.

"No. 2. Lands and tenements—the Bay View Hotel, situate Beach-street, Port Melbourne.

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

"JOHN A. WALLACE."

"In compliance with the provisions of the Act 54 Victoria No. 1075, I, SAMUEL WILLIAMSON, of Allan Vale, Great Western, county of Borung, 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 colony 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 Stawell, and are known as Allanvale Estate, and consisting of 6,009 acres or thereabouts, in the parishes of Concongella and Bulgana, counties of Borung and Ripon, in the colony of Victoria.

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

"SAML. WILLIAMSON."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, WILLIAM IRVING WINTER-IRVING, 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 colony of Victoria of the yearly value of Five thousand 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 districts as hereunder named, and are known as—

"Noorilim, in the shire of Waranga.

"Carpenteit, ,, Hampden.

"Tirrengower, ,, Colac.

"Allotments, ,, Tambo.

"Stanhope, ,, Echuca and Waranga.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Waranga are rated in the rate-book of such district upon a yearly value of Six thousand three hundred and eighty-one pounds; and that such of the said lands or tenements as are situate in the municipal district of Hampden are rated in the rate-book of such district upon a yearly value of Four hundred and ninety-three pounds; and that such of the said lands or tenements as are situate in the municipal district of Colac are rated in the rate-book of such district upon a yearly value of Three hundred and sixty-three pounds nine shillings; and that such of the said lands or tenements as are situate in the municipal district of Tambo are rated in the rate-book of such district upon a yearly value of Six pounds; and that such of the said lands or tenements as are situate in the municipal district of Echuca and Waranga are rated in the rate-book of such district upon a yearly value of Three thousand one hundred and fifty-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.

"WM. I. WINTER-IRVING."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, AGAR WYNNE, 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 colony 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 districts of the shires of Mortlake and Hampden, and are known as 'Terinallum.'

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

"AGAR WYNNE."

7. THEATRES ACT 1890 AMENDMENT BILL.—The Honorable H. Cuthbert moved, That he have leave to bring in a Bill to amend the *Theatres Act 1890*.

Question—put and resolved in the affirmative.

Ordered—That the Honorable H. Cuthbert do prepare and bring in the Bill.

The Honorable H. Cuthbert then brought up a Bill intituled "*A Bill to amend the 'Theatres Act 1890,'*" and moved, That it 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, 11th June next.

8. PAPERS.—The Honorable H. Cuthbert presented, by command of His Excellency the Administrator of the Government—

Australasian Statistics for the year 1893, with a Report by the Government Statist of Victoria.

Post Office Savings Bank.—Statement of Accounts of the Post Office Savings Bank in Victoria for the year 1894.

Second Report of the Board appointed by His Excellency the Governor in Council to inquire into the effect of the Fiscal System of Victoria upon Industry and Production; upon the Employment of the People; upon the condition and extension of Agricultural, Mining, and other Producing Interests; and upon Exports and Imports.

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 :—

Bank Liabilities and Assets.—Summary of Sworn Returns for the quarter ended 31st December, 1894.

Fire Brigades Act 1890—

Report of the Country Fire Brigades Board for the year ended 31st December, 1894, together with Statements of Receipts and Expenditure and Assets and Liabilities for that period.

Report of the Metropolitan Fire Brigades Board for the year ended 31st December, 1894.

Report upon the Affairs of the Post Office and Telegraph Department for the year 1894.

Post Office Act 1890.—Charges for transmission of Telegrams within Victoria.

Public Service Acts.—Alterations of Regulations.

Water Act 1890—

Bacchus Marsh Irrigation and Water Supply Trust—

Graduated Rate.—Regulation No. 2 (Draft Form).

Graduated Rate.—Regulation No 2.

Benjeroop and Murrabit Irrigation and Water Supply Trust.—Rating Regulation.

Campaspe Irrigation and Water Supply Trust.—Rating Regulation.

Marquis Hill Irrigation and Water Supply Trust.—Rating Regulation.

Myall Irrigation and Water Supply Trust.—Rating Regulation.

North Boort Irrigation and Water Supply Trust.—Rating Regulation.

Rodney Irrigation and Water Supply Trust—

Graduated Rate.—Regulation No. 12 (Draft Form).

Graduated Rate.—Regulation No. 12.

Making an amount from Authorized Loan available.

Swan Hill Irrigation and Water Supply Trust.—District altered.

Tragowel Plains Irrigation and Water Supply Trust—

Graduated Rate.—Regulation No. 12 (Draft Form).

Graduated Rate.—Regulation No. 12.

Twelve-Mile Irrigation and Water Supply Trust.—Rating Regulation.

Wandella Irrigation and Water Supply Trust.—Rating Regulation.

Western Wimmera Irrigation and Water Supply Trust.—Regulations Nos. 16, 17, and 18.

Yatchaw Irrigation and Water Supply Trust—

Rating Regulation.

Authority to execute certain works at Buckley's Swamp.

Authority to obtain water from the Spring Creek.

The Shire of Dimboola and the Western Wimmera Irrigation and Water Supply Trust.—

Application of Municipal Funds.

9. SPEECH OF HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.—The President reported the Speech of His Excellency the Administrator of the Government.
 The Honorable C. Sargeant moved, That a Committee be appointed to prepare an Address to His Excellency the Administrator of the Government in reply to His Excellency's Opening Speech.
 Question—put and resolved in the affirmative.
 The Honorable C. Sargeant moved, That the Committee consist of the Honorables J. Balfour, T. Brunton, S. W. Cooke, E. J. Crooke, F. S. Grimwade, and the Mover.
 Question—put and resolved in the affirmative.
 The Committee retired to prepare the Address.
 The Honorable C. Sargeant presented the Address which had been adopted by the Committee, and the same was read by the Clerk, and is as follows :—

To His Excellency The Honorable Sir JOHN MADDEN, Knight, the Chief Justice of the Supreme Court of the Colony of Victoria, and Administrator of the Government of the said Colony, &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 C. Sargeant moved, That the Council agree with the Committee in the said Address.
 Debate ensued.

The Honorable J. Sternberg 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.

10. ADJOURNMENT.—The Honorable H. Cuthbert moved, That the Council, at its rising, adjourn until to-morrow, at half-past four o'clock.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 1.

THURSDAY, 30TH MAY, 1895.

Question.

1. The Hon. N. THORNLEY: To ask the Honorable the Minister of Justice if, in view of the approaching winter and the great damage resulting to roads from the tires now used in carrying enormous loads, the Government will at once introduce into this House the Width of Tires Bill.

NOTICES OF MOTION:—

1. The Hon. H. CUTHBERT: To move, That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for despatch of business during the present Session, and that Half-past Four o'clock be the hour of meeting on each day; that on Tuesday and Thursday in each week the transaction of Government business shall take precedence of all other business; and that on Wednesday in each week Private Members' business shall take precedence of Government business.
2. The Hon. H. CUTHBERT: To move, That the Honorables the President, S. Austin, J. Balfour, S. W. Cooke, J. M. Davies, N. FitzGerald, Lieut.-Col. Sir F. T. Sargood, J. Service, N. Thornley, and A. Wynne be Members of the Select Committee on the Standing Orders of the House; three to be the quorum.
3. The Hon. H. CUTHBERT: To move, That the Honorables the President, J. Bell, G. Davis, D. E. McBryde, and W. Pitt be Members of the Joint Committee to manage and superintend the Parliament Buildings.
4. The Hon. H. CUTHBERT: To move, That the Honorables the President, F. Brown, F. S. Grimwade, C. J. Ham, and D. Melville be Members of the Joint Committee to manage the Library.
5. The Hon. H. CUTHBERT: To move, That the Honorables Dr. W. H. Embling, E. Morey, A. O. Sachse, J. A. Wallace, and W. I. Winter-Irving be Members of the Joint Committee to manage the Refreshment Rooms.
6. The Hon. H. CUTHBERT: To move, That the Honorables the President, J. H. Abbott, T. Brunton, J. Buchanan, J. H. Connor, G. S. Coppin, S. Fraser, D. Ham, C. Sargeant, and J. Sternberg be Members of the Printing Committee; three to be the quorum.

ORDER OF THE DAY:—

1. ADDRESS IN REPLY TO SPEECH OF HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT—
Consideration of Report of Committee—*Resumption of debate.*

TUESDAY, 11TH JUNE.

ORDER OF THE DAY:—

1. THEATRES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 6TH MAY, 1895.

Notices of Motion and Orders of the Day. No. 1.

Notices of Motion and Orders of the Day. No. 1.

Wages Attachment Bill—[43].

Second Report of the Board appointed by His Excellency the Governor in Council to inquire into the Effect of the Fiscal System of Victoria upon Industry and Production, &c. No. 3.

VICTORIA.

No. 2.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 30TH MAY, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **DECLARATION OF MEMBER.**—The Honorable S. Fraser 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 Act 54 Victoria, No. 1075, I, SIMON FRASER, 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 colony of Victoria of the yearly value of Three 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 Prahran, and are known as ‘Norla,’ Irving-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 Three hundred and fifty pounds, and 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 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.

“SIMON FRASER.”
5. **MINES BILL.**—The Honorable J. H. Abbott moved, by leave, That he have leave to bring in a Bill to amend the *Mines Act* 1890.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That the Honorable J. H. Abbott do prepare and bring in the Bill.

The Honorable J. H. Abbott then brought up a Bill intituled “*A Bill to amend the ‘Mines Act 1890,’*” and moved, That it 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 Wednesday, 12th June next.
6. **ADDRESS IN REPLY TO SPEECH OF HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.**

—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 Administrator of the Government, having been read—

Debate resumed.

Question—put and resolved in the affirmative.

The Honorable C. Sargeant moved, That the Address be presented to His Excellency the Administrator of the Government by the President and such Members of the Council as may wish to accompany him.

Question—put and resolved in the affirmative.

7. **DAYS OF BUSINESS.**—The Honorable H. Cuthbert moved, That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for despatch of business during the present Session, and that Half-past Four o'clock be the hour of meeting on each day; that on Tuesday and Thursday in each week the transaction of Government business shall take precedence of all other business; and that on Wednesday in each week Private Members' business shall take precedence of Government business.
Question—put and resolved in the affirmative.
8. **STANDING ORDERS COMMITTEE.**—The Honorable H. Cuthbert moved, That the Honorables the President, S. Austin, J. Balfour, S. W. Cooke, J. M. Davies, N. FitzGerald, Lieut.-Col. Sir F. T. Sargood, J. Service, N. Thornley, and A. Wynne 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.
9. **PARLIAMENT BUILDINGS COMMITTEE.**—The Honorable H. Cuthbert moved, That the Honorables the President, J. Bell, G. Davis, D. E. McBryde, and W. Pitt be Members of the Joint Committee to manage and superintend the Parliament Buildings.
Question—put and resolved in the affirmative.
10. **LIBRARY COMMITTEE.**—The Honorable H. Cuthbert moved, That the Honorables the President, F. Brown, F. S. Grimwade, C. J. Ham, and D. Melville be Members of the Joint Committee to manage the Library.
Question—put and resolved in the affirmative.
11. **REFRESHMENT ROOMS COMMITTEE.**—The Honorable H. Cuthbert moved, That the Honorables Dr. W. H. Embling, E. Morey, A. O. Sachse, J. A. Wallace, and W. I. Winter-Irving be Members of the Joint Committee to manage the Refreshment Rooms.
Question—put and resolved in the affirmative.
12. **PRINTING COMMITTEE.**—The Honorable H. Cuthbert moved, That the Honorables the President, J. H. Abbott, T. Brunton, J. Buchanan, J. H. Connor, G. S. Coppin, S. Fraser, D. Ham, C. Sargeant, and J. Sternberg be Members of the Printing Committee; three to be the quorum.
Question—put and resolved in the affirmative.
13. **ADJOURNMENT.**—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday, 18th June next.
Question—put and resolved in the affirmative.

And then the Council, at twenty-four minutes past nine o'clock, adjourned until Tuesday, 18th June next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 2.

TUESDAY, 18TH JUNE, 1895.

Questions.

1. The Hon. DR. W. H. EMBLING : To call the attention of the Honorable the Minister of Defence to the case of Mr. G. W. May, late a non-commissioned officer of the Victorian Field Artillery ; and to ask him if he will lay before this House copies of all papers and correspondence in connexion with this gentleman's removal from the Force.
2. The Hon. J. H. CONNOR : To ask the Honorable the Solicitor-General if his attention has been called to the correspondence between his Honor Judge Molesworth and the Law Department.

Government Business.

NOTICES OF MOTION:—

1. The Hon. H. CUTHBERT : To move, That he have leave to bring in a Bill to regulate the Weights to be carried on certain Vehicles and for other purposes.
2. The Hon. H. CUTHBERT : To move, That he have leave to bring in a Bill to amend the *Gaols Act* 1890 and for other purposes.
3. The Hon. H. CUTHBERT : To move, That he have leave to bring in a Bill to constitute Irrigation Trusts within the Irrigation Colony of Mildura and to invest such Trusts with certain powers and for other purposes.
4. The Hon. W. McCULLOCH : To move, That he have leave to bring in a Bill relating to certain Public and Bank Holidays.
5. The Hon. D. COURTTS : To move, That he have leave to bring in a Bill to provide for the Transfer of certain Powers and Duties from the Government Statist to the Actuary for Friendly Societies.

ORDER OF THE DAY:—

1. THEATRES ACT 1890 AMENDMENT BILL—Second reading.

General Business.

ORDER OF THE DAY:—

1. MINES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 30TH MAY, 1895.

Notices of Motion and Orders of the Day. No. 2.
Mines Bill—[4].

Notices of Motion and Orders of the Day. No. 2.
Australasian Statistics for the year 1893, &c. No. 1.
Bank Liabilities and Assets.—Summary of Sworn Returns. No. 4.

VICTORIA.

No. 3.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 18TH JUNE, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **DECLARATION OF MEMBER.**—The Honorable D. E. McBryde 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 Act 54 Victoria, No. 1075, 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 colony of Victoria of the yearly value of Four 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 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 Four 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.

“D. E. MCBRYDE.”

5. **THE LATE CHAIRMAN OF COMMITTEES.**—The President addressed the Council as follows :—

Since our last meeting an influential Member of this Council has, after a short but severe illness, passed away to his rest, and a seat in this House is now vacant. The great reaper, death, ever seeking for victims, has struck down our late Chairman of Committees, and his familiar voice will be no more heard in this assembly.

The Honorable Frank Stanley Dobson, Executive Councillor, Doctor of Laws, and Queen’s Counsel, was in December, 1870, elected a Member for the Southern Province, and retained his seat until the general election following the Reform Act of 1881, when, the boundaries of all Provinces having been re-cast and new Provinces formed, he offered himself for the newly-created South-Eastern Province—part of his old electorate—was duly returned, and held that position until his death, a period (for the two Provinces) of nearly 25 years. Dr. Dobson was, therefore, one of the oldest and most respected Members of this Council.

The journals of Parliament show what an active and intelligent part Dr. Dobson took in debate and in the ordinary work of Committees. In 1881 he accepted the office of Solicitor-General in the O’Loughlen Administration, and, with the late Sir James MacBain, represented that Government in this House with credit to himself and advantage to his colleagues. In 1883, on the retirement of the Honorable C. J. Jenner, the learned doctor was elected Chairman of Committees, a position he filled until his death; in short it may be said he died in harness.

I shall make but passing reference to our late friend's varied attainments and industry—the records of this House testify so favorably on his behalf—he needs no eulogy from me.

Dr. Dobson was a native of Tasmania, but many years since he made his home in Victoria. Two of his brothers have held distinguished positions in various Governments of the sister colony, and his elder brother is now Chief Justice of Tasmania.

For some time past Dr. Dobson felt acutely the inroads which the worry of an active life had made upon a never very robust constitution, hence as the year waned he welcomed the relaxation afforded by the midsummer recess, when, throwing off the responsibilities of office, he sought the repose to be found in the seclusion of his native land, and there recuperated his strength for the toil and struggle of the coming year.

I feel sure that honorable Members will join with me in tendering to his bereaved widow and his only son the condolences which, in some small degree, will mitigate the sorrow now embittering their lives. The vacant chair in the widow's home, the absence of a once familiar presence, the loss of her help-meet, guide, and counsellor plaintively attest her sorrow. We hope and believe she will be sustained by the strong arm of the Almighty in this time of her adversity, that friends may be raised up to her, and in the prostration of her great grief she may realize that Providence orders all things well; for, although her husband has been taken away, his good name and reputation will endure with a lustre that time will not efface nor future years becloud.

The Honorable H. Cuthbert moved, That this House desires to place on record its deep sense of the loss which it has sustained through the death of its late Chairman of Committees, the Honorable Frank Stanley Dobson, LL.D., Q.C.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the President be requested to forward a copy of the foregoing resolution to the widow of the late Dr. Dobson.

Question—put and resolved in the affirmative.

6. ADJOURNMENT.—The Honorable H. Cuthbert moved, That the House do now adjourn.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 3.

WEDNESDAY, 19TH JUNE, 1895.

Questions.

1. The Hon. DR. W. H. EMBLING : To call the attention of the Honorable the Minister of Defence to the case of Mr. G. W. May, late a non-commissioned officer of the Victorian Field Artillery ; and to ask him if he will lay before this House copies of all papers and correspondence in connexion with this gentleman's removal from the Force.
2. The Hon. J. H. CONNOR : To ask the Honorable the Solicitor-General if his attention has been called to the correspondence between his Honor Judge Molesworth and the Law Department.

General Business.

ORDER OF THE DAY :—

1. MINES ACT 1890 AMENDMENT BILL—Second reading.

Government Business.

NOTICES OF MOTION :—

1. The Hon. H. CUTHBERT : To move, That he have leave to bring in a Bill to regulate the Weights to be carried on certain Vehicles and for other purposes.
2. The Hon. H. CUTHBERT : To move, That he have leave to bring in a Bill to amend the *Gaols Act* 1890 and for other purposes.
3. The Hon. H. CUTHBERT : To move, That he have leave to bring in a Bill to constitute Irrigation Trusts within the Irrigation Colony of Mildura and to invest such Trusts with certain powers and for other purposes.
4. The Hon. W. McCULLOCH : To move, That he have leave to bring in a Bill relating to certain Public and Bank Holidays.
5. The Hon. D. COUTTS : To move, That he have leave to bring in a Bill to provide for the Transfer of certain Powers and Duties from the Government Statist to the Actuary for Friendly Societies.

ORDER OF THE DAY :—

1. THEATRES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 13TH JUNE, 1895.

Notices of Motion and Orders of the Day. No. 3.

Votes and Proceedings of the Legislative Assembly. Nos. 6, 7, and 8.

Notices of Motion and Orders of the Day. No. 9.

Divisions in Committee of the Whole. No. 2.

Yarra River Water-power Electric Bill—[31].

Customs and Excise Duties.—Amendments to be proposed in Committee. (To Members only.)

No. 4.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 19TH JUNE, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. DECLARATIONS OF MEMBERS.—The Honorables G. Davis and W. H. S. Osmand 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 Act 54 Victoria, No. 1075, I, GEORGE DAVIS, 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 colony 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 Maffra, and are known as ‘Riversdale,’ in the parish of Tinamba, in the municipality of Maffra.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Maffra 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.

“GEO. DAVIS.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, WILLIAM HENRY SEVILLE OSMAND, 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 colony of Victoria of the yearly value of Four 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 the shire of Stawell, and are known as the Concongella Estate in the parishes of Stawell and Concongella, and ‘The Sycamores,’ in the parishes of Stawell and Watta Wella.

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

“W. H. S. OSMAND.”

5. **PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.**—The President reported that he had, on Wednesday, 5th June instant, waited upon His Excellency the Administrator of the Government and had presented to him the Address of the Legislative Council, agreed to on the 30th May ultimo, 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 Our Most Gracious Sovereign I beg to thank you for the expression of loyalty contained in the Address which you have just presented to me, and I earnestly hope that your deliberations upon the measures which may be brought under your consideration will tend to promote the permanent interests and welfare of the community.

JOHN MADDEN.

Government Offices,
Melbourne, 5th June, 1895.

6. **THE 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 Joseph Henry Abbott,
The Honorable Edward Jolley Crooke,
The Honorable Henry Cuthbert,
The Honorable Simon Fraser,
The Honorable Edward Miller,
The Honorable Donald Melville, and
The Honorable Lieut.-Col. Sir Frederick Thomas Sargood

to be Members of a Committee to be called "The Committee of Elections and Qualifications."

Given under my hand this nineteenth day of June, One thousand eight hundred and ninety-five.

W. A. ZEAL,
President of the Legislative Council.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Juries Act 1890,'*" with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 18th June, 1895.

8. **JURIES ACT 1890 AMENDMENT BILL.**—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to amend the 'Juries Act 1890,'*" 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 next.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to further amend the 'Supreme Court Act 1890' and for other purposes,*" with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 18th June, 1895.

10. **SUPREME COURT ACT 1890 FURTHER AMENDMENT BILL.**—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to further amend the 'Supreme Court Act 1890' and for other purposes,*" 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 next.

11. **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 31st March, 1895.

Customs Act 1890—

Additional Drawback Regulation (American Shelving).

Drawback Regulations Amended (Twine—Reaper and Binder).

Customs and Excise Duties Act 1890—

Minor Articles used in Manufacture—

Black Rivets.

Coat Hangers of Metal.

Apparel and Slops.

Welts and Facings.

Duty on Persian Leather.

Surgical Instruments and Appliances.

Duty on Carriages known as "Victorias."

- Defences and Discipline Act 1890—
 Alteration of Regulations for Rifle Clubs.
 Victorian Military Forces—
 Alteration of Regulations.
 Alterations of Dress Regulations.
 Victorian Military and Naval Forces.—Alterations of and Additions to Financial and Store Regulations.
 Victorian Naval Forces.—Alterations of and Additional Regulations.
 Explosives Act 1890.—Addition to list of Explosives authorized for Importation into and Manufacture in Victoria.
 Fire Brigades Acts.—Regulations made by Governor in Council.
 Fisheries Act 1890—
 Fishing in Lady Bay.
 Fishing in Lake Tyers.
 Fishing prohibited in portion of the Goulburn River.
 Sixteenth Annual Report of the Proceedings of the Government Statist in connexion with Friendly Societies.—Report for the year 1893, to which are appended Valuations of Friendly Societies, Statistics of Friendly Societies, &c.
 Hospitals for the Insane.—Report of the Inspector of Lunatic Asylums for the year ended 31st December, 1894.
 Income Tax Act 1895.—Regulations.
 Land Act 1890, Part I.—Alterations of Regulations—
 Chapters VII. and IX., &c.
 Chapter XI.
 Chapters XI. and XIII., &c.
 Condition prohibiting Stripping of Bark from any standing live tree.
 Marine Act 1890—
 Additional General Rule for the Ports in Victoria.—Port of Gippsland Lakes.
 Additions to and Alterations of General Rules for the Ports in Victoria—
 Oiling of Jetty Cranes, &c.
 Work on Sundays, &c.
 Additional Regulation for the Management and Government of Pilots.
 Amended Limits and Scales of Pilotage Rates.—Rates of Pilotage.
 Amended Limits and Scales of Pilotage Rates for the Port of Gippsland Lakes.
 Regulations relating to the Marking of Load-lines on Ships.
 Fees for Certificates in connexion with the Marking of Load-lines on Ships.
 Marine Board of Victoria.—Statement of Pilotage Receipts and Disbursements for the year ended 31st December, 1894; together with the Audit Commissioners' Certificate thereon.
 Melbourne Harbor Trust.—The Accounts of the Melbourne Harbor Trust for the year ended 31st December, 1894.
 Neglected Children's Act 1890.—Alteration of Regulations.
 The Parliamentary Standing Committee on Railways.—Third General Report.
 Post Office Act 1890—
 Telephone Rates—Bendigo and Warrnambool.
 Reduction in Rate of Interest on Deposits in Post Office Savings Bank.
 Public Service Acts.—Alteration of Regulations.
 Water Act 1890—
 Bacchus Marsh Irrigation and Water Supply Trust.—Election.
 The Shire of Wimmera and the Western Wimmera Irrigation and Water Supply Trust.—
 Application of Municipal Funds.
 Wattles Act 1890.—Issue of Lease under section 3.

12. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday, 3rd July next :—
Mines Bill—Second reading.
13. **ADJOURNMENT.**—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
 Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 4.

TUESDAY, 25TH JUNE, 1895.

Questions.

1. The Hon. DR. W. H. EMBLING : To call the attention of the Honorable the Minister of Defence to the case of Mr. G. W. May, late a non-commissioned officer of the Victorian Field Artillery ; and to ask him if he will lay before this House copies of all papers and correspondence in connexion with this gentleman's removal from the Force.
2. The Hon. J. STERNBERG : To ask the Honorable the Solicitor-General what action the Government propose taking in reference to the proper supervision of dairies and dairy herds.

Government Business.

NOTICES OF MOTION:—

1. The Hon. H. CUTHBERT : To move, That he have leave to bring in a Bill to regulate the Weights to be carried on certain Vehicles and for other purposes.
2. The Hon. H. CUTHBERT : To move, That he have leave to bring in a Bill to amend the *Gaols Act* 1890 and for other purposes.
3. The Hon. W. McCULLOCH : To move, That he have leave to bring in a Bill relating to certain Public and Bank Holidays.
4. The Hon. D. CUTTS : To move, That he have leave to bring in a Bill to provide for the Transfer of certain Powers and Duties from the Government Statist to the Actuary for Friendly Societies.

ORDERS OF THE DAY:—

1. THEATRES ACT 1890 AMENDMENT BILL—Second reading.
2. JURIES ACT 1890 AMENDMENT BILL—Second reading.
3. SUPREME COURT ACT 1890 FURTHER AMENDMENT BILL—Second reading.

General Business.

NOTICES OF MOTION:—

1. The Hon. J. M. DAVIES : To move, That he have leave to bring in a Bill to amend the *Married Women's Property Act* 1890.
2. The Hon. C. SARGEANT : To move, That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
3. The Hon. J. M. DAVIES : To move, That he have leave to bring in a Bill to amend the law relating to the avoidance of voluntary conveyances.

WEDNESDAY, 3RD JULY.

General Business.

ORDER OF THE DAY:—

1. MINES BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 25th June.

REFRESHMENT ROOMS (JOINT)—at three o'clock.
PARLIAMENT BUILDINGS (JOINT)—at half-past three o'clock.

(160 copies.)

PARLIAMENTARY PAPERS ISSUED 19TH JUNE, 1895.

Notices of Motion and Orders of the Day. No. 4.
Supreme Court Bill—[8]. (To Members of Council only.)
Juries Bill—[29]. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 10.

VICTORIA.

No. 5.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 25TH JUNE, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **DECLARATION OF MEMBER.**—The Honorable T. D. Wanliss 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 Act 54 Victoria, No. 1075, I, THOMAS DRUMMOND WANLISS, 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 colony 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 Ballaarat, and are known as Crown allotment four of section nineteen, city and parish of Ballarat, county of Grenville, particularly described in the certificate of title entered in the Register Book vol. 1048, fol. 209600.

“And I further declare that such of the said lands or tenements 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 ninety-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.

“T. D. WANLISS.”

5. **RETURN TO WRIT.**—The President announced that there had been returned to him the Writ he had issued for the election of a Member to serve for the South-Eastern Province, in the place of the Honorable Frank Stanley Dobson, deceased; and by the endorsement on such Writ it appeared that James Callender Campbell had been elected in pursuance thereof.
6. **SWEARING-IN OF MEMBER.**—The Honorable James Callender Campbell, 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 Act 54 Victoria, No. 1075, I, JAMES CALLENDER CAMPBELL, 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 colony 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 Brighton, and are known as Myrtle Grove, situate in New-street and North-road, town of Brighton, containing seven and one-half acres or thereabouts, on which is erected a two-storied brick house, containing sixteen rooms; also an allotment of land situate at Elwood-street, Brighton.

“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 ninety-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 CALLENDER CAMPBELL.”

7. PAPERS.—The Honorable H. Cuthbert presented, by command of His Excellency the Administrator of the Government—

Penal Establishments and Gaols.—Report of the Inspector-General for the year 1894.
Statistical Register of the Colony of Victoria for the year 1894.—Part I.—Blue Book.

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 :—

Land Act 1890.—Part I.—Alteration of Regulations. Chapter X.—Swamp Lands.
Settlement on Lands Act 1893.—Alteration of Regulations. Schedule “B.”

8. WIDTH OF TIRES BILL.—The Honorable H. Cuthbert moved, That he have leave to bring in a Bill to regulate the Weights to be carried on certain Vehicles and for other purposes.

Question—put and resolved in the affirmative.

Ordered—That the Honorable H. Cuthbert do prepare and bring in the Bill.

The Honorable H. Cuthbert then brought up a Bill intituled “*A Bill to regulate the Weights to be carried on certain Vehicles and for other purposes,*” and moved, That it 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 next.

9. GAOLS BILL.—The Honorable H. Cuthbert moved, That he have leave to bring in a Bill to amend the *Gaols Act 1890* and for other purposes.

Question—put and resolved in the affirmative.

Ordered—That the Honorable H. Cuthbert do prepare and bring in the Bill.

The Honorable H. Cuthbert then brought up a Bill intituled “*A Bill to amend the ‘Gaols Act 1890’ and for other purposes,*” and moved, That it 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 next.

10. PUBLIC AND BANK HOLIDAYS BILL.—The Honorable W. McCulloch moved, That he have leave to bring in a Bill relating to certain Public and Bank Holidays.

Question—put and resolved in the affirmative.

Ordered—That the Honorable W. McCulloch do prepare and bring in the Bill.

The Honorable W. McCulloch then brought up a Bill intituled “*A Bill relating to certain Public and Bank Holidays,*” and moved, That it 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 next.

11. FRIENDLY SOCIETIES ACTUARY’S BILL.—The Honorable S. Williamson, for the Honorable D. Coutts, moved, That he have leave to bring in a Bill to provide for the Transfer of certain Powers and Duties from the Government Statist to the Actuary for Friendly Societies.

Question—put and resolved in the affirmative.

Ordered—That the Honorable D. Coutts do prepare and bring in the Bill.

The Honorable S. Williamson, for the Honorable D. Coutts, then brought up a Bill intituled “*A Bill to provide for the Transfer of certain Powers and Duties from the Government Statist to the Actuary for Friendly Societies,*” and moved, That it 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 next.

12. SALE OF GOODS BILL.—The Honorable H. Cuthbert moved, by leave, That he have leave to bring in a Bill for codifying the Law relating to the Sale of Goods.

Question—put and resolved in the affirmative.

Ordered—That the Honorable H. Cuthbert do prepare and bring in the Bill.

The Honorable H. Cuthbert then brought up a Bill intituled “*A Bill for codifying the Law relating to the Sale of Goods,*” and moved, That it 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 next.

13. TRUSTS BILL.—The Honorable H. Cuthbert moved, by leave, That he have leave to bring in a Bill to amend the Law relating to Trusts and Trustees.

Question—put and resolved in the affirmative.

Ordered—That the Honorable H. Cuthbert do prepare and bring in the Bill.

The Honorable H. Cuthbert then brought up a Bill intituled “*A Bill to amend the Law relating to Trusts and Trustees,*” and moved, That it 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 next.

14. CHAIRMAN OF COMMITTEES.—The Honorable H. Cuthbert moved, by leave, That the Honorable Frederick Brown be Chairman of Committees of the Council.

Debate ensued.

Question—put and resolved in the affirmative.

Whereupon the Honorable Frederick Brown was congratulated by the Honorable the President on his securing the confidence of honorable Members, and then the Honorable Frederick Brown returned his thanks for his election to the office of Chairman of Committees.

15. THEATRES ACT 1890 AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.
 Debate ensued.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable F. Brown 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.
16. JURIES ACT 1890 AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.
 Debate ensued.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
 On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.
 And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.
 The Honorable H. Cuthbert moved, That the words “and for other purposes” be added to the title.
 Question—That the words proposed to be added be so added—put and resolved in the affirmative.
 The Honorable H. Cuthbert moved, That the following be the amended title of the Bill :—
“An Act to amend the ‘Juries Act 1890’ and for other purposes.”
 Question—put and resolved in the affirmative.
 Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with an amendment, and requesting their concurrence therein.
17. SUPREME COURT ACT 1890 FURTHER AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.
 Debate ensued.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with an amendment.
 The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.
 Question—put and resolved in the affirmative.
 On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.
 And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.
 The Honorable H. Cuthbert moved, That the following be the title of the Bill :—
“An Act to further amend the ‘Supreme Court Act 1890’ and for other purposes.”
 Question—put and resolved in the affirmative.
 Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with an amendment, and requesting their concurrence therein.
18. MARRIED WOMEN'S PROPERTY BILL.—The Honorable J. M. Davies moved, That he have leave to bring in a Bill to amend the *Married Women's Property Act 1890*.
 Question—put and resolved in the affirmative.
 Ordered—That the Honorable J. M. Davies do prepare and bring in the Bill.
 The Honorable J. M. Davies then brought up a Bill intituled “*A Bill to amend the ‘Married Women's Property Act 1890,’*” and moved, That it 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 next.
19. UNIFORM CUSTOMS TARIFFS.—The Honorable C. Sargeant moved, That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
 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 till Tuesday next.

20. VOLUNTARY CONVEYANCES BILL.—The Honorable J. M. Davies moved, That he have leave to bring in a Bill to amend the Law relating to the Avoidance of Voluntary Conveyances.
 Question—put and resolved in the affirmative.
 Ordered—That the Honorable J. M. Davies do prepare and bring in the Bill.
 The Honorable J. M. Davies then brought up a Bill intituled “*A Bill to amend the Law relating to the Avoidance of Voluntary Conveyances,*” and moved, That it 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 next.
21. ADJOURNMENT.—The Honorable W. McCulloch moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
 Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 5.

TUESDAY, 2ND JULY, 1895.

Questions.

1. The Hon. F. S. GRIMWADE : To ask the Honorable the Solicitor-General whether the Commissioner of Customs has brought under his notice the fact that two well-known Melbourne gentlemen, who, according to a paragraph in the *Argus* of 19th March, were found shooting quail before the quail season opened, have been proceeded against, and, if not, does the Honorable the Solicitor-General propose taking any further steps in the matter.
2. The Hon. DR. W. H. EMBLING : To call the attention of the Honorable the Minister of Defence to the case of Mr. G. W. May, late a non-commissioned officer of the Victorian Field Artillery ; and to ask him if he will lay before this House copies of all papers and correspondence in connexion with this gentleman's removal from the Force.

Government Business.

ORDERS OF THE DAY :—

1. WIDTH OF TIRES BILL—Second reading.
2. GAOLS BILL—Second reading.
3. PUBLIC AND BANK HOLIDAYS BILL—Second reading.
4. FRIENDLY SOCIETIES ACTUARY'S BILL—Second reading.
5. SALE OF GOODS BILL—Second reading.
6. TRUSTS BILL—Second reading.
7. THEATRES ACT 1890 AMENDMENT BILL—To be further considered in Committee.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. STERNBERG : To move, That he have leave to bring in a Bill for the proper supervision of Dairies and Dairy Herds and for other purposes.

ORDERS OF THE DAY :—

1. MARRIED WOMEN'S PROPERTY BILL—Second reading.
2. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
3. VOLUNTARY CONVEYANCES BILL.—Second reading.

WEDNESDAY, 3RD JULY.

General Business.

NOTICE OF MOTION :—

1. The Hon. N. LEVI : To move, That he have leave to bring in a Bill to amend the *Licensing Act 1890*.

ORDER OF THE DAY :—

1. MINES BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 20TH JUNE, 1895.

Notices of Motion and Orders of the Day. No. 5.

Friendly Societies Actuary's Bill—[3].

Gaols Bill—[16].

Public and Bank Holidays Bill—[17].

Sale of Goods Bill—[56].

Trusts Amendment Bill—[57].

Votes and Proceedings of the Legislative Assembly. Nos. 9, 10, and 11.

Notices of Motion and Orders of the Day. No. 12.

Customs and Excise Duties.—Amendments to be proposed in Committee. (To Members only.)

Customs and Excise Duties Act 1890—

Minor Articles used in Manufacture—

Black Rivets. No. 15.

Coat Hangers of Metal. No. 16.

Apparel and Slops—Buckles, Clasps, Buttons, and Fasteners. No. 17.

Welts and Facings. No. 18.

Duty on Persian Leather. No. 19.

Surgical Instruments and Appliances. No. 20.

Duty on Carriages known as "Victorias." No. 21.

Customs Act 1890—

Additional Drawback Regulation. No. 22.

Drawback Regulations Amended. No. 23.

Fisheries Act 1890—

Fishing in Lady Bay. No. 24.

Fishing in Lake Tyers. No. 25.

Fishing prohibited in portion of the Goulburn River. No. 26.

Explosives Act 1890.—Addition to list of Explosives authorized for Importation into and Manufacture in Victoria. No. 27.

Marine Act 1890—

Additional General Rule for the Ports in Victoria.—Port of Gippsland Lakes. No. 28.

Additions to and Alterations of General Rules for the Ports in Victoria. Nos. 29 and 30.

Additional Regulation for the Management and Government of Pilots. No. 31.

Amended Limits and Scales of Pilotage Rates.—Rates of Pilotage. No. 32.

Amended Limits and Scales of Pilotage Rates for the Port of Gippsland Lakes. No. 33.

Regulations relating to the Marking of Load-lines on Ships. No. 34.

Marine Act 1892.—Fees for Certificates in connexion with the Marking of Load-lines on Ships. No. 35.

Accounts of the Melbourne Harbor Trust for the year ended 31st December, 1894. No. 37.

Post Office Act 1890—

Reduction in Rate of Interest on Deposits in Post Office Savings Banks. No. 42.

Telephone Rates. No. 43.

VICTORIA.

No. 6.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 2ND JULY, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **DECLARATION OF MEMBER.**—The Honorable D. Ham 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 Act 54 Victoria, No. 1075, I, DAVID HAM, 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 colony 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 Ballarat East, and are known as houses and land in Victoria-street.

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

“DAVID HAM.”

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the ‘Juries Act 1890,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment made in such Bill by the Legislative Council.

GRAHAM BERRY,
Speaker.Legislative Assembly,
Melbourne, 2nd July, 1895.

6. **PAPERS.**—The Honorable H. Cuthbert presented, by command of His Excellency the Administrator of the Government—

Statistical Register of the Colony of Victoria for the year 1894.—Part II.—Interchange.

Ordered to lie on the Table.

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

Water Act 1890—

Macorna North Irrigation and Water Supply Trust District.—Rating Divisions.
The Western Wimmera Irrigation and Water Supply Trust.—Regulation.

7. **WIDTH OF TIRES BILL.**—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.
 Debate ensued.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.
 Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.
8. **GAOLS BILL.**—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.
 Debate ensued.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable F. Brown 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.
9. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow :—
Public and Bank Holidays Bill—Second reading.
Friendly Societies Actuary's Bill—Second reading.
Sale of Goods Bill—Second reading.
Trusts Bill—Second reading.
Theatres Act 1890 Amendment Bill—To be further considered in Committee.
10. **DAIRIES SUPERVISION BILL.**—The Honorable J. Sternberg moved, That he have leave to bring in a Bill for the proper Supervision of Dairies and Dairy Herds and for other purposes.
 Question—put and resolved in the affirmative.
 Ordered—That the Honorables J. Sternberg and A. O. Sachse do prepare and bring in the Bill.
 The Honorable J. Sternberg then brought up a Bill intituled "*A Bill for the proper Supervision of Dairies and Dairy Herds and for other purposes,*" and moved, That it 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 Wednesday, 17th July instant.
11. **MARRIED WOMEN'S PROPERTY BILL.**—The Order of the Day for the second reading of this Bill having been read—the Honorable J. M. Davies moved, That this Bill be now read a second time.
 The Honorable H. Cuthbert 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 Wednesday, 10th July instant.
12. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday next :—
Uniform Customs Tariffs—Resumption of debate on the question—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
13. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, That the consideration of the following Order of the Day be postponed until to-morrow :—
Voluntary Conveyances Bill—Second reading.

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

GEORGE H. JENKINS,
 Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 6.

WEDNESDAY, 3RD JULY, 1895.

Questions.

1. The Hon. D. MELVILLE : To ask the Honorable the Solicitor-General—
 1. Why, in view of the declared desire for federation, Separation Day is still observed as a holiday.
 2. Is it proposed to cancel such holiday, and when.
2. The Hon. N. LEVI : To call the attention of the Honorable the Solicitor-General to a report contained in the morning daily papers of the 29th June ultimo, of an important judgment delivered by the Full Court in the case of the Queen *v.* The Bank of Victoria, and to ask if it is the intention of the Crown to appeal to the Privy Council in this matter.

General Business.

NOTICE OF MOTION :—

1. The Hon. N. LEVI : To move, That he have leave to bring in a Bill to amend the *Licensing Act 1890*.

ORDERS OF THE DAY :—

1. MINES BILL—Second reading.
2. VOLUNTARY CONVEYANCES BILL—Second reading.

Government Business.

ORDERS OF THE DAY :—

1. FRIENDLY SOCIETIES ACTUARY'S BILL—Second reading.
2. SALE OF GOODS BILL—Second reading.
3. TRUSTS BILL—Second reading.
4. THEATRES ACT 1890 AMENDMENT BILL—To be further considered in Committee.
5. PUBLIC AND BANK HOLIDAYS BILL—Second reading.

TUESDAY, 9TH JULY.

Question.

1. The Hon. DR. W. H. EMBLING : To call the attention of the Honorable the Minister of Defence to the case of Mr. G. W. May, late a non-commissioned officer of the Victorian Field Artillery ; and to ask him if he will lay before this House copies of all papers and correspondence in connexion with this gentleman's removal from the Force.

Government Business.

ORDERS OF THE DAY :—

1. WIDTH OF TIRES BILL—Consideration of Report.
2. GAOLS BILL—To be further considered in Committee.

General Business.

ORDER OF THE DAY :—

1. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.

WEDNESDAY, 10TH JULY.

General Business.

ORDER OF THE DAY :—

1. MARRIED WOMEN'S PROPERTY BILL—Second reading—*Resumption of debate.*

(120 copies.)

WEDNESDAY, 17TH JULY.*General Business.*

ORDER OF THE DAY :—

1. DAIRIES SUPERVISION BILL—Second reading.

GEORGE H. JENKINS,

*Clerk of the Legislative Council.*PARLIAMENTARY PAPERS ISSUED SINCE 27TH JUNE, 1895.

Minutes of the Proceedings of the Legislative Council. No. 5.

Notices of Motion and Orders of the Day. No. 6.

Voluntary Conveyances Bill—[60].

Married Women's Property Bill—[61].

Votes and Proceedings of the Legislative Assembly. Nos. 12, 13, and 14.

Notices of Motion and Orders of the Day. No. 15.

Divisions in Committee of the Whole. No. 3.

Customs and Excise Duties—

Amendments to be proposed in Committee. (To Members only.)

Amendments to be proposed in Committee. (To Members only.)

Supreme Court Act 1890 Further Amendment Bill.—Amendment of the Legislative Council. (To Members only.)

Penal Establishments and Gaols.—Report of the Inspector-General for the year 1894. No. 46.

VICTORIA.

No. 7.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 3RD JULY, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITIONS.—The Honorable J. M. Davies presented a petition from John S. Chambers, styling himself Moderator of the Presbytery of Melbourne North, praying that the Council would pass the Theatres Act 1890 Amendment Bill with amendments prohibiting theatrical performances and charges of admission to places of entertainment on Sundays.
The Honorable J. Balfour presented a petition from David Gordon and Henry Jones, styling themselves Joint Conveners of the Committee on the State of Religion and Morals of the Presbyterian Church of Victoria, praying that the Council would pass the Theatres Act 1890 Amendment Bill with an amendment prohibiting any fixed charge for entrance to, or any fixed sum being taken up by collection at, any Sunday entertainment.
The Honorable Lieut.-Col. Sir F. T. Sargood presented a petition from Saml. T. Withington, Henry J. Cock, and R. L. Balding, styling themselves respectively Chairman and Secretaries of the Wesleyan Temperance and Public Morality Committee, praying that the Council would pass the Theatres Act 1890 Amendment Bill, and would not allow any charge to be made for admission to theatres on Sunday, nor any stage performances to be given on that day.
Severally ordered to lie on the Table, and to be referred to the Committee of the whole Council on the Theatres Act 1890 Amendment Bill.
5. LICENSING ACT 1890 AMENDMENT BILL.—The Honorable N. Levi moved, That he have leave to bring in a Bill to amend the *Licensing Act 1890*.
Question—put and resolved in the affirmative.
Ordered—That the Honorable N. Levi do prepare and bring in the Bill.
The Honorable N. Levi then brought up a Bill intituled "*A Bill to amend the 'Licensing Act 1890,'*" and moved, That it 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 Wednesday next.
6. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable J. H. Abbott the following Order of the Day was read and discharged:—
Mines Bill—Second reading.
Ordered—That the said Bill be withdrawn.
7. VOLUNTARY CONVEYANCES BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable J. M. Davies moved, That this Bill be now read a second time.
The Honorable H. Cuthbert 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.

8. PUBLIC AND BANK HOLIDAYS BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable W. McCulloch moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable W. McCulloch moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable W. McCulloch, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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.
9. FRIENDLY SOCIETIES ACTUARY'S BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable D. Coutts moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable D. Coutts moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable D. Coutts, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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. SALE OF GOODS BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.
Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.
11. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Trusts Bill—Second reading.
Theatres Act 1890 Amendment Bill—To be further considered in Committee.
12. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
Question—put and resolved in the affirmative.

And then the Council, at seven o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 7.

TUESDAY, 9TH JULY, 1895.

Questions.

1. The Hon. DR. W. H. EMBLING : To call the attention of the Honorable the Minister of Defence to the case of Mr. G. W. May, late a non-commissioned officer of the Victorian Field Artillery ; and to ask him if he will lay before this House copies of all papers and correspondence in connexion with this gentleman's removal from the Force.
2. The Hon. N. LEVI : To call the attention of the Honorable the Solicitor-General to a report contained in the morning daily papers of the 29th June ultimo, of an important judgment delivered by the Full Court in the case of the Queen *v.* The Bank of Victoria, and to ask if it is the intention of the Crown to appeal to the Privy Council in this matter.

Government Business.

ORDERS OF THE DAY :—

1. WIDTH OF TIRES BILL—Consideration of Report.
2. GAOLS BILL—To be further considered in Committee.
3. PUBLIC AND BANK HOLIDAYS BILL—To be further considered in Committee.
4. FRIENDLY SOCIETIES ACTUARY'S BILL—To be further considered in Committee.
5. SALE OF GOODS BILL—Consideration of Report.
6. TRUSTS BILL—Second reading.
7. THEATRES ACT 1890 AMENDMENT BILL—To be further considered in Committee.

General Business.

ORDERS OF THE DAY :—

1. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
2. VOLUNTARY CONVEYANCES BILL—Second reading—*Resumption of debate.*

WEDNESDAY, 10TH JULY.

General Business.

ORDERS OF THE DAY :—

1. MARRIED WOMEN'S PROPERTY BILL—Second reading—*Resumption of debate.*
2. LICENSING ACT 1890 AMENDMENT BILL—Second reading.

WEDNESDAY, 17TH JULY.

General Business.

ORDER OF THE DAY :—

1. DAIRIES SUPERVISION BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 3RD JULY, 1895.

Minutes of the Proceedings of the Legislative Council. No. 6.

Notices of Motion and Orders of the Day. No. 7.

Width of Tires Bill—[9]. (To Members of Council only.)

Gaols Bill.—New Clause to be proposed by the Hon. S. W. Cooke. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 16.

Customs and Excise Duties.—Amendments to be proposed in Committee. (To Members only.)

VICTORIA.

No. 8.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 9TH JULY, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. ASSAULTS ON OFFICERS AND PRISONERS.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That there be laid before this House a Return giving—
 1. Particulars of each of the seven assaults on officers and nine assaults on prisoners mentioned in the Report of 1894 of the Inspector-General.
 2. The punishments accorded in each case.
 Question—put and resolved in the affirmative.

5. PETITIONS.—The Honorable R. Reid presented a petition from the Committee of the Lord's Day Observance Society, Melbourne, praying that the Council would pass the Theatres Act 1890 Amendment Bill with amendments prohibiting theatrical performances and charges of admission to places of entertainment on Sundays.

The Honorable C. J. Ham presented a petition from Thos. Lockwood and William Jones, styling themselves Stewards of the Prahran Circuit, representing Wesleyan Churches in Prahran, Malvern, and Toorak, praying that the Council would pass the Theatres Act 1890 Amendment Bill, and would not allow any charge to be made for admission to theatres on Sunday, nor any stage performances to be given on that day.

The Honorable D. Melville presented a similar petition from Circuit Stewards and Officers of the Brunswick Wesleyan Circuit, representing Wesleyan Churches in Brunswick, Moreland, and Coburg.

Severally ordered to lie on the Table, and to be referred to the Committee of the whole Council on the Theatres Act 1890 Amendment Bill.

6. INTESTATES' ESTATES BILL.—The Honorable A. Wynne moved, by leave, That he have leave to bring in a Bill to amend the Law by making better provision for the Widows of certain Intestates in the distribution of such Intestates' property.

Question—put and resolved in the affirmative.

Ordered—That the Honorable A. Wynne do prepare and bring in the Bill.

The Honorable A. Wynne then brought up a Bill intituled "*A Bill to amend the Law by making better provision for the Widows of certain Intestates in the distribution of such Intestates' property,*" and moved, That it 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 Wednesday, 17th July instant.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the 'Supreme Court Act 1890' and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment made in such Bill by the Legislative Council.

Legislative Assembly,
Melbourne, 9th July, 1895.

GRAHAM BERRY,
Speaker.

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

Report of the Chief Inspector of Factories, Work-rooms, and Shops for the year ended 31st December, 1894.

9. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable H. Cuthbert the following Order of the Day was read and discharged :—

Width of Tires Bill—Consideration of Report.

10. WIDTH OF TIRES BILL.—The Honorable H. Cuthbert moved, That this Bill be recommitted to a Committee of the whole for reconsideration.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday next :—

Goals Bill—To be further considered in Committee.

12. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday, 6th August next :—

Public and Bank Holidays Bill—To be further considered in Committee.

13. ADJOURNMENT.—The Honorable T. Brunton having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.

The Honorable T. Brunton having stated that he proposed to speak on the subject of the Royal Agricultural Society of Victoria, then moved, That the House do now adjourn.

Debate ensued.

Question—put and negatived.

14. FRIENDLY SOCIETIES ACTUARY'S 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

15. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable H. Cuthbert the following Order of the Day was read and discharged :—

Sale of Goods Bill—Consideration of Report.

16. SALE OF GOODS BILL.—The Honorable H. Cuthbert moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clauses 3, 38, 51, and 62.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with further amendments.

Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.

17. TRUSTS BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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. THEATRES 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with an amendment.

Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.

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

Uniform Customs Tariffs.—Resumption of debate on the question—*That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.*

Voluntary Conveyances Bill—*Second reading*—*Resumption of debate.*

20. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 8.

TUESDAY, 16TH JULY, 1895.

Questions.

1. The Hon. DR. W. H. EMBLING : To call the attention of the Honorable the Minister of Defence to the case of Mr. G. W. May, late a non-commissioned officer of the Victorian Field Artillery ; and to ask him if he will lay before this House copies of all papers and correspondence in connexion with this gentleman's removal from the Force.
2. The Hon. N. LEVI : To call the attention of the Honorable the Solicitor-General to a report contained in the morning daily papers of the 29th June ultimo, of an important judgment delivered by the Full Court in the case of the Queen v. The Bank of Victoria, and to ask if it is the intention of the Crown to appeal to the Privy Council in this matter.

Government Business.

NOTICE OF MOTION :—

1. The Hon. H. CUTHBERT : To move, That he have leave to bring in a Bill to facilitate and regulate the Supply of Electricity for Lighting and for other purposes.

ORDERS OF THE DAY :—

1. WIDTH OF TIRES BILL—To be further considered in Committee.
2. GAOLS BILL—To be further considered in Committee.
3. FRIENDLY SOCIETIES ACTUARY'S BILL—To be further considered in Committee.
4. SALE OF GOODS BILL—Consideration of Report.
5. TRUSTS BILL—To be further considered in Committee.
6. THEATRES ACT 1890 AMENDMENT BILL—Consideration of Report.

General Business.

NOTICE OF MOTION :—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD : To move, That there be laid before this House a copy of all reports received by the Honorable the Premier from the Audit Commissioners recommending simplification of the public accounts.

ORDERS OF THE DAY :—

1. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
2. VOLUNTARY CONVEYANCES BILL—Second reading—*Resumption of debate.*
3. MARRIED WOMEN'S PROPERTY BILL—Second reading—*Resumption of debate.*
4. LICENSING ACT 1890 AMENDMENT BILL—Second reading.

WEDNESDAY, 17TH JULY.

General Business.

ORDERS OF THE DAY :—

1. DAIRIES SUPERVISION BILL—Second reading.
2. INTESTATES' ESTATES BILL—Second reading.

TUESDAY, 6TH AUGUST.

Government Business.

ORDER OF THE DAY:—

1. PUBLIC AND BANK HOLIDAYS BILL—To be further considered in Committee.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 4TH JULY, 1895.

- Minutes of the Proceedings of the Legislative Council. No. 7.
 Notices of Motion and Orders of the Day. No. 8.
 Sale of Goods Bill—[56]. (To Members of Council only.)
 Licensing Act 1890 Amendment Bill—[63].
 Width of Tires Bill.—Amendments to be proposed by the Hon. Henry Cuthbert. (To Members of Council only.)
 Theatres Act 1890 Amendment Bill.—Amendment to be proposed by the Hon. J. Balfour. (To Members of Council only.)

- Votes and Proceedings of the Legislative Assembly. Nos. 15, 16, and 17.
 Notices of Motion and Orders of the Day. No. 17.
 Divisions in Committee of the Whole. No. 4.
 Post Office Savings Bank.—Statement of Accounts for the year 1894. No. 10.
 Statistical Register of the Colony of Victoria for the year 1894.—Part II.—Interchange. No. 9.

VICTORIA.

No. 9.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 16TH JULY, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. DECLARATION OF MEMBER.—The Honorable G. S. Coppin 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 Act 54 Victoria, No. 1075, I, GEORGE SELTH COPPIN, 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 colony 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 Flinders and Kangerong shire, and are known as ‘The Anchorage,’ the ‘Back Beach Palace,’ Sorrento.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Flinders and Kangerong are rated in the rate-book of such district upon a yearly value of Two hundred and fifty-seven pounds, and that such of the said lands or tenements as are situate in the municipal district of Flinders and Kangerong are rated in the rate-book of such district upon a yearly value of—‘The Anchorage,’ One hundred and seven pounds; ‘Back Beach Palace,’ 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.

“GEORGE SELTH COPPIN.”

5. MESSAGE FROM HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.—The following Message from His Excellency the Administrator of the Government was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—

JOHN MADDEN,

*Administrator of the Government.**Message No. 1.*

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

“An Act to amend the ‘Juries Act 1890’ and for other purposes.”

“An Act to further amend the ‘Supreme Court Act 1890’ and for other purposes.”

Law Courts,
Melbourne, 10th July, 1895.

6. ABSENCE OF THE CHAIRMAN OF COMMITTEES.—The President announced that he had received the following letter from the Chairman of Committees :—

Wednesday, 10th July, 1895.

The Honorable the President of the Legislative Council.

DEAR SIR,

On the 16th and 17th instant I am compelled to carry through professional business at the County Courts at Wodonga and Wangaratta, which I had accepted before I was elected to the position of Chairman of Committees. Will you be good enough to apologize for my absence. I mentioned the matter to the Solicitor-General, as leader of the House, last night, but failed to see you. I may say that the Hon. James Bell has told me that he will willingly act in my absence, if agreeable to the House.

I am, Dear Sir,
Yours sincerely,
FREDK. BROWN.

The Honorable H. Cuthbert moved, That the Honorable J. Bell perform the duties of Chairman of Committees during the Honorable F. Brown's absence.

Question—put and resolved in the affirmative.

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

Public Service Acts.—Alteration of Regulations.

Water Act 1890—

Macorna North Irrigation and Water Supply Trust District.—Rating Divisions.

Wandella Irrigation and Water Supply Trust.—Loan available.

Agricultural Education.—Accounts of the Trustees of Agricultural Colleges and the Council of Agricultural Education from 1st July, 1893, to 31st December, 1893.

The Honorable H. Cuthbert presented—

Assaults on Officers and Prisoners.—Return to an Order of the Legislative Council, dated 9th July instant, for a Return giving—

1. Particulars of each of the seven assaults on officers and nine assaults on prisoners mentioned in the Report of 1894 of the Inspector-General.
2. The punishments accorded in each case.

8. ELECTRIC LIGHT AND POWER BILL.—The Honorable H. Cuthbert moved, That he have leave to bring in a Bill to facilitate and regulate the Supply of Electricity for Lighting and for other purposes.

Question—put and resolved in the affirmative.

Ordered—That the Honorable H. Cuthbert do prepare and bring in the Bill.

The Honorable H. Cuthbert then brought up a Bill intituled "*A Bill to facilitate and regulate the Supply of Electricity for Lighting and for other purposes.*" and moved, That it 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 next.

9. WIDTH OF TIRES 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, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable J. Bell reported that the Committee had gone through the Bill and agreed to the same with further amendments.

The Honorable E. J. Crooke moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clause 4.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable J. Bell reported that the Committee had reconsidered clause 4 and agreed to the same with amendments.

Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.

10. FRIENDLY SOCIETIES ACTUARY'S 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, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable J. Bell 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. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable C. J. Ham the following Order of the Day was read and discharged :—

Sale of Goods Bill—Consideration of Report.

12. SALE OF GOODS BILL.—The Honorable C. J. Ham moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clauses 35 and 62.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable J. Bell having reported that the Committee had reconsidered clauses 35 and 62 and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed. The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

"An Act for codifying the Law relating to the Sale of Goods."

Question—put and resolved in the affirmative.

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

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

Theatres Act 1890 Amendment Bill—Consideration of Report.

14. GAOLS 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, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable J. Bell 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.

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

Trusts Bill—To be further considered in Committee.

Uniform Customs Tariffs—Resumption of debate on the question—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.

Voluntary Conveyances Bill—Second reading—Resumption of debate.

Married Women's Property Bill—Second reading—Resumption of debate.

Licensing Act 1890 Amendment Bill—Second reading.

16. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.



LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 9.

TUESDAY, 23RD JULY, 1895.

Questions.

1. The Hon. J. H. CONNOR : To call the attention of the Honorable the Solicitor-General to the desirability of the Government taking steps to obtain for this colony, from the Japanese Government, the same treaty privileges as are enjoyed by the Home Government ; and to ask what action, if any, has been taken in the matter.
2. The Hon. D. MELVILLE : To call the attention of the Honorable the Solicitor-General to a paragraph in the *Warracknabeal Herald*, stating that an old man named James Clarke has been sentenced to two months' imprisonment, charged only with the crime of being old and poor ; and to ask whether it is the intention of the Government to make proper provision for these cases during this Session.
3. The Hon. N. LEVI : To call the attention of the Honorable the Solicitor-General to the refusal of the Government Departments to accept deposit receipts of any banking institutions of the colony as deposits for securing the carrying out of any contracts with the Government, although made payable to the authorized officer of the Department, and to ask by whose authority such instructions have been given ; and if the Solicitor-General is aware that for the past 30 years and over bank deposit receipts have always been received by the Government as security on all railway and other contracts when tendered, and if the Government will take steps to revert to the former practice.

Government Business.

ORDERS OF THE DAY :—

1. ELECTRIC LIGHT AND POWER BILL—Second reading.
2. WIDTH OF TIRES BILL—Consideration of Report.
3. FRIENDLY SOCIETIES ACTUARY'S BILL—To be further considered in Committee.
4. THEATRES ACT 1890 AMENDMENT BILL—Consideration of Report.
5. GAOLS BILL—To be further considered in Committee.
6. TRUSTS BILL—To be further considered in Committee.

General Business.

NOTICES OF MOTION :—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD : To move, That the question of preparing Private Bill Standing Orders, so as to enable petitioners for Private Bills, if they so desire, to introduce such Bills in the Legislative Council, be referred to the Standing Orders Committee for consideration and report.
2. The Hon. J. H. CONNOR : To move, That he have leave to bring in a Bill to amend the *Agricultural Colleges Act 1890*.
3. The Hon. Lieut.-Col. Sir F. T. SARGOOD : To move, That there be laid before this House a copy of all reports received by the Honorable the Premier from the Audit Commissioners recommending simplification of the public accounts.

ORDERS OF THE DAY :—

1. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
2. VOLUNTARY CONVEYANCES BILL—Second reading—*Resumption of debate.*
3. MARRIED WOMEN'S PROPERTY BILL—Second reading—*Resumption of debate.*
4. LICENSING ACT 1890 AMENDMENT BILL—Second reading.
5. DAIRIES SUPERVISION BILL—Second reading.
6. INTESTATES' ESTATES BILL—Second reading.

TUESDAY, 6TH AUGUST.

Government Business.

ORDER OF THE DAY:—

1. PUBLIC AND BANK HOLIDAYS BILL—To be further considered in Committee.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 11TH JULY, 1895.

Minutes of the Proceedings of the Legislative Council. No. 8.

Notices of Motion and Orders of the Day. No. 9.

Width of Tires Bill.—New Clause to be proposed by the Hon. Henry Cuthbert. (To Members of Council only.)

Electric Light and Power Bill—[41].

Votes and Proceedings of the Legislative Assembly. Nos. 18, 19, and 20.

Notices of Motion and Orders of the Day. No. 21.

Divisions in Committee of the Whole. No. 5.

Customs and Excise Duties.—New Resolutions to be proposed. (To Members only.)

Report of the Chief Inspector of Factories, Work-rooms, and Shops for the year ended 31st December, 1894. No. 49.

VICTORIA.

No. 10.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 23RD JULY, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. MESSAGE FROM HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.—The following Message from His Excellency the Administrator of the Government was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—

JOHN MADDEN,

*Administrator of the Government.**Message No. 2.*

The Administrator of the Government informs the Legislative Council that he has caused the following Bills, intituled :—

“*An Act to reduce the Sum appropriated to the payment of the Salary of every future Governor of Victoria,*”

“*An Act to reduce the Rates of Salaries of Responsible Ministers of the Crown,*”

which were reserved for the signification of Her Majesty's pleasure thereon, and which received Her Majesty's assent on the 11th day of May last, to be proclaimed in the *Victoria Government Gazette*, a copy of which proclamation is hereunto annexed.

Government Offices,

Melbourne, 23rd July, 1895.

THE ROYAL ASSENT TO CERTAIN ACTS OF PARLIAMENT.

PROCLAMATION

By His Excellency the Honorable Sir JOHN MADDEN, Knight, the Chief Justice of the Supreme Court of the Colony of Victoria, and Administrator of the Government of the said Colony, &c., &c., &c.

WHEREAS by the *Constitution Statute* it was amongst other things enacted that the provisions of the Act of the fourteenth year of Her Majesty, chapter fifty-nine, and of the Act of the fifth and sixth years of Her Majesty, chapter seventy-six, *For the Government of New South Wales and Van Diemen's Land*, which relate to the giving and withholding of Her Majesty's assent to Bills, and the reservation of Bills for the signification of Her Majesty's pleasure thereon, and the instructions to be conveyed to Governors for their guidance in relation to the matters aforesaid, and the disallowance of Bills by Her Majesty, should apply to Bills to be passed by the Legislative Council and Assembly constituted under the *Constitution Act of Victoria* and the now reciting Statute, and by any other legislative body or bodies which may at any time hereafter be substituted for the present Legislative Council and Assembly: And whereas the Bills hereinafter mentioned were reserved for the signification of Her Majesty's pleasure thereon: And whereas by an Order of the Queen in Council made on the eleventh day of May, One thousand eight hundred and ninety-five, a

copy whereof is hereto appended, Her Majesty has been pleased to assent to the said Bills: Now therefore I, the Administrator of the Government of Victoria, in pursuance of the provisions of the aforesaid Acts, do by this my Proclamation signify that the Bills, the titles whereof are herein set forth, that is to say:—

“*An Act to reduce the Sum appropriated to the payment of the Salary of every future Governor of Victoria,*”

“*An Act to reduce the Rates of Salaries of Responsible Ministers of the Crown,*”

which were reserved for the signification of Her Majesty's pleasure thereon, have been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same.

Given under my Hand and the Seal of the Colony, at Melbourne, this fifteenth day of July, in the year of our Lord One thousand eight hundred and ninety-five, and in the fifty-ninth year of Her Majesty's reign.

(L.S.)

JOHN MADDEN.

By His Excellency's Command,

GEORGE TURNER.

GOD SAVE THE QUEEN!

At the Court at Windsor, the eleventh day of May, 1895.

PRESENT:

The Queen's Most Excellent Majesty.

Lord President
Lord Chamberlain
Lord Kensington

Speaker of the House of Commons
Mr. Arnold Morley.

WHEREAS by an Act passed in the fifth and sixth years of Her Majesty's reign, entitled “*An Act for the Government of New South Wales and Van Diemen's Land,*” it is amongst other things enacted that no Bill which shall be reserved for the signification of Her Majesty's pleasure thereon shall have any force or authority within the Colony of New South Wales until the Governor of the said Colony shall signify either by speech or message to the Legislative Council of the said Colony or by proclamation as therein aforesaid that such Bill has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same:

And whereas by another Act passed in the thirteenth and fourteenth years of Her Majesty's reign, entitled “*An Act for the better Government of Her Majesty's Australian Colonies,*” it was provided among other things that the provisions of the said former Act concerning the reservation of Bills for the signification of Her Majesty's pleasure thereon should apply to and be in force in the Colony of Victoria:

And whereas the said provisions were maintained in force as regards Bills passed by the Legislative Council and Legislative Assembly of the said Colony by a subsequent Act passed in the eighteenth and nineteenth years of the reign of Her said Majesty, entitled “*An Act to enable Her Majesty to assent to a Bill as amended of the Legislature of Victoria, to establish a Constitution in and for the Colony of Victoria*”:

And whereas on the twenty-ninth of January last, the Governor of the said Colony of Victoria reserved two Bills passed by the Legislative Council and Legislative Assembly of the said Colony, entitled respectively “*An Act to reduce the Sum appropriated to the payment of the Salary of every future Governor of Victoria*” and “*An Act to reduce the Rates of Salaries of Responsible Ministers of the Crown,*” for the signification of Her Majesty's pleasure thereon:

And whereas the said Bills so reserved as aforesaid have been laid before Her Majesty in Council, and it is expedient that the said Bills should be assented to by Her Majesty:

Now therefore Her Majesty, in pursuance of the said Acts, and in exercise of the powers thereby reserved to Her Majesty as aforesaid, doth by this present Order, by and with the advice of Her Majesty's Privy Council, declare Her Assent to the said Bills.

C. L. PEEL.

5. PAPERS.—The Honorable H. Cuthbert presented, by command of His Excellency the Administrator of the Government—

Postal and Telegraphic Conference, 1895.—Report of Proceedings of the Conference held in Hobart, February, 1895.—Minutes of Proceedings, Second Report of Committee on Electric Light and Power Wires, Papers laid before the Conference, Report of Debates, and Report of Heads of Departments.

Ordered to lie on the Table.

The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk:—

Department for Neglected Children and Reformatory Schools.—Report of the Secretary for the year 1894.

6. ABSENCE OF THE CHAIRMAN OF COMMITTEES.—The President announced that he had received the following telegram from the Chairman of Committees:—

“Prostrate with influenza; confined to bed since Saturday. Under medical care.

“F. BROWN,
“per P. BROWN.”

The Honorable H. Cuthbert moved, That the Honorable J. Balfour perform the duties of Chairman of Committees during this evening.

Question—put and resolved in the affirmative.

7. **AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL.**—The Honorable J. H. Connor moved, That he have leave to bring in a Bill to amend the *Agricultural Colleges Act 1890*.
 Question—put and resolved in the affirmative.
 Ordered—That the Honorable J. H. Connor do prepare and bring in the Bill.
 The Honorable J. H. Connor then brought up a Bill intituled “*A Bill to amend the ‘Agricultural Colleges Act 1890,’*” and moved, That it 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 Wednesday, 7th August next.
8. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next:—
Electric Light and Power Bill—Second reading.
Width of Tires Bill—Consideration of Report.
9. **FRIENDLY SOCIETIES ACTUARY’S 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, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable J. Balfour 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. **THEATRES ACT 1890 AMENDMENT BILL.**—The Order of the Day for the consideration of the Report on this Bill having been read—on the motion of the Honorable H. Cuthbert the Council, after debate, adopted the Report from the Committee of the whole.
 And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.
 The Honorable H. Cuthbert moved, That the following be the title of the Bill:—
 “*An Act to amend the ‘Theatres Act 1890.’*”
 Question—put and resolved in the affirmative.
 Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.
11. **GAOLS 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, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable J. Balfour having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
 On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.
 And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.
 The Honorable H. Cuthbert moved, That the following be the title of the Bill:—
 “*An Act to amend the ‘Gaols Act 1890’ and for other purposes.*”
 Question—put and resolved in the affirmative.
 Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.
12. **TRUSTS 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, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable J. Balfour reported that the Committee had gone through the Bill and agreed to the same with amendments.
 Ordered—That the Bill, as amended, be printed, and 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 Tuesday next:—
Uniform Customs Tariffs—Resumption of debate on the question—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
14. **VOLUNTARY CONVEYANCES 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.
 Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time.
 The Honorable J. M. Davies moved, That this Bill be now committed to a Committee of the whole.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable J. M. Davies, the President left the Chair, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable J. Balfour having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
 On the motion of the Honorable J. M. Davies the Council adopted the Report from the Committee of the whole on this Bill.
 And, on the further motion of the Honorable J. M. Davies, the Bill was read a third time and passed.
 The Honorable J. M. Davies moved, That the following be the title of the Bill:—
 “*An Act to amend the Law relating to the Avoidance of Voluntary Conveyances.*”
 Question—put and resolved in the affirmative.
 Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.

15. **MARRIED WOMEN'S PROPERTY 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.
 Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time.
 The Honorable J. M. Davies moved, That this Bill be now committed to a Committee of the whole.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable J. M. Davies, the President left the Chair, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable J. Balfour reported that the Committee had gone through the Bill and agreed to the same with an amendment.
 Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.
16. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Licensing Act 1890 Amendment Bill—Second reading.
Dairies Supervision Bill—Second reading.
Intestates' Estates Bill—Second reading.
17. **ADJOURNMENT.**—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
 Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 10.

TUESDAY, 30TH JULY, 1895.

Questions.

1. The Hon. Dr. W. H. EMBLING: To call the attention of the Honorable the Minister of Defence to the present state of the Victorian Defence Force; and to ask what arrangements the Government propose to make in the event of war.
2. The Hon. T. D. WANLISS: To call the attention of the Honorable the Solicitor-General to the fact that Mr. T. Prout Webb, the Commissioner of Taxes, has decided that all legacies, and endowment policies of assurance maturing in 1894, are subject to income tax; and to ask—
 1. Whether, in framing the Income Tax measure, the Government intended that legacies and such policies of assurance should be brought under the operation of the Act, and that legacies should be subject to income tax as well as to probate duty.
 2. If not, whether the Government will, during this Session, take steps to make legacies and such policies free of income tax.

Government Business.

ORDERS OF THE DAY:—

1. ELECTRIC LIGHT AND POWER BILL—Second reading.
2. WIDTH OF TIRES BILL—Consideration of Report.
3. FRIENDLY SOCIETIES ACTUARY'S BILL—To be further considered in Committee.
4. TRUSTS BILL—Consideration of Report.

General Business.

NOTICE OF MOTION:—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD: To move, That the question of preparing Private Bill Standing Orders, so as to enable petitioners for Private Bills, if they so desire, to introduce such Bills in the Legislative Council, be referred to the Standing Orders Committee for consideration and report.

ORDERS OF THE DAY:—

1. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
2. MARRIED WOMEN'S PROPERTY BILL—Consideration of Report.
3. LICENSING ACT 1890 AMENDMENT BILL—Second reading.
4. DAIRIES SUPERVISION BILL—Second reading.
5. INTERSTATES' ESTATES BILL—Second reading.

TUESDAY, 6TH AUGUST.

Government Business.

ORDER OF THE DAY:—

1. PUBLIC AND BANK HOLIDAYS BILL—To be further considered in Committee.

WEDNESDAY, 7TH AUGUST.

General Business.

ORDER OF THE DAY:—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 18TH JULY, 1895.

Notices of Motion and Orders of the Day. No. 10.

Votes and Proceedings of the Legislative Assembly. Nos. 21, 22, and 23.

Notices of Motion and Orders of the Day. No. 24.

Divisions in Committee of the Whole. No. 6.

Customs and Excise Duties.—Proposed Increased Duty. (To Members only.)

Customs and Excise Duties.—Amendments to be proposed in Committee. (To Members of Assembly only.)

VICTORIA.

No. 11.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 30TH JULY, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. ADJOURNMENT.—The Honorable G. Davis having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.
The Honorable G. Davis having stated that he proposed to speak on the subject of the wreck of the s.s. *Argus*, then moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.
5. ADJOURNMENT.—The Honorable Dr. W. H. Embling having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.
The Honorable Dr. W. H. Embling having stated that he proposed to speak on the subject of the present state of the Victorian Defence Force, then moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.
6. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Public Service Act 1890.—Alteration of Regulations.
Report of the Chief Inspector of Explosives to the Honorable the Commissioner for Trade and Customs on the working of the Explosives Act during the year 1894.
7. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative 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-one thousand nine hundred and ninety-five pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six,*" with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 30th July, 1895.

8. CONSOLIDATED REVENUE BILL (No. 1).—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to apply out of the Consolidated Revenue the sum of One million one hundred and twenty-one thousand nine hundred and ninety-five pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six,*” 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 this day.

The Honorable H. Cuthbert moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“*An Act to apply out of the Consolidated Revenue the sum of One million one hundred and twenty-one thousand nine hundred and ninety-five pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six.*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

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

Electric Light and Power Bill—Second reading.

Width of Tires Bill—Consideration of Report.

Friendly Societies Actuary's Bill—To be further considered in Committee.

Trusts Bill—Consideration of Report.

Uniform Customs Tariffs—Resumption of debate on the question—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.

Married Women's Property Bill—Consideration of Report.

Licensing Act 1890 Amendment Bill—Second reading.

Dairies Supervision Bill—Second reading.

Intestates' Estates Bill—Second reading.

10. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 11.

TUESDAY, 6TH AUGUST, 1895.

Questions.

1. The Hon. D. MELVILLE : To call the attention of the Honorable the Solicitor-General to certain statements of accounts between the money lenders and their dupes ; and to ask whether the Minister intends to take notice of those extraordinary transactions.
2. The Hon. G. DAVIS : To ask the Honorable the Solicitor-General if he will obtain from the Police Department a report showing the extent to which betting has increased in the streets and lanes of the city and suburbs, and explaining what power the police have for its regulation.

Government Business.

ORDERS OF THE DAY :—

1. ELECTRIC LIGHT AND POWER BILL—Second reading.
2. WIDTH OF TIRES BILL—Consideration of Report.
3. FRIENDLY SOCIETIES ACTUARY'S BILL—To be further considered in Committee.
4. TRUSTS BILL—Consideration of Report.
5. PUBLIC AND BANK HOLIDAYS BILL—To be further considered in Committee.

General Business.

NOTICES OF MOTION :—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD : To move, That the question of preparing Private Bill Standing Orders, so as to enable petitioners for Private Bills, if they so desire, to introduce such Bills in the Legislative Council, be referred to the Standing Orders Committee for consideration and report.
2. The Hon. N. THORNLEY : To move, That there be laid before this House a copy of all the correspondence, including the reports from Clerks of Courts and the Police Magistrate, in the Department of the Solicitor-General, relating to the removal of a Police Magistrate from the Western District.

ORDERS OF THE DAY :—

1. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
2. MARRIED WOMEN'S PROPERTY BILL—Consideration of Report.
3. LICENSING ACT 1890 AMENDMENT BILL—Second reading.
4. DAIRIES SUPERVISION BILL—Second reading.
5. INTESTATES' ESTATES BILL—Second reading.

WEDNESDAY, 7TH AUGUST.

General Business.

ORDER OF THE DAY :—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 25TH JULY, 1895.

Notices of Motion and Orders of the Day. No. 11.

Friendly Societies Actuary's Bill.—Amendment proposed by the Hon. Lieut.-Col. Sir F. T. Sargood. (To Members of Council only.)

Electric Light and Power Bill.—Amendments to be proposed by the Hon. J. H. Abbott and the Hon. J. Sternberg. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 24, 25, and 26.

Notices of Motion and Orders of the Day. No. 27.

Divisions in Committee of the Whole. No. 7.

Gaols Bill—[16]. (To Members only.)

Theatres Bill—[19]. (To Members only.)

Voluntary Conveyances Bill—[60]. (To Members only.)

Borough Elections Bill—[72].

Customs and Excise Duties.—Amendments to be proposed in Committee. (To Members only.)

Department for Neglected Children and Reformatory Schools.—Report of the Secretary for the year 1894. No. 53.

VICTORIA.

No. 12.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 6TH AUGUST, 1895.

- 1. The Council met in accordance with adjournment.
- 2. The President took the Chair.
- 3. The President read the Prayer.
- 4. MESSAGE FROM HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.—The following Message from His Excellency the Administrator of the Government was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—

JOHN MADDEN,
Administrator of the Government.

Message No. 3.

The Administrator of the Government informs the Legislative Council that he has, on this day, at the Government House, 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-one thousand nine hundred and ninety-five pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six.”

Government House,
 Melbourne, 30th July, 1895.

- 5. PAPERS.—The Honorable H. Cuthbert presented, by command of His Excellency the Administrator of the Government—
 - Twenty-ninth Report of the Board of Visitors to the Observatory; together with the Report of the Government Astronomer for the period from 1st July, 1893, to 30th May, 1895; to which is appended the Twenty-eighth Report of the Board of Visitors to the Observatory, which was not previously printed.
 - Report of Proceedings taken under the provisions of the *Settlement on Lands Act 1893* during the financial year ended 30th June, 1895.
 Severally ordered to lie on the Table.

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

Electric Light and Power Bill—Second reading.

7. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable J. Balfour, after debate, the following Order of the Day was read and discharged :—

Width of Tires Bill—Consideration of Report.

8. WIDTH OF TIRES BILL.—The Honorable J. Balfour moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clause 4.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable F. Brown having reported that the Committee had reconsidered clause 4 and agreed to the same without further amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“ An Act to regulate the Weights to be carried on certain Vehicles and for other purposes.”

Question—put and resolved in the affirmative.

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

9. FRIENDLY SOCIETIES ACTUARY'S 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, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.

Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.

10. TRUSTS BILL.—The Order of the Day for the consideration of the Report on this Bill having been read—on the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“ An Act to amend the Law relating to Trusts and Trustees.”

Question—put and resolved in the affirmative.

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

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

Public and Bank Holidays Bill—To be further considered in Committee.

12. PRIVATE BILL STANDING ORDERS.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the question of preparing Private Bill Standing Orders, so as to enable petitioners for Private Bills, if they so desire, to introduce such Bills in the Legislative Council, be referred to the Standing Orders Committee for consideration and report.

Question—put and resolved in the affirmative.

13. REMOVAL OF POLICE MAGISTRATE.—The Honorable N. Thornley moved, That there be laid before this House a copy of all the correspondence, including the reports from Clerks of Courts and the Police Magistrate, in the Department of the Solicitor-General, relating to the removal of a Police Magistrate from the Western District.

Question—put and resolved in the affirmative.

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

Uniform Customs Tariffs—Resumption of debate on the question—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.

15. MARRIED WOMEN'S PROPERTY BILL.—The Order of the Day for the consideration of the Report on this Bill having been read—on the motion of the Honorable J. M. Davies the Council adopted the Report from the Committee of the whole.

And, on the further motion of the Honorable J. M. Davies, the Bill was read a third time and passed.

The Honorable J. M. Davies moved, That the following be the title of the Bill :—

“ An Act to amend the ‘ Married Women's Property Act 1890.’ ”

Question—put and resolved in the affirmative.

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

- 16. LICENSING ACT 1890 AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable N. Levi moved, That this Bill be now read a second time. The Honorable D. Melville moved, That the debate be now adjourned. Debate ensued. Question—That the debate be now adjourned—put and negatived. Debate continued on the question—That this Bill be now read a second time. Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time. The Honorable N. Levi moved, That this Bill be now committed to a Committee of the whole. Question—put and resolved in the affirmative. And, on the further motion of the Honorable N. Levi, the President left the Chair, and the Council resolved itself into Committee. The President resumed the Chair; and the Honorable F. Brown 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.
- 17. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday, 20th August instant. Question—put and resolved in the affirmative.
- 18. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday, 20th August instant :—
 - Dairies Supervision Bill—Second reading.*
 - Intestates' Estates Bill—Second reading.*

And then the Council, at eighteen minutes past ten o'clock, adjourned until Tuesday, 20th August instant.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 12.

TUESDAY, 20TH AUGUST, 1895.

Question.

1. The Hon. J. SERVICE : To ask the Honorable the Minister of Defence—
 1. What was the authorized total establishment on the 31st July, 1895, of—
 - The Victorian Artillery,
 - The Victorian Horse Artillery,
 - The Field Artillery,
 - The Garrison Artillery,
 - The Victorian Engineers,
 - The 1st Victorian Regiment of Infantry,
 - The 2nd Victorian Regiment of Infantry,
 - The 3rd Victorian Regiment of Infantry,
 - The Victorian Permanent Naval Forces,
 - The Victorian Naval Brigade.
 2. What was the actual strength of each of the above on the 31st July, 1895.

Government Business.

ORDERS OF THE DAY :—

1. ELECTRIC LIGHT AND POWER BILL—Second reading.
2. FRIENDLY SOCIETIES ACTUARY'S BILL—Consideration of Report.

General Business.

NOTICES OF MOTION :—

1. The Hon. F. S. GRIMWADE : To move, That he have leave to bring in a Bill to establish an Electoral College for the election of Medical Officers of public Hospitals and Charitable Institutions.
2. The Hon. J. H. GREY : To move, That there be laid before this House a Return showing the actual cost to the 30th June last of collecting the Income Tax to that date, under the following heads—
 - (a) Preparing and printing forms.
 - (b) Distribution of forms.
 - (c) Salaries of officers and clerical assistance.
 - (d) Any other expenses.
3. The Hon. T. D. WANLISS : To move, That in the opinion of this House income tax should not be charged on legacies nor on matured policies of life assurance.

ORDERS OF THE DAY :—

1. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
2. LICENSING ACT 1890 AMENDMENT BILL—To be further considered in Committee.
3. DAIRIES SUPERVISION BILL—Second reading.
4. INTESTATES' ESTATES BILL—Second reading.
5. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

TUESDAY, 3RD SEPTEMBER.

Government Business.

ORDER OF THE DAY :—

1. PUBLIC AND BANK HOLIDAYS BILL—To be further considered in Committee.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 1ST AUGUST, 1895.

Notices of Motion and Orders of the Day. No. 12.

Votes and Proceedings of the Legislative Assembly. Nos. 27, 28, and 29.

Notices of Motion and Orders of the Day. No. 30.

Divisions in Committee of the Whole. No. 8.

Borough Elections Bill—[72]. (To Members only.)

VICTORIA.

No. 13.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 20TH AUGUST, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPERS.—The Honorable H. Cuthbert presented, by command of His Excellency the Administrator of the Government—

Charitable Institutions.—Supplementary Report of the Royal Commission on Charitable Institutions.
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 June, 1895.
Fire Brigades Act 1890.—Metropolitan Fire Brigades Board—Alteration of Regulations.
Report of the Registrar of Friendly Societies for the year 1894.
Water Act 1890.—The Carrum Irrigation and Water Supply Trust—Rating Regulation.
5. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to further amend the ‘Local Government Act 1890,’*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 20th August, 1895.

GRAHAM BERRY,
Speaker.
6. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to further amend the ‘Local Government Act 1890,’*” be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, and ordered to be printed.

The Honorable H. Cuthbert moved, by leave, That the Standing Orders be suspended so as to allow the second reading of this Bill to be taken into consideration this day.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

7. **ELECTRIC LIGHT AND POWER BILL.**—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable H. Cuthbert moved, That this Bill be committed.
Question—put and resolved in the affirmative.
The Honorable H. Cuthbert moved, That the Bill be committed to a Select Committee.
Question—put and resolved in the affirmative.
8. **FRIENDLY SOCIETIES ACTUARY'S BILL.**—The Order of the Day for the consideration of the Report on this Bill having been read—on the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole.
And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.
The Honorable H. Cuthbert moved, That the following be the title of the Bill :—
“*An Act to provide for the Transfer of Certain Powers and Duties from the Government Statist to the Actuary for Friendly Societies.*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.
9. **CHARITIES MEDICAL OFFICERS BILL.**—The Honorable F. S. Grimwade moved, pursuant to amended notice, That he have leave to bring in a Bill to establish a Council for the Election of Medical Officers of Public Hospitals and Charitable Institutions.
Question—put and resolved in the affirmative.
Ordered—That the Honorable F. S. Grimwade do prepare and bring in the Bill.
The Honorable F. S. Grimwade then brought up a Bill intituled “*A Bill to establish a Council for the Election of Medical Officers of Public Hospitals and Charitable Institutions,*” and moved, That it 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 next.
10. **COST OF COLLECTION OF INCOME TAX.**—The Honorable S. Austin, for the Honorable J. H. Grey, moved, That there be laid before this House a Return showing the actual cost to the 30th June last of collecting the Income Tax to that date, under the following heads—
(a) Preparing and printing forms.
(b) Distribution of forms.
(c) Salaries of officers and clerical assistance.
(d) Any other expenses.
Question—put and resolved in the affirmative.
11. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Uniform Customs Tariffs—Resumption of debate on the question—*That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.*
Licensing Act 1890 Amendment Bill—*To be further considered in Committee.*
Dairies Supervision Bill—*Second reading.*
Intestates' Estates Bill—*Second reading.*
Agricultural Colleges Act 1890 Amendment Bill—*Second reading.*
12. **ADJOURNMENT.**—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 13.

TUESDAY, 27TH AUGUST, 1895.

Questions.

1. The Hon. D. E. McBRYDE : To ask the Honorable the Solicitor-General what action, if any, the Government propose taking in regard to all stock, killed for human consumption, being placed under proper supervision.
2. The Hon. E. J. CROOKE : To ask the Honorable the Solicitor-General if he will take steps to remove the magpie from the protection of the *Game Act* 1890, it having developed into a pest to the grain and fruit grower.
3. The Hon. D. MELVILLE : To ask the Honorable the Solicitor-General how the promotions of warders in the various gaols are arranged, whether by seniority or by the mere will of the heads of the department.

Government Business.

NOTICE OF MOTION :—

1. The Hon. H. CUTHBERT : To move, That he have leave to bring in a Bill to amend the *Printers and Newspapers Act* 1890.

ORDER OF THE DAY :—

1. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

NOTICES OF MOTION :—

1. The Hon. J. M. DAVIES : To move, That he have leave to bring in a Bill to amend the *Companies Act Amendment Act* 1892.
2. The Hon. T. D. WANLISS : To move, That in the opinion of this House income tax should not be charged on legacies nor on matured policies of life assurance.

ORDERS OF THE DAY :—

1. CHARITIES MEDICAL OFFICERS BILL—Second reading.
2. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
3. LICENSING ACT 1890 AMENDMENT BILL—To be further considered in Committee.
4. DAIRIES SUPERVISION BILL—Second reading.
5. INTESTATES' ESTATES BILL—Second reading.
6. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

TUESDAY, 3RD SEPTEMBER.

Government Business.

ORDER OF THE DAY :—

1. PUBLIC AND BANK HOLIDAYS BILL—To be further considered in Committee.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 15TH AUGUST, 1895.

Notices of Motion and Orders of the Day. No. 13.
Charities Medical Officers Bill—[78].

Votes and Proceedings of the Legislative Assembly. Nos. 33, 34, and 35.
Notices of Motion and Orders of the Day. No. 36.
Divisions in Committee of the Whole. No. 10.
Local Government Act 1890 further Amendment Bill (No. 1).—New Clause to be proposed in Committee
by Mr. Sterry. (To Members only.)

VICTORIA.

No. 14.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 27TH AUGUST, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **PETITIONS.**—The Honorable C. J. Ham presented a Petition from the Corporation of the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, under the common seal of the said Corporation, against certain provisions of the Electric Light and Power Bill, and praying that they may have leave to appear and be heard by themselves, their counsel, agents, and witnesses before the Select Committee on the said Bill, and moved, That the Petition be referred to the Select Committee on the Electric Light and Power Bill, and that the petitioners have leave to be heard by themselves, their counsel, agents, and witnesses before the said Committee.

Question—put and resolved in the affirmative.

The Honorable F. S. Grimwade presented a Petition from certain Medical Practitioners, Members of Committee, Life-Governors, and Subscribers to the Hospitals, and Members of the Executive Committee of the Charity Organization Society, praying that the Council would assist in passing into law the Charities Medical Officers Bill, or some other sufficient enactment to reform the present system of electing honorary medical officers to the hospitals.

Ordered to lie on the Table.

The Honorable J. Service presented a Petition from the Metropolitan Gas Company, under the common seal of the said company, praying that it may have leave to appear before the Select Committee on the Electric Light and Power Bill, and be heard by its officers, counsel, agents, and witnesses against the said Bill or parts thereof, and in support of provisions for the protection of the petitioner in case the Bill should pass, and that the petitioner may have such other relief as should seem meet to the Council, and moved, That the Petition be referred to the Select Committee on the Electric Light and Power Bill, and that the petitioner have leave to be heard by its officers, counsel, agents, and witnesses before the said Committee.

Question—put and resolved in the affirmative.

5. **ELECTRIC LIGHT AND POWER BILL.**—The Honorable H. Cuthbert moved, by leave, That the Select Committee on the Electric Light and Power Bill consist of the Honorables J. H. Abbott, J. Balfour, J. Bell, S. Fraser, J. H. Grey, W. McCulloch, A. O. Sachse, Lieut.-Col. Sir F. T. Sargood, N. Thornley, and the Mover, such Committee to have power to send for persons, papers, and records, and to move from place to place; three to be the quorum.

Question—put and resolved in the affirmative.

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

Report of the Trustees of the Public Library, Museums, and National Gallery of Victoria, for 1894, with a Statement of Income and Expenditure for the financial year 1893-4.

7. **PRINTERS AND NEWSPAPERS BILL.**—The Honorable H. Cuthbert moved, That he have leave to bring in a Bill to amend the *Printers and Newspapers Act 1890*.

Question—put and resolved in the affirmative.

Ordered—That the Honorable H. Cuthbert do prepare and bring in the Bill.

The Honorable H. Cuthbert then brought up a Bill intituled "*A Bill to amend the 'Printers and Newspapers Act 1890,'*" and moved, That it 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 next.

8. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday, 10th September next :—
Local Government (Municipal Elections) Bill—To be further considered in Committee.
9. **COMPANIES ACT AMENDMENT BILL.**—The Honorable J. M. Davies moved, That he have leave to bring in a Bill to amend the *Companies Act Amendment Act 1892*.
 Question—put and resolved in the affirmative.
 Ordered—That the Honorable J. M. Davies do prepare and bring in the Bill.
 The Honorable J. M. Davies then brought up a Bill intituled “*A Bill to amend the ‘Companies Act Amendment Act 1892,’*” and moved, That it 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 next.
10. **EXEMPTIONS FROM INCOME TAX.**—The Honorable T. D. Wanliss moved, That in the opinion of this House income tax should not be charged on legacies nor on matured policies of life assurance.
 Debate ensued.
 The Honorable H. Cuthbert moved, That the debate be now adjourned.
 Debate continued.
 Question—That the debate be now adjourned—put and negatived.
 Question—That in the opinion of this House income tax should not be charged on legacies nor on matured policies of life assurance—put and resolved in the affirmative.
11. **CHARITIES MEDICAL OFFICERS BILL.**—The Order of the Day for the second reading of this Bill having been read—the Honorable F. S. Grimwade moved, That this Bill be now read a second time.
 Debate ensued.
 Question—put and negatived.
12. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced the receipt of the following Message from the Legislative Assembly :—
 MR. PRESIDENT—
 The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to provide facilities for carrying out certain of the provisions of the ‘Water Act 1890’ at Mildura and for other purposes,*” with which they desire the concurrence of the Legislative Council.
 GRAHAM BERRY,
 Speaker.
 Legislative Assembly,
 Melbourne, 27th August, 1895.
13. **MILDURA WATER SUPPLY BILL.**—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to provide facilities for carrying out certain of the provisions of the ‘Water Act 1890’ at Mildura and for other purposes*” be now read a first time.
 Question—put and resolved in the affirmative.—Bill read a first time, and ordered to be printed.
 The Honorable H. Cuthbert moved, by leave, That this Bill be now read a second time.
 Debate ensued.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
 On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.
 And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.
 The Honorable H. Cuthbert moved, That the following be the title of the Bill :—
 “*An Act to provide facilities for carrying out certain of the provisions of the ‘Water Act 1890’ at Mildura and for other purposes.*”
 Question—put and resolved in the affirmative.
 Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.
14. **ELECTRIC LIGHT AND POWER BILL—MEMBER DISCHARGED.**—The Honorable H. Cuthbert moved, by leave, That the Honorable W. McCulloch be discharged from attendance on the Select Committee on the Electric Light and Power Bill.
 Question—put and resolved in the affirmative.
15. **ELECTRIC LIGHT AND POWER BILL—MEMBER APPOINTED.**—The Honorable H. Cuthbert moved, by leave, That the Honorable F. S. Grimwade be a Member of the Select Committee on the Electric Light and Power Bill.
 Question—put and resolved in the affirmative.
16. **ELECTRIC LIGHT AND POWER BILL—QUORUM.**—The Honorable H. Cuthbert moved, by leave, That the quorum of the Select Committee on the Electric Light and Power Bill be five instead of three as previously ordered.
 Question—put and resolved in the affirmative.

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

Uniform Customs Tariffs—Resumption of debate on the question—*That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.*

Licensing Act 1890 Amendment Bill—*To be further considered in Committee.*

Dairies Supervision Bill—*Second reading.*

Intestates' Estates Bill—*Second reading.*

Agricultural Colleges Act 1890 Amendment Bill—*Second reading.*

18. **ADJOURNMENT.**—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 14.

TUESDAY, 3RD SEPTEMBER, 1895.

Questions.

1. The Hon. D. E. MCBRYDE : To ask the Honorable the Solicitor-General what action, if any, the Government propose taking in regard to all stock, killed for human consumption, being placed under proper supervision.
2. The Hon. T. D. WANLISS : To ask the Honorable the Solicitor-General—
 1. What is the cost per ton of railway carriage of bricks from Brunswick to Ballarat.
 2. What is the cost per ton of railway carriage of bricks from Brunswick to Bendigo.
 3. The cost of carriage respectively of pig-iron and of coals from Melbourne to Ballarat.
 4. The cost of same from Geelong to Ballarat.
 5. The cost of railway carriage of potatoes from Ballarat to Geelong, and also of same from Ballarat to Melbourne.
3. The Hon. D. MELVILLE : To call the attention of the Honorable the Solicitor-General to the following paragraph in the *Age* of the 27th August, viz.:—"Dr. Bevan pointed out the difficulty of getting the authorities to take action. He suggested that they should approach the magistrates. He thought it was outrageous that the law should not be properly administered. There was nothing which led to more evil in the community than the unfair and unjust way in which magistrates administered the law. Magistrates were about the most shameless set of men he knew of, but he thought a deputation might succeed in shaming even them"; and to ask what action the Government intend taking in the matter.

Government Business.

ORDERS OF THE DAY:—

1. PUBLIC AND BANK HOLIDAYS BILL—To be further considered in Committee.
2. PRINTERS AND NEWSPAPERS BILL—Second reading.

General Business.

NOTICE OF MOTION:—

1. The Hon. D. MELVILLE : To move, That a Select Committee be appointed to inquire into and report upon the monetary transactions of Mr. David Henry and other usurious money-lenders, and generally to inquire into and report upon similar transactions; such Committee to consist of the Honorables
with power to send for persons, papers, and records; three to be the quorum.

ORDERS OF THE DAY:—

1. COMPANIES ACT AMENDMENT BILL—Second reading.
2. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
3. LICENSING ACT 1890 AMENDMENT BILL—To be further considered in Committee.
4. DAIRIES SUPERVISION BILL—Second reading.
5. INTESTATES' ESTATES BILL—Second reading.
6. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

TUESDAY, 10TH SEPTEMBER.

Government Business.

ORDER OF THE DAY:—

1. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Wednesday, 4th September.

ELECTRIC LIGHT AND POWER BILL—at half-past two o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 21ST AUGUST, 1895.

Minutes of the Proceedings of the Legislative Council. No. 13.

Notices of Motion and Orders of the Day. No. 14.

Companies Act Amendment Bill—[82].

Licensing Act 1890 Amendment Bill.—New Clauses to be proposed by the Hon. S. W. Cooke. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 36 and 37.

Notices of Motion and Orders of the Day. No. 38.

Divisions in Committee of the Whole. No. 11.

Friendly Societies Actuary's Bill—[3]. (To Members only.)

Local Government Act 1890 further Amendment (Classification of Shires) Bill.—New Clause to be proposed in Committee by Mr. Reid. (To Members only.)

Report of the Registrar of Friendly Societies for the year 1894. No. 64.

Bank Liabilities and Assets.—Summary of Sworn Returns for the quarter ended 30th June, 1895. No. 65.

VICTORIA.

No. 15.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 3RD SEPTEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **ISSUE OF AND RETURNS TO WRITS.**—The President announced that he had issued Writs for the election of Members to serve for the undermentioned Provinces, in the places of Members who retire by rotation, viz. :—

Melbourne, in the place of the Honorable G. S. Coppin,
South Yarra, in the place of the Honorable J. M. Davies,
North-Western, in the place of the Honorable J. M. Pratt,
Northern, in the place of the Honorable G. Simmie,
Wellington, in the place of the Honorable E. Morey,
Gippsland, in the place of the Honorable C. Sargeant ;

and further announced that he had received returns to such Writs for the North-Western, Northern, Wellington, and Gippsland Provinces ; and, by the indorsements on the Writs, it appeared that the following Members had been returned for the several Electoral Provinces set opposite their respective names, viz. :—

The Honorable J. M. Pratt for the North-Western Province,
The Honorable G. Simmie for the Northern Province,
The Honorable E. Morey for the Wellington Province, and
The Honorable C. Sargeant for the Gippsland Province.

5. **SWEARING-IN OF MEMBER.**—The Honorable Edward Morey, 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 Act 54 Victoria, No. 1075, I, EDWARD MOREY, of Ballarat, 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 colony of Victoria of the yearly value of One hundred and forty-three 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 city of Ballarat, and are known as assessment 89, Lydiard-street, Eighty pounds ; assessment 1493, Armstrong-street, Sixty-three pounds ; and are allotments six and nineteen, section nine, city and parish of Ballarat, county of Grenville.

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

“E. MOREY.”

6. **PETITIONS.**—The Honorable F. S. Grimwade presented a Petition from the Mayor, Councillors, and Citizens of the City of Fitzroy, under the common seal of the said Corporation, against certain provisions of the Electric Light and Power Bill, and praying that they may have leave to appear and be heard by themselves, the council's agents, and witnesses before the Select Committee on the said Bill.

The Honorable F. S. Grimwade moved, That the Petition be referred to the Select Committee on the Electric Light and Power Bill, and that the petitioners have leave to appear and be heard by themselves, the council's agents, and witnesses before the said Committee.

Debate ensued.

The Honorable J. Service moved, as an amendment, That all the words after the word "Bill" be omitted.

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put and negatived.

Question—That the Petition be referred to the Select Committee on the Electric Light and Power Bill—put and resolved in the affirmative.

The Honorable Lieut.-Col. Sir F. T. Sargood presented a Petition from the Corporation of the Municipality of the Mayor, Councillors, and Citizens of the City of Prahran, under the common seal of the said Corporation, against certain provisions of the Electric Light and Power Bill, and praying that they may have leave to appear and be heard by themselves, their counsel, agents, and witnesses before the Select Committee on the said Bill.

The Honorable F. S. Grimwade presented a Petition from the Corporation of the Mayor, Councillors, and Citizens of the City of Footscray, under the common seal of the said Corporation, praying that they may be heard through themselves, their counsel or agents before the Select Committee on the Electric Light and Power Bill.

The Honorable D. Melville presented a Petition from the A. U. Alcock Electric Light and Motive Power Company Limited, carrying on business in the city of Melbourne, under the common seal of the said company, praying that it may have leave to appear before the Select Committee on the Electric Light and Power Bill, and be heard by its officers, counsel, agents, and witnesses against the said Bill or parts thereof, and in support of provisions for the protection of the petitioner in case the Bill pass, and that the petitioner may have such other relief as should seem meet to the Council.

The Honorable J. M. Davies presented a Petition from The New Australian Electric Company Limited, carrying on business in the city of Melbourne, under the common seal of the said company, praying that it may have leave to appear and be heard by its officers, counsel, agents, and witnesses before the Select Committee on the Electric Light and Power Bill.

The Honorable Lieut.-Col. Sir F. T. Sargood presented a Petition from J. H. Maddock, styling himself Chairman of the Municipal Conference, consisting of representatives duly appointed and authorized by the municipalities of the Mayor, Councillors, and Citizens of the cities of Melbourne, South Melbourne, Prahran, Fitzroy, Richmond, St. Kilda, Collingwood, and Footscray; the Mayor, Councillors, and Burgesses of the towns and boroughs of Brighton, Essendon, Flemington, Kensington, Hawthorn, Kew, Northcote, North Melbourne, and Port Melbourne; and the President, Councillors, and Ratepayers of the shires of Boroondara, Caulfield, and Coburg against certain provisions of the Electric Light and Power Bill, and praying that such representatives may have leave to appear and be heard by themselves, their counsel, agents, and witnesses before the Select Committee on the said Bill.

Severally ordered to be referred to the Select Committee on the Electric Light and Power Bill.

7. **ELECTRIC LIGHT AND POWER BILL—MEMBER DISCHARGED.**—The Honorable H. Cuthbert moved, by leave, That the Honorable S. Fraser be discharged from attendance on the Select Committee on the Electric Light and Power Bill.

Question—put and resolved in the affirmative.

8. **ELECTRIC LIGHT AND POWER BILL—MEMBER APPOINTED.**—The Honorable H. Cuthbert moved, by leave, That the Honorable D. E. McBryde be a Member of the Select Committee on the Electric Light and Power Bill.

Question—put and resolved in the affirmative.

9. **MESSAGE FROM HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.**—The following Message from His Excellency the Administrator of the Government was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—

JOHN MADDEN,

Administrator of the Government.

Message No. 4.

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

"An Act to provide facilities for carrying out certain of the provisions of the 'Water Act 1890' at Mildura and for other purposes."

Law Courts,

Melbourne, 28th August, 1895.

10. **ADJOURNMENT.**—The Honorable D. E. McBryde having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.

The Honorable D. E. McBryde having stated that he proposed to speak on the subject of the supervision of all stock killed for human consumption, then moved, That the House do now adjourn.

Debate ensued.

Question—put and negatived.

11. PAPERS.—The Honorable H. Cuthbert presented—

Removal of Police Magistrate.—Return to an Order of the Legislative Council, dated 6th August, 1895, for a copy of all the correspondence, including the reports from Clerks of Courts and the Police Magistrate, in the Department of the Solicitor-General, relating to the removal of a Police Magistrate from the Western District.

Cost of Collection of Income Tax.—Return to an Order of the Legislative Council, dated 20th August, 1895, for a Return showing the actual cost to the 30th June last of collecting the Income Tax to that date, under the following heads :—

- (a) Preparing and printing forms.
- (b) Distribution of forms.
- (c) Salaries of officers and clerical assistance.
- (d) Any other expenses.

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

Water Act 1890.—Macorna North Irrigation and Water Supply Trust—Graduated Rate. Regulation No. 2 (Draft Form).
Public Service Act 1890.—Alteration of Regulations.

12. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable H. Cuthbert the following Order of the Day was read and discharged :—

Public and Bank Holidays Bill—To be further considered in Committee.

Ordered—That the said Bill be withdrawn.

13. PRINTERS AND NEWSPAPERS BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.

The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“ An Act to amend the ‘ Printers and Newspapers Act 1890.’ ”

Question—put and resolved in the affirmative.

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

14. USURIOUS MONEY-LENDERS.—The Honorable D. Melville moved, pursuant to amended notice, That a Select Committee be appointed to inquire into and report upon the monetary transactions of Mr. David Henry and other usurious money-lenders, and generally to inquire into and report upon similar transactions ; such Committee to consist of the Honorables J. Bell, Dr. W. H. Embling, S. Fraser, D. E. McBryde, E. Miller, A. O. Sachse, N. Thornley, S. Williamson, and the Mover, with power to send for persons, papers, and records, and to move from place to place ; three to be the quorum.

Debate ensued.

The Honorable J. M. Davies 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, 17th September instant.

15. COMPANIES ACT AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable J. M. Davies moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable J. M. Davies moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable J. M. Davies, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable J. M. Davies the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable J. M. Davies, the Bill was read a third time and passed.

The Honorable J. M. Davies moved, That the following be the title of the Bill :—

“ An Act to amend the ‘ Companies Act Amendment Act 1892.’ ”

Question—put and resolved in the affirmative.

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

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

Uniform Customs Tariffs—Resumption of debate on the question—*That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.*

Licensing Act 1890 Amendment Bill—*To be further considered in Committee.*

Dairies Supervision Bill—*Second reading.*

Intestates' Estates Bill—*Second reading.*

Agricultural Colleges Act 1890 Amendment Bill—*Second reading.*

17. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Debate ensued.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 15.

TUESDAY, 10TH SEPTEMBER, 1895.

Government Business.

NOTICE OF MOTION :—

1. The Hon. H. CUTHBERT : To move, That he have leave to bring in a Bill to suppress betting in the public streets.

ORDER OF THE DAY :—

1. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

NOTICES OF MOTION :—

1. The Hon. J. BELL : To move, That those portions of the resolutions passed by the Council on the 27th August last, relating to the Electric Light and Power Bill, directing that the Corporation of the City of Melbourne and the Metropolitan Gas Company have leave to be heard before the Select Committee on the said Bill by counsel, be read and rescinded.
2. The Hon. F. S. GRIMWADE : To move, That the prayer of the Petitions of the Mayor, Councillors, and Citizens of the City of Fitzroy, and of the Mayor, Councillors, and Citizens of the City of Footscray be granted, and that the petitioners have leave to appear by their officers, counsel, agents, and witnesses before the Select Committee on the Electric Light and Power Bill.

ORDERS OF THE DAY :—

1. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
 2. LICENSING ACT 1890 AMENDMENT BILL—To be further considered in Committee.
 3. DAIRIES SUPERVISION BILL—Second reading.
 4. INTESTATES' ESTATES BILL—Second reading.
 5. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
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TUESDAY, 17TH SEPTEMBER.

General Business.

ORDER OF THE DAY :—

1. USURIOUS MONEY-LENDERS.—*Resumption of debate on the question*—That a Select Committee be appointed to inquire into and report upon the monetary transactions of Mr. David Henry and other usurious money-lenders, and generally to inquire into and report upon similar transactions ; such Committee to consist of the Honorables J. Bell, Dr. W. H. Embling, S. Fraser, D. E. McBryde, E. Miller, A. O. Sachse, N. Thornley, S. Williamson, and the Mover, with power to send for persons, papers, and records, and to move from place to place ; three to be the quorum.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 10th September.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

LIBRARY (JOINT)—at half-past three o'clock.

Wednesday, 11th September.

ELECTRIC LIGHT AND POWER BILL—at half-past two o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 28TH AUGUST, 1895.

Minutes of the Proceedings of the Legislative Council. No. 14.

Notices of Motion and Orders of the Day. No. 15.

Printers and Newspapers Bill—[81].

Votes and Proceedings of the Legislative Assembly. Nos. 38 and 39.

Notices of Motion and Orders of the Day. No. 40.

Divisions in Committee of the Whole. No. 12.

Goldsbrough Mort and Company Limited Arrangement Bill—[79].

Municipalities' Advances Bill.—Amendments to be proposed by Mr. G. Turner. (To Members only.)

Customs and Excise Duties.—Proposed Alterations of Existing Duties and Proposals for New Duties.
(To Members only.)

VICTORIA.

No. 16.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 10TH SEPTEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. RETURN TO WRIT.—The President announced that there had been returned to him the Writ he had issued for the election of a Member to serve for the Melbourne Province, in the place of the Honorable George Selth Coppin, whose seat became vacant by effluxion of time; and by the indorsement on such Writ it appeared that Sir Arthur Snowden, K.B., had been elected in pursuance thereof.
5. SWEARING-IN OF MEMBERS.—The Honorables Joseph Major Pratt and Sir Arthur Snowden, K.B., being severally introduced, 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 Act 54 Victoria, No. 1075, I, JOSEPH MAJOR PRATT, 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 colony of Victoria of the yearly value of One hundred and 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 Melbourne, and are known as all that piece of land containing thirty-six perches and three-tenths of a perch or thereabouts, being part of Crown allotment four, section fourteen, city of Melbourne, parish of North Melbourne, at East Melbourne, county of Bourke.

“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 seventy-five pounds sterling, 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 seventy-five pounds sterling.

“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. M. PRATT.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, ARTHUR SNOWDEN, of 433 Little Collins-street, in the city of Melbourne, barrister and solicitor, and of Saint Hellier’s-street, Abbotsford, 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 colony of Victoria of the yearly value of One hundred and 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 Collingwood, and are known as the villa residence called ‘St. Helliers,’ situate in St. Hellier’s-street, Abbotsford, in the said municipal district, and grounds attached thereto, forming my residence, such lands having a frontage of two hundred and forty feet to St. Hellier’s-street by a depth of about three hundred feet.

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

“ARTHUR SNOWDEN.”

6. PAPERS.—The Honorable H. Cuthbert presented, by command of His Excellency the Administrator of the Government—

Statistical Register of the Colony of Victoria for the year 1894.—Part III.—Population.
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:—

General Regulations respecting Public Accounts.—Transfers under section 32 of Act No. 1066.
Report of the Council of Defence.
Land Act 1890.—Schedule of Swamp Leases containing Special Conditions.
Exhibition Trustees.—Report of Proceedings and Statement of Income and Expenditure for the year ended 30th June, 1895.
Victorian Railways—
Report of the Victorian Railways Commissioners for the year ending 30th June, 1895.
Return of Special Goods Rates for year ending 30th June, 1895.

7. STREET BETTING SUPPRESSION BILL.—The Honorable H. Cuthbert moved, That he have leave to bring in a Bill to suppress Betting in Streets.
Question—put and resolved in the affirmative.
Ordered—That the Honorable H. Cuthbert do prepare and bring in the Bill.
The Honorable H. Cuthbert then brought up a Bill intituled “*A Bill to suppress Betting in Streets,*” and moved, That it 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 next.
8. RETIREMENT OF THE HONORABLE G. S. COPPIN.—The President announced that he had received the following letter from the Honorable G. S. Coppin, which he read, as follows:—

“Pine Grove,”
Richmond, 10th September, 1895.

The Hon. Sir William Austin Zeal, K.C.M.G.,
President of the Legislative Council.

Sir,

In saying farewell to parliamentary life, I desire to thank you, Mr. President, honorable Members of the Legislative Council, and the officers of the House, for the courtesy I have always received; at the same time I hope to be excused for making a few remarks upon my political career.

When I was first elected to the Legislative Council, 37 years ago, I had to face a very strong prejudice against an actor being returned to Parliament, more particularly a comedian, to the Upper House. It was argued that such innovation ought not to be countenanced. Taking into consideration the number of times that I have been elected to represent the city of Melbourne in the Legislative Assembly—and the presentation of my late seat in the Legislative Council without opposition—I may safely assume that I have outlived a very unjust prejudice; which may be accepted in the same light as the honours lately conferred upon two London managers by Her Most Gracious Majesty the Queen, as a most gratifying recognition of the dramatic profession.

My first election to the Legislative Council was for ten years, in 1858. At the termination of five years I resigned my seat for the purpose of visiting America, with the satisfaction of feeling that I had not been an idle member of Parliament, having introduced Torrens' Act for the Transfer of Real Property, the Post Office Savings Bank Bill, with others of less importance.

In retiring from the Legislative Council it is a very melancholy reflection that I am the only surviving member of the House as constituted during the five years I represented the South-Western Province, from 1858 to 1863—all dead. The Usher and six messengers, the officers of the Parliamentary Library—all dead. The Clerk of Parliaments and three clerks retired upon pensions, at a time they were as capable of carrying out the duties of their office as ever they were.

In my retirement it is pleasant to feel that by devoting 37 years of my life to public affairs I have done my duty to my adopted country. I have been true and dependable to the political party with which I have been associated, and faithfully carried out the principles I have advocated at my elections as a conservative liberal.

I regret that I shall not share in the honour of assisting to pass a Bill for the Federation of the Australian Colonies.

In leaving the present House it is gratifying to know that it is a great improvement upon the one I first entered—vastly increased in popularity and influence—because it is more thoroughly representative, held in great esteem throughout the colony, and justly looked up to as the safety-valve of our parliamentary machinery.

Trusting that you may long continue to hold the high position of President, and that the Legislative Council may shortly enjoy an extension of privileges,

I have the honour to remain, Sir,

Your obedient servant,

GEO. COPPIN.

9. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday, 24th September instant:—

Local Government (Municipal Elections) Bill—To be further considered in Committee.

10. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS.—The Honorable H. Cuthbert moved, by leave, That the Honorable Edward Morey be appointed a Member of the Parliamentary Standing Committee on Railways.

Question—put and resolved in the affirmative.

11. **SWEARING-IN OF MEMBER.**—The Honorable George Simmie, 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 Act 54 Victoria, No. 1075, I, GEORGE SIMMIE, of Cornelia Creek, 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 colony 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 Echuca Shire, and are known as ‘Cornelia Creek.’

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Echuca Shire are rated in the rate-book of such district upon a yearly value of One thousand 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.

“G. SIMMIE.”

12. **ELECTRIC LIGHT AND POWER BILL.—RESOLUTIONS RESCINDED.**—The Honorable J. Bell moved, That those portions of the resolutions passed by the Council on the 27th August last, relating to the Electric Light and Power Bill, directing that the Corporation of the City of Melbourne and the Metropolitan Gas Company have leave to be heard before the Select Committee on the said Bill by counsel, be read and rescinded.

Debate ensued.

Question—put and resolved in the affirmative.

13. **ELECTRIC LIGHT AND POWER BILL.—POWER TO HEAR COUNSEL.**—The Honorable H. Cuthbert moved, by leave, That all Petitions presented to this House relating to the Electric Light and Power Bill be referred to the Select Committee on the Bill, and that the Committee have power to hear counsel (to such extent as they shall think fit) on behalf of such petitioners.

Question—put and resolved in the affirmative.

14. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday, 24th September instant:—

Uniform Customs Tariffs—Resumption of debate on the question—*That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.*

15. **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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

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

Dairies Supervision Bill—*Second reading.*

Intestates' Estates Bill—*Second reading.*

Agricultural Colleges Act 1890 Amendment Bill—*Second reading.*

17. **ADJOURNMENT.**—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 16.

TUESDAY, 17TH SEPTEMBER, 1895.

Questions.

1. The Hon. J. H. CONNOR : To call the attention of the Honorable the Solicitor-General to the desirability of prospecting the country between Rokewood and Cressy, and thence to Colac and Apollo Bay, for gold and coal ; and to ask what action, if any, the Government intend to take in the matter.
2. The Hon. C. J. HAM : To ask the Honorable the Solicitor-General if his attention has been called to an article in the *Investors' Review*, in which it is stated, in the matter of the application of J. B. Davies for a certificate in insolvency, "That the tenor of the Judge's remarks was known in Melbourne on Friday afternoon, and the Government instantly determined to punish him by knocking £250 off his salary for daring to be honest and independent" ; and to inquire if the Government propose to take any action in the matter.

Government Business.

ORDER OF THE DAY :—

1. STREET BETTING SUPPRESSION BILL—Second reading.

General Business.

NOTICE OF MOTION :—

1. The Hon. T. D. WANLISS : To move, That the carriage by the Railway Department of manufactured articles from Melbourne to the interior at considerably less rates than those charged for the carriage of the raw materials of industry is—
 1. Unfair to the inland manufacturers of such articles ;
 2. Tends to discourage industrial enterprise in the interior of the colony ; and
 3. Should, as soon as possible, be discontinued by the Railway Department.

ORDERS OF THE DAY :—

1. USURIOUS MONEY-LENDERS.—*Resumption of debate on the question*—That a Select Committee be appointed to inquire into and report upon the monetary transactions of Mr. David Henry and other usurious money-lenders, and generally to inquire into and report upon similar transactions ; such Committee to consist of the Honorables J. Bell, Dr. W. H. Embling, S. Fraser, D. E. McBryde, E. Miller, A. O. Sachse, N. Thornley, S. Williamson, and the Mover, with power to send for persons, papers, and records, and to move from place to place ; three to be the quorum.
2. LICENSING ACT 1890 AMENDMENT BILL—To be further considered in Committee.
3. DAIRIES SUPERVISION BILL—Second reading.
4. INTESSTATES' ESTATES BILL—Second reading.
5. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

TUESDAY, 24TH SEPTEMBER.

Government Business.

ORDER OF THE DAY :—

1. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDER OF THE DAY :—

1. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 17th September.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

Wednesday, 18th September.

ELECTRIC LIGHT AND POWER BILL—at half-past two o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 5TH SEPTEMBER, 1895.

Notices of Motion and Orders of the Day. No. 16.

Street Betting Suppression Bill—[86].

Licensing Act 1890 Amendment Bill.—New Clause to be proposed by the Hon. T. D. Wanliss. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 40, 41, and 42.

Notices of Motion and Orders of the Day. No. 43.

Divisions in Committee of the Whole. No. 13.

Printers and Newspapers Bill—[81]. (To Members only.)

Companies Act Amendment Bill—[82]. (To Members only.)

Municipalities' Advances Bill.—Amendments to be proposed after Third Reading. (To Members only.)

Customs and Excise Duties.—Amendments to be proposed on Consideration of Report. (To Members of Assembly only.)

Customs and Excise Duties.—Amendments to be proposed on Consideration of Report. (To Members of Assembly only.)

VICTORIA.

No. 17.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 17TH SEPTEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. RETURN TO WRIT.—The President announced that there had been returned to him the Writ he had issued for the election of a Member to serve for the South Yarra Province in the place of the Honorable John Mark Davies, whose seat became vacant by effluxion of time; and by the indorsement on such Writ it appeared that George Godfrey had been elected in pursuance thereof.

5. SWEARING-IN OF MEMBERS.—The Honorables Charles Sargeant and George Godfrey, being severally introduced, 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 Act 54 Victoria, No. 1075, I, CHARLES SARGEANT, 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 colony of Victoria of the yearly value of One hundred and seven 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 Warragul and Woorayl, and are known as to the said municipal district of Warragul, as part of allotment one hundred and two, parish of Drouin East, county of Buln Buln, containing seventy-five acres thirty-one perches, and as to the said municipal district of Woorayl, allotments thirty-four, thirty-five, and thirty-six, on plan of subdivision No. 1374, and being part of Crown allotment thirty-eight, parish of Mirboo, county of Buln Buln.

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

“CHARLES SARGEANT.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, GEORGE GODFREY, 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 colony 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 St. Kilda, and are known as all that piece of land being part of Crown portion 68A, parish of Prahran, at St. Kilda, county of Bourke, and situate in High-street, St. Kilda.

“And I further declare that the said lands or tenements are situate in the municipal district of St. Kilda, and 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 lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“GEO. GODFREY.”

6. **PETITION.**—The Honorable Lieut.-Col. Sir F. T. Sargood presented a Petition from J. John Halley, styling himself Secretary of the Executive Committee of the Congregational Union of Victoria, praying that the Council would pass the Street Betting Suppression Bill with as little delay as possible.
Ordered to lie on the Table, and to be referred to the Committee of the whole on the Street Betting Suppression Bill.
7. **PAPER.**—The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk:—
Water Act 1890.—Yatchaw Irrigation and Water Supply Trust—Loan.
8. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced the receipt of the following Message from the Legislative Assembly:—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to authorize Advances to be made to certain Municipalities,*” with which they desire the concurrence of the Legislative Council.
GRAHAM BERRY,
Speaker.
Legislative Assembly,
Melbourne, 10th September, 1895.
9. **MUNICIPALITIES’ ADVANCES BILL.**—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to authorize Advances to be made to certain Municipalities,*” 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 next.
10. **PRINTING COMMITTEE.**—The Honorable H. Cuthbert moved, by leave, That the Honorables C. Sargeant and T. D. Wanliss be Members of the Printing Committee.
Question—put and resolved in the affirmative.
11. **REFRESHMENT ROOMS COMMITTEE.**—The Honorable H. Cuthbert moved, by leave, That the Honorable E. Morey be a Member of the Joint Committee to manage the Refreshment Rooms.
Question—put and resolved in the affirmative.
12. **STANDING ORDERS COMMITTEE.**—The Honorable H. Cuthbert moved, by leave, That the Honorable W. I. Winter-Irving be a Member of the Standing Orders Committee.
Question—put and resolved in the affirmative.
13. **STREET BETTING SUPPRESSION BILL.**—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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.
14. **RAILWAY RATES.**—The Honorable T. D. Wanliss moved, That the carriage by the Railway Department of manufactured articles from Melbourne to the interior at considerably less rates than those charged for the carriage of the raw materials of industry is—
1. Unfair to the inland manufacturers of such articles;
2. Tends to discourage industrial enterprise in the interior of the colony; and
3. Should, as soon as possible, be discontinued by the Railway Department.
Debate ensued.
Question—put and negatived.
15. **USURIOUS MONEY-LENDERS.**—The Order of the Day for the resumption of the debate on the question, That a Select Committee be appointed to inquire into and report upon the monetary transactions of Mr. David Henry and other usurious money-lenders, and generally to inquire into and report upon similar transactions; such Committee to consist of the Honorables J. Bell, Dr. W. H. Embling, S. Fraser, D. E. McBryde, E. Miller, A. O. Sachse, N. Thornley, S. Williamson, and the Mover, with power to send for persons, papers, and records, and to move from place to place; three to be the quorum—having been read—
Question—put and resolved in the affirmative.
16. **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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to confirm a Scheme of Arrangement between Goldsbrough Mort and Company Limited its Debenture-holders and Contributories,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 17th September, 1895.

F. C. MASON,
Deputy Speaker.

18. GOLDSBROUGH MORT AND COMPANY LIMITED ARRANGEMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the Standing Orders relating to Private Bills be suspended so as to permit the Bill intituled "*An Act to confirm a Scheme of Arrangement between Goldsbrough Mort and Company Limited its Debenture-holders and Contributories*" to be read a first time this day.

Question—put and resolved in the affirmative.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to confirm a Scheme of Arrangement between Goldsbrough Mort and Company Limited its Debenture-holders and Contributories,*" 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 next.

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

Dairies Supervision Bill—Second reading.

Intestates' Estates Bill—Second reading.

Agricultural Colleges Act 1890 Amendment Bill—Second reading.

20. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent data collection procedures and the use of advanced analytical techniques to derive meaningful insights from the data.

3. The third part of the document focuses on the role of technology in data management and analysis. It discusses how modern software solutions can streamline data collection, storage, and processing, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and privacy. It provides strategies to mitigate these risks and ensure that the data remains reliable and secure throughout its lifecycle.

5. The fifth part of the document concludes by summarizing the key findings and recommendations. It stresses the importance of ongoing monitoring and evaluation to ensure that the data management processes remain effective and aligned with the organization's goals.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 17.

TUESDAY, 24TH SEPTEMBER, 1895.

Government Business.

ORDERS OF THE DAY:—

1. STREET BETTING SUPPRESSION BILL—To be further considered in Committee.
2. MUNICIPALITIES' ADVANCES BILL—Second reading.
3. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

NOTICES OF MOTION:—

1. The Hon. A. O. SACHSE : To move—

(1) That, in the opinion of this House, an Electric Light and Power Trust should be constituted, preferably upon the lines of the Melbourne Tramways Trust, for the following objects:—

- (a) To acquire by purchase all plant, stock, and goodwill of all electric light and power companies or bodies and other lighting companies in the city of Melbourne, its contiguous cities and suburbs;
- (b) To establish and regulate the electric lighting of the said cities and suburbs, and to have power to lease or license such lighting to one or more companies to be formed for the purpose;
- (c) To borrow and pay moneys for the above purposes, and to establish a sinking fund to provide for depreciation in value of plant, goodwill, &c.

(2) That it be an instruction to the Select Committee upon the Electric Light and Power Bill to collect information and evidence upon the feasibility of the above scheme and to report thereon to this House.

2. The Hon. D. MELVILLE : To move, That, in the opinion of this House, and with the view of securing a wider selection of experienced representatives for this Chamber—

- (1) The present property qualification of Members should be reduced to £500 real estate, and the assessment to £50 per annum, and any Member having been twice elected should not be required to declare as to property.
- (2) That the deposit money on nomination should be fixed at £50.
- (3) That a re-arrangement of some of the Provinces should be effected to secure a more equal representation of the voters.

ORDERS OF THE DAY:—

1. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
2. LICENSING ACT 1890 AMENDMENT BILL—To be further considered in Committee.
3. GOLDSBROUGH MORT AND COMPANY LIMITED ARRANGEMENT BILL—Second reading.
4. DAIRIES SUPERVISION BILL—Second reading.
5. INTESTATES' ESTATES BILL—Second reading.
6. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 24th September.

USURIOUS MONEY-LENDERS—at three o'clock.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

Wednesday, 25th September.

ELECTRIC LIGHT AND POWER BILL—at three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 12TH SEPTEMBER, 1895.

Minutes of the Proceedings of the Legislative Council. No. 16.

Notices of Motion and Orders of the Day. No. 17.

Municipalities' Advances Bill—[22]. (To Members of Council only.)

Licensing Act 1890 Amendment Bill.—New Clause to be proposed by the Hon. D. Melville. (To Members of Council only.)

Street Betting Suppression Bill.—New Clause to be proposed by the Hon. A. Wynne. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 43, 44, and 45.

Notices of Motion and Orders of the Day. No. 46.

Customs and Excise Duties.—Amendments to be proposed on Consideration of Report. (To Members only.)

Victorian Railways.—Report of the Victorian Railways Commissioners for the year ending 30th June, 1895. No. 68.

VICTORIA.

No. 18.

MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

TUESDAY, 24TH SEPTEMBER, 1895.

- 1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPERS.—The Honorable H. Cuthbert presented, by command of His Excellency the Administrator of the Government—
The Railway Inquiry Board.—Report of the Board appointed by His Excellency the Governor in Council to inquire into the Working and Management of the Victorian Railways.
Statistical Register of the Colony of Victoria for the year 1894.—Part IV.—Accumulation.
Severally ordered to lie on the Table.
5. GOLDSBROUGH MORT AND COMPANY LIMITED ARRANGEMENT BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable Lieut.-Col. Sir F. T. Sargood produced a receipt that the sum of £20 had been paid into the hands of the Treasurer of the colony, and moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the Standing Orders relating to Private Bills be suspended, so as to allow this Bill to pass through its remaining stages this day.
Question—put and resolved in the affirmative.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Report from the Committee of the whole be taken into consideration this day.
Question—put and resolved in the affirmative.
On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Bill was read a third time and passed.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—
“An Act to confirm a Scheme of Arrangement between Goldsbrough Mort and Company Limited its Debenture-holders and Contributories.”
Question—put and resolved in the affirmative.
Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.

6. **STREET BETTING SUPPRESSION 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

7. **MUNICIPALITIES' ADVANCES BILL.**—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Debate ensued.

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

Debate continued.

Question—That the debate be now adjourned—put and negatived.

Debate further continued.

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

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to confirm a Scheme of Arrangement between Goldsbrough Mort and Company Limited its Debenture-holders and Contributories,*" 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, 24th September, 1895.

GRAHAM BERRY,
Speaker.

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

Local Government (Municipal Elections) Bill—To be further considered in Committee.

Uniform Customs Tariffs.—Resumption of debate on the question—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.

Licensing Act 1890 Amendment Bill—To be further considered in Committee.

Dairies Supervision Bill—Second reading.

Intestates' Estates Bill—Second reading.

Agricultural Colleges Act 1890 Amendment Bill—Second reading.

10. **ADJOURNMENT.**—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 18.

TUESDAY, 1ST OCTOBER, 1895.

Government Business.

ORDERS OF THE DAY:—

1. STREET BETTING SUPPRESSION BILL—To be further considered in Committee.
2. MUNICIPALITIES' ADVANCES BILL—To be further considered in Committee.
3. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

NOTICES OF MOTION:—

1. The Hon. A. O. SACHSE : To move—

(1) That, in the opinion of this House, an Electric Light and Power Trust should be constituted, preferably upon the lines of the Melbourne Tramways Trust, for the following objects:—

- (a) To acquire by purchase all plant, stock, and goodwill of all electric light and power companies or bodies and other lighting companies in the city of Melbourne, its contiguous cities and suburbs;
- (b) To establish and regulate the electric lighting of the said cities and suburbs, and to have power to lease or license such lighting to one or more companies to be formed for the purpose;
- (c) To borrow and pay moneys for the above purposes, and to establish a sinking fund to provide for depreciation in value of plant, goodwill, &c.

(2) That it be an instruction to the Select Committee upon the Electric Light and Power Bill to collect information and evidence upon the feasibility of the above scheme and to report thereon to this House.

2. The Hon. D. MELVILLE : To move, That, in the opinion of this House, and with the view of securing a wider selection of experienced representatives for this Chamber—

- (1) The present property qualification of Members should be reduced to £500 real estate, and the assessment to £50 per annum, and any Member having been twice elected should not be required to declare as to property.
- (2) That the deposit money on nomination should be fixed at £50.
- (3) That a re-arrangement of some of the Provinces should be effected to secure a more equal representation of the voters.

ORDERS OF THE DAY:—

1. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
2. LICENSING ACT 1890 AMENDMENT BILL—To be further considered in Committee.
3. DAIRIES SUPERVISION BILL—Second reading.
4. INTESTATES' ESTATES BILL—Second reading.
5. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 1st October.

USURIOUS MONEY-LENDERS—at three o'clock.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

Wednesday, 2nd October.

ELECTRIC LIGHT AND POWER BILL—at three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 19TH SEPTEMBER, 1895.

Notices of Motion and Orders of the Day. No. 18.

Street Betting Suppression Bill.—New Clause to be proposed by the Hon. F. S. Grimwade. (To Members of Council only.)

Licensing Act 1890 Amendment Bill.—New Clause to be proposed by the Hon. T. D. Wanliss. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 46, 47, and 48.

Notices of Motion and Orders of the Day. No. 49.

Factories and Shops Bill—[1].

Post Office Act 1890 Amendment Bill—[39].

Marong Reserve Mining Bill—[71].

Municipal Overdrafts (Indemnity) Bill—[88].

Licensing of Surveyors Bill.—Amendments to be proposed in Committee by Mr. Craven. (To Members only.)

VICTORIA.

No. 19.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 1ST OCTOBER, 1895.

- 1. The Council met in accordance with adjournment.
- 2. The President took the Chair.
- 3. The President read the Prayer.
- 4. MESSAGE FROM HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.—The following Message from His Excellency the Administrator of the Government was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—

JOHN MADDEN,

Administrator of the Government.

Message No. 5.

The Administrator of the Government informs the Legislative Council that he has, on this day, at the Law Courts, 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 confirm a Scheme of Arrangement between Goldsbrough Mort and Company Limited its Debenture-holders and Contributories.”

Law Courts,

Melbourne, 26th September, 1895.

- 5. PAPERS.—The Honorable H. Cuthbert presented, by command of His Excellency the Administrator of the Government—

Education.—Report of the Minister of Public Instruction for the year 1894-5.

Public Service Board—Report.

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 :—

Public Service Acts.—Alteration of Regulations.

Water Act 1890—

Cohuna Irrigation and Water Supply Trust—Regulation No. 10.

Macorna North Irrigation and Water Supply Trust—Graduated Rate—Regulation No. 2.

Mines Act 1890.—Court of Mines at Benalla—Order in Council appointing the Court to be held once at least in every six months.

- 6. STREET BETTING SUPPRESSION 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to regulate the Licensing of Surveyors and for other purposes,*” with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 1st October, 1895.

8. LICENSING OF SURVEYORS BILL.—The Honorable N. Thornley moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to regulate the Licensing of Surveyors and for other purposes,*” 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 next.

9. ELECTRIC LIGHT AND POWER TRUST.—The Honorable A. O. Sachse moved, (1) That, in the opinion of this House, an Electric Light and Power Trust should be constituted, preferably upon the lines of the Melbourne Tramways Trust, for the following objects :—

(a) To acquire by purchase all plant, stock, and goodwill of all electric light and power companies or bodies and other lighting companies in the city of Melbourne, its contiguous cities and suburbs ;

(b) To establish and regulate the electric lighting of the said cities and suburbs, and to have power to lease or license such lighting to one or more companies to be formed for the purpose ;

(c) To borrow and pay moneys for the above purposes, and to establish a sinking fund to provide for depreciation in value of plant, goodwill, &c.

(2) That it be an instruction to the Select Committee upon the Electric Light and Power Bill to collect information and evidence upon the feasibility of the above scheme and to report thereon to this House.

Debate ensued.

Motion, by leave, withdrawn.

10. MUNICIPALITIES' ADVANCES 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, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed. The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“*An Act to authorize Advances to be made to certain Municipalities.*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

11. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday, 15th October instant :—

Local Government (Municipal Elections) Bill—To be further considered in Committee.

12. QUALIFICATION OF MEMBERS.—The Honorable D. Melville moved, That, in the opinion of this House, and with the view of securing a wider selection of experienced representatives for this Chamber—

(1) The present property qualification of Members should be reduced to £500 real estate, and the assessment to £50 per annum, and any Member having been twice elected should not be required to declare as to property.

(2) That the deposit money on nomination should be fixed at £50.

(3) That a re-arrangement of some of the Provinces should be effected to secure a more equal representation of the voters.

The Honorable J. Balfour 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.

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

Uniform Customs Tariffs.—Resumption of debate on the question—*That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.*

Licensing Act 1890 Amendment Bill—To be further considered in Committee.

Dairies Supervision Bill—Second reading.

Intestates' Estates Bill—Second reading.

Agricultural Colleges Act 1890 Amendment Bill—Second reading.

14. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 19.

TUESDAY, 8TH OCTOBER, 1895.

Government Business.

ORDER OF THE DAY:—

1. STREET BETTING SUPPRESSION BILL—To be further considered in Committee.

General Business.

ORDERS OF THE DAY:—

1. LICENSING OF SURVEYORS BILL—Second reading.
 2. QUALIFICATION OF MEMBERS.—*Resumption of debate on the question*—That, in the opinion of this House, and with the view of securing a wider selection of experienced representatives for this Chamber—
 - (1) The present property qualification of Members should be reduced to £500 real estate, and the assessment to £50 per annum, and any Member having been twice elected should not be required to declare as to property.
 - (2) That the deposit money on nomination should be fixed at £50.
 - (3) That a re-arrangement of some of the Provinces should be effected to secure a more equal representation of the voters.
 3. UNIFORM CUSTOMS TARIFFS.—*Resumption of debate on the question*—That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies.
 4. LICENSING ACT 1890 AMENDMENT BILL—To be further considered in Committee.
 5. DAIRIES SUPERVISION BILL—Second reading.
 6. INTESSTATES' ESTATES BILL—Second reading.
 7. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
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TUESDAY, 15TH OCTOBER.

Government Business.

ORDER OF THE DAY:—

1. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 8th October.

USURIOUS MONEY-LENDERS—at three o'clock.

Wednesday, 9th October.

ELECTRIC LIGHT AND POWER BILL—at three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 26TH SEPTEMBER, 1895.

Minutes of the Proceedings of the Legislative Council. Nos. 17 and 18.

Notices of Motion and Orders of the Day. No. 19.

Land Surveyors Bill—[46]. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 49, 50, and 51.

Notices of Motion and Orders of the Day. No. 52.

Statistical Register of the Colony of Victoria for the year 1894.—Part III.—Population. No. 59.

VICTORIA.

No. 20.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 8TH OCTOBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITION.—The Honorable G. Godfrey presented a Petition from David Henry, financier, praying that he may have leave to appear and be heard by himself, his counsel, agents, and witnesses before the Select Committee on Usurious Money-Lenders.
Petition read and ordered to lie on the Table.
The Honorable H. Cuthbert moved, That the Petition be referred to the Select Committee on Usurious Money-Lenders, and that the Committee have power to hear counsel (to such extent as they shall think fit) on behalf of such petitioner.
Debate ensued.
Question—put and resolved in the affirmative.
5. PAPER.—The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk:—
Savings Banks.—Statements and Returns for the year ended 30th June, 1895.
6. STREET BETTING SUPPRESSION 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments, and had amended the title thereof, which title is as follows:—
“A Bill to Suppress Betting in Streets and for other purposes.”
The Honorable H. Cuthbert moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clauses 2 and 4.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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.
7. LICENSING OF SURVEYORS BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable N. Thornley moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable N. Thornley moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.
Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.

8. QUALIFICATION OF MEMBERS.—The Order of the Day for the resumption of the debate on the question— That, in the opinion of this House, and with the view of securing a wider selection of experienced representatives for this Chamber—

- (1) The present property qualification of Members should be reduced to £500 real estate, and the assessment to £50 per annum, and any Member having been twice elected should not be required to declare as to property.
- (2) That the deposit money on nomination should be fixed at £50.
- (3) That a re-arrangement of some of the Provinces should be effected to secure a more equal representation of the voters—having been read—

Debate resumed.

Question—put and negatived.

9. UNIFORM CUSTOMS TARIFFS.—The Order of the Day for the resumption of the debate on the question— That, in the opinion of this House, proposals should be made by the Victorian Government to the Premiers of the other Australian Colonies inviting them to appoint delegates to a Convention, with full powers to arrange and assimilate the various Customs Tariffs of the colonies—having been read—

Debate resumed.

The Honorable A. Wynne 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 this day six months.

10. 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—

Dairies Supervision Bill—Second reading.

Intestates' Estates Bill—Second reading.

Agricultural Colleges Act 1890 Amendment Bill—Second reading.

12. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 20.

TUESDAY, 15TH OCTOBER, 1895.

Government Business.

ORDERS OF THE DAY:—

1. STREET BETTING SUPPRESSION BILL—To be further considered in Committee.
2. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDERS OF THE DAY:—

1. LICENSING OF SURVEYORS BILL—Consideration of Report.
2. LICENSING ACT 1890 AMENDMENT BILL—To be further considered in Committee.
3. DAIRIES SUPERVISION BILL—Second reading.
4. INTESSTATES' ESTATES BILL—Second reading.
5. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Monday, 14th October.

ELECTRIC LIGHT AND POWER BILL—at three o'clock.

Tuesday, 15th October.

USURIOUS MONEY-LENDERS—at three o'clock.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 3RD OCTOBER, 1895.

Notices of Motion and Orders of the Day. No. 20.

Votes and Proceedings of the Legislative Assembly. Nos. 52, 53, and 54.

Notices of Motion and Orders of the Day. No. 55.

Divisions in Committee of the Whole. No. 14.

Constitution Amendment Bill—[42].

Mallee Lands Bill—[62].

Police Regulation Bill—[90].

Companies Bill.—Amendments to be proposed by Mr. Isaac A. Isaacs. (To Members only.)

Public Service Board Report. No. 66.

VICTORIA.

No. 21.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 15TH OCTOBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPERS.—The Honorable H. Cuthbert presented, by command of His Excellency the Administrator of the Government—

Factories Act Inquiry Board.—Minutes of Evidence and Appendices.
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 :—

Public Service Acts.—Regulation regarding Travelling Allowances.
Water Act 1890.—The Shire of Wimmera and the Western Wimmera Irrigation and Water Supply Trust—Application of Municipal Funds.
Constitution Statute.—Statement of Expenditure under Schedule D to Act 18 & 19 Vict., cap. 55, during the year 1894–5.
5. BOOK DEBTS BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That he have leave to bring in a Bill relating to the Assignment or Transfer of Book Debts.
Question—put and resolved in the affirmative.
Ordered—That the Honorable Lieut.-Col. Sir F. T. Sargood do prepare and bring in the Bill.
The Honorable Lieut.-Col. Sir F. T. Sargood then brought up a Bill intituled “*A Bill relating to the Assignment or Transfer of Book Debts,*” and moved, That it 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 next.
6. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable N. Thornley the following Order of the Day was read and discharged :—

Licensing of Surveyors Bill—Consideration of Report.
7. LICENSING OF SURVEYORS BILL.—The Honorable N. Thornley moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clause 10.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered clause 10 and agreed to the same with an amendment.
The Honorable N. Thornley moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.
Question—put and resolved in the affirmative.
On the motion of the Honorable N. Thornley the Council adopted the Report from the Committee of the whole on this Bill.
And, on the further motion of the Honorable N. Thornley, the Bill was read a third time and passed.
The Honorable N. Thornley moved, That the following be the title of the Bill :—

“*An Act to regulate the Licensing of Surveyors and for other purposes.*”

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

8. 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.
The Honorable N. Levi moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clauses 1, B, and F.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable N. Levi, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered clauses 1, B, and F, and agreed to the same with amendments.
Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.

9. MESSAGE FROM HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.—The following Message from His Excellency the Administrator of the Government was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—

JOHN MADDEN,

Administrator of the Government.

Message No. 6.

The Administrator of the Government 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 authorize Advances to be made to certain Municipalities.*”

Government Offices,
Melbourne, 14th October, 1895.

10. STREET BETTING SUPPRESSION 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered clauses 2 and 4 and agreed to the same with amendments.
The Honorable H. Cuthbert moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clauses 3 and C.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered clauses 3 and C and agreed to the same with amendments.
Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.
11. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Dairies Supervision Bill—Second reading.
Intestates' Estates Bill—Second reading.
Agricultural Colleges Act 1890 Amendment Bill—Second reading.
12. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday, 29th October instant :—
Local Government (Municipal Elections) Bill—To be further considered in Committee.
13. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 21.

TUESDAY, 22ND OCTOBER, 1895.

Question.

1. The Hon. C. SARGEANT: To call the attention of the Honorable the Solicitor-General to the deplorable and unsatisfactory position in which the fifth and sixth class shires are placed owing to the unforeseen and ruinous reduction in the municipal subsidy, ranging from £3 7s. 6d. down to 11s. 7d. and 13s. 5d. in the pound respectively; and to ask what steps the Government propose to take with a view of placing those shires on a more satisfactory footing.

Government Business.

ORDER OF THE DAY:—

1. STREET BETTING SUPPRESSION BILL—Consideration of Report.

General Business.

ORDERS OF THE DAY:—

1. BOOK DEBTS BILL—Second reading.
 2. LICENSING ACT 1890 AMENDMENT BILL—Consideration of Report.
 3. DAIRIES SUPERVISION BILL—Second reading.
 4. INTESTATES' ESTATES BILL—Second reading.
 5. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
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TUESDAY, 29TH OCTOBER.

Government Business.

ORDER OF THE DAY:—

1. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Monday, 21st October.

ELECTRIC LIGHT AND POWER BILL—at three o'clock.

Tuesday, 22nd October.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

Wednesday, 23rd October.

USURIOUS MONEY-LENDERS—at three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 10TH OCTOBER, 1895.

Notices of Motion and Orders of the Day. No. 21.

Licensing Act 1890 Amendment Bill.—New Clause to be proposed by the Hon. J. Balfour. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 55, 56, and 57.

Notices of Motion and Orders of the Day. No. 58.

Divisions in Committee of the Whole. No. 15.

Education.—Report of the Minister of Public Instruction for the year 1894-5. No. 50.

Savings Banks.—Statements and Returns for the year ended 30th June, 1895. No. 70.

VICTORIA.

No. 22.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 22ND OCTOBER, 1895.

- 1. The Council met in accordance with adjournment.
- 2. The President took the Chair.
- 3. The President read the Prayer.
- 4. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act for Granting Amending and Consolidating Duties of Customs and Excise*," with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 22nd October, 1895.

GRAHAM BERRY,
Speaker.

- 5. CUSTOMS AND EXCISE DUTIES BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act for Granting Amending and Consolidating Duties of Customs and Excise*," 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 to-morrow.
- 6. PAPERS.—The Honorable H. Cuthbert presented, by command of His Excellency the Administrator of the Government—
Report of Proceedings taken under the provisions of the Land Acts and the Wattles Act 1890, during the year ending 31st December, 1894.
Ordered to lie on the Table.
The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk:—
Land Act 1890.—Schedule of Swamp Leases containing Special Conditions.
- 7. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable A. Wynne the following Order of the Day was read and discharged:—
Street Betting Suppression Bill—Consideration of Report.
- 8. STREET BETTING SUPPRESSION BILL.—The Honorable H. Cuthbert moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clause 4.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered clause 4 and agreed to the same with an amendment.
The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.
Question—put and resolved in the affirmative.
On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.
And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.
The Honorable H. Cuthbert moved, That the following be the title of the Bill:—
"*An Act to Suppress Betting in Streets and for other purposes.*"
Question—put and resolved in the affirmative.
Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.

9. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable N. Levi, the following Order of the Day was read and discharged:—

Licensing Act 1890 Amendment Bill—Consideration of Report.

10. LICENSING ACT 1890 AMENDMENT BILL.—The Honorable N. Levi moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clause F and the Schedule.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable N. Levi, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered clause F and the Schedule, and agreed to the same with amendments.

The Honorable N. Levi moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable N. Levi the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable N. Levi, the Bill was read a third time and passed.

The Honorable N. Levi moved, That the following be the title of the Bill :—

“*An Act to amend the ‘Licensing Act 1890.’*”

Question—put and resolved in the affirmative.

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

11. BOOK DEBTS BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood the Council adopted the Report from the Committee of the whole on this Bill.

Ordered—That the Bill be read a third time on Tuesday next.

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

Dairies Supervision Bill—Second reading.

13. INTESSTATES' ESTATES BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable A. Wynne moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable A. Wynne moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable A. Wynne, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same without amendment.

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

14. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday, 5th November next :—

Agricultural Colleges Act 1890 Amendment Bill—Second reading.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 22.

WEDNESDAY, 23RD OCTOBER, 1895.

Questions.

1. The Hon. D. E. MCBRYDE : To ask the Honorable the Solicitor-General what action the Government have taken within the last six months to have all stock killed for human consumption placed under proper supervision.
2. The Hon. Dr. W. H. EMBLING : To call the attention of the Honorable the Minister of Defence to the armament of the *Cerberus* ; and to ask if the Government propose to replace her present guns by effective modern ones.
3. The Hon. J. STERNBERG : To ask the Honorable the Solicitor-General when it is expected that the Royal Commission on Water Supply will have completed its labours and the report be ready for the use of honorable Members.

General Business.

NOTICE OF MOTION :—

1. The Hon. F. S. GRIMWADE : To move, That he have leave to bring in a Bill to regulate Cremation.

Government Business.

ORDER OF THE DAY :—

1. CUSTOMS AND EXCISE DUTIES BILL—Second reading.
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TUESDAY, 29TH OCTOBER.

Questions.

1. The Hon. T. DOWLING : To ask the Honorable the Solicitor-General if, in view of the anomalies existing in the Income Tax Act, the Government will bring in an amending Bill this Session to rectify the same.
2. The Hon. C. SARGEANT : To call the attention of the Honorable the Solicitor-General to the deplorable and unsatisfactory position in which the fifth and sixth class shires are placed owing to the unforeseen and ruinous reduction in the municipal subsidy, ranging from £3 7s. 6d. down to 11s. 7d. and 13s. 5d. in the pound respectively ; and to ask what steps the Government propose to take with a view of placing those shires on a more satisfactory footing.

Government Business.

ORDER OF THE DAY :—

1. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDERS OF THE DAY :—

1. BOOK DEBTS BILL—Third reading.
2. DAIRIES SUPERVISION BILL—Second reading.
3. INTESTATES' ESTATES BILL—Consideration of Report.

TUESDAY, 5TH NOVEMBER.

General Business.

ORDER OF THE DAY :—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Wednesday, 23rd October.

ELECTRIC LIGHT AND POWER BILL—at three o'clock.
USURIOUS MONEY-LENDERS—at three o'clock.

Tuesday, 29th October.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 17TH OCTOBER, 1895.

Minutes of the Proceedings of the Legislative Council. No. 21.

Notices of Motion and Orders of the Day. No. 22.

Customs and Excise Duties Bill—[50]. (To Members of Council only.)

Book Debts Bill—[93].

Street Betting Bill.—New Clause to be proposed by the Hon. Agar Wynne. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 58, 59, and 60.

Notices of Motion and Orders of the Day. No. 61.

Leasing Unused Government Roads Bill.—Amendments to be proposed in Committee by Mr. O'Neill. (To Members only.)

Hours for Closing Shops.—Return to an Order of the House. C.—No. 3.

VICTORIA.

No. 23.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 23RD OCTOBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to indemnify the Councillors of various Municipalities for Borrowing Moneys by Overdrafts on Bankers for the purposes of their Municipalities contrary to the provisions of the 'Local Government Act 1890' and for other purposes,*" with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 23rd October, 1895.

5. MUNICIPAL OVERDRAFTS (INDEMNITY) BILL.—The Honorable S. Williamson moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to indemnify the Councillors of various Municipalities for Borrowing Moneys by Overdrafts on Bankers for the purposes of their Municipalities contrary to the provisions of the 'Local Government Act 1890' and for other purposes,*" 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 next.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for Mining on the Marong Public Recreation Reserve by holders of miners' rights,*" with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 23rd October, 1895.

7. MARONG RESERVE MINING BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to provide for Mining on the Marong Public Recreation Reserve by holders of miners' rights,*" 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 next.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize the payment of Interest on certain deposits in the Treasury,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd October, 1895.

GRAHAM BERRY,
Speaker.

9. TREASURY DEPOSITS INTEREST BILL.—The Honorable W. McCulloch moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to authorize the payment of Interest on certain deposits in the Treasury,*" 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 next.

10. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative 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 and forty-two thousand six hundred and eighty pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd October, 1895.

GRAHAM BERRY,
Speaker.

11. CONSOLIDATED REVENUE BILL (No. 2).—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to apply out of the Consolidated Revenue the sum of One million and forty-two thousand six hundred and eighty pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six,*" be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, and ordered to be printed.

The Honorable H. Cuthbert moved, by leave, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

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

Customs and Excise Duties Bill—Second reading.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 23.

THURSDAY, 24TH OCTOBER, 1895.

Government Business.

ORDER OF THE DAY:—

1. CONSOLIDATED REVENUE BILL (No. 2)—To be further considered in Committee.

TUESDAY, 29TH OCTOBER.

Questions.

1. The Hon. T. DOWLING: To ask the Honorable the Solicitor-General if, in view of the anomalies existing in the Income Tax Act, the Government will bring in an amending Bill this Session to rectify the same.
2. The Hon. C. SARGEANT: To call the attention of the Honorable the Solicitor-General to the deplorable and unsatisfactory position in which the fifth and sixth class shires are placed owing to the unforeseen and ruinous reduction in the municipal subsidy, ranging from £3 7s. 6d. down to 11s. 7d. and 13s. 5d. in the pound respectively; and to ask what steps the Government propose to take with a view of placing those shires on a more satisfactory footing.
3. The Hon. D. E. MCBRYDE: To ask the Honorable the Solicitor-General what action the Government have taken within the last six months to have all stock killed for human consumption placed under proper supervision.
4. The Hon. Dr. W. H. EMBLING: To call the attention of the Honorable the Minister of Defence to the armament of the *Cerberus*; and to ask if the Government propose to replace her present guns by effective modern ones.
5. The Hon. J. STERNBERG: To ask the Honorable the Solicitor-General when it is expected that the Royal Commission on Water Supply will have completed its labours and the report be ready for the use of honorable Members.
6. The Hon. J. H. ABBOTT: To call the attention of the Honorable the Solicitor-General to paragraphs in the *Bendigo Advertiser* of 21st and 23rd October, with reference to the abrupt adjournment of the Supreme Court on 19th October, whereby a suitor who had been waiting and attending the court at Bendigo a week, with witnesses, and had counsel engaged at considerable cost, was prevented from having her case heard by the sudden closing of the court; and to ask if the Honorable the Minister will make inquiry as to the cause thereof.

Government Business.

ORDERS OF THE DAY:—

1. CUSTOMS AND EXCISE DUTIES BILL—Second reading.
2. MUNICIPAL OVERDRAFTS INDEMNITY BILL—Second reading.
3. MARONG RESERVE MINING BILL—Second reading.
4. TREASURY DEPOSITS INTEREST BILL—Second reading.
5. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee

General Business.

NOTICE OF MOTION:—

1. The Hon. F. S. GRIMWADE: To move, That he have leave to bring in a Bill to regulate Cremation.

ORDERS OF THE DAY:—

1. BOOK DEBTS BILL—Third reading.
2. DAIRIES SUPERVISION BILL—Second reading.
3. INTESTATES' ESTATES BILL—Consideration of Report.

TUESDAY, 5TH NOVEMBER.

General Business.

ORDER OF THE DAY:—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 29th October.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

Wednesday, 30th October.

USURIOUS MONEY-LENDERS—at three o'clock.

PARLIAMENTARY PAPERS ISSUED 23RD OCTOBER, 1895.

Minutes of the Proceedings of the Legislative Council. No. 22.

Notices of Motion and Orders of the Day. No. 23.

Treasury Deposits Interest Bill—[27]. (To Members of Council only.)

Marong Reserve Mining Bill—[71]. (To Members of Council only.)

Municipal Overdrafts (Indemnity) Bill—[88]. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 62.

Moolap Salt Works Bill—[58].

Licensing Act 1890 Amendment Bill—[63]. (To Members only.)

Mallee Lands Bill.—Amendments to be proposed in Committee by Mr. Duggan. (To Members only.)

Licensing of Surveyors Bill.—Amendments of Legislative Council. (To Members only.)

Constitution Statute.—Statement of Expenditure under Schedule D to Act 18 and 19 Vict., cap. 55, during the year 1894-5. No. 72.

VICTORIA.

No. 24.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 24TH OCTOBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.
And on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.
The Honorable H. Cuthbert moved, That the following be the title of the Bill:—
“An Act to apply out of the Consolidated Revenue the sum of One million and forty-two thousand six hundred and eighty pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six.”
Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 24.

TUESDAY, 29TH OCTOBER, 1895.

Questions.

1. The Hon. T. DOWLING : To ask the Honorable the Solicitor-General if, in view of the anomalies existing in the Income Tax Act, the Government will bring in an amending Bill this Session to rectify the same.
2. The Hon. C. SARGEANT : To call the attention of the Honorable the Solicitor-General to the deplorable and unsatisfactory position in which the fifth and sixth class shires are placed owing to the unforeseen and ruinous reduction in the municipal subsidy, ranging from £3 7s. 6d. down to 11s. 7d. and 13s. 5d. in the pound respectively ; and to ask what steps the Government propose to take with a view of placing those shires on a more satisfactory footing.
3. The Hon. D. E. MCBRYDE : To ask the Honorable the Solicitor-General what action the Government have taken within the last six months to have all stock killed for human consumption placed under proper supervision.
4. The Hon. Dr. W. H. EMBLING : To call the attention of the Honorable the Minister of Defence to the armament of the *Cerberus* ; and to ask if the Government propose to replace her present guns by effective modern ones.
5. The Hon. J. STERNBERG : To ask the Honorable the Solicitor-General when it is expected that the Royal Commission on Water Supply will have completed its labours and the report be ready for the use of honorable Members.
6. The Hon. J. H. ABBOTT : To call the attention of the Honorable the Solicitor-General to paragraphs in the *Bendigo Advertiser* of 21st and 23rd October, with reference to the abrupt adjournment of the Supreme Court on 19th October, whereby a suitor who had been waiting and attending the court at Bendigo a week, with witnesses, and had counsel engaged at considerable cost, was prevented from having her case heard by the sudden closing of the court ; and to ask if the Honorable the Minister will make inquiry as to the cause thereof.

Government Business.

ORDERS OF THE DAY :—

1. CUSTOMS AND EXCISE DUTIES BILL—Second reading.
2. MUNICIPAL OVERDRAFTS INDEMNITY BILL—Second reading.
3. MARONG RESERVE MINING BILL—Second reading.
4. TREASURY DEPOSITS INTEREST BILL—Second reading.
5. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

NOTICE OF MOTION :—

1. The Hon. F. S. GRIMWADE : To move, That he have leave to bring in a Bill to regulate Cremation.

ORDERS OF THE DAY :—

1. BOOK DEBTS BILL—Third reading.
2. DAIRIES SUPERVISION BILL—Second reading.
3. INTESSTATES' ESTATES BILL—Consideration of Report.

TUESDAY, 5TH NOVEMBER.

General Business.

ORDER OF THE DAY :—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 29th October.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.
ELECTRIC LIGHT AND POWER BILL—at four o'clock.

Wednesday, 30th October.

USURIOUS MONEY-LENDERS—at three o'clock.

PARLIAMENTARY PAPERS ISSUED 24TH OCTOBER, 1895.

Minutes of the Proceedings of the Legislative Council. No. 23.

Notices of Motion and Orders of the Day. No. 24.

Notices of Motion and Orders of the Day. No. 63.

Nunawading Lands Exchange Bill—[100].

Companies Act 1890 further Amendment Bill.—Amendments and New Clauses to be proposed in Committee by Mr. Cook. (To Members only.)

VICTORIA.

No. 25.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 29TH OCTOBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. MESSAGE FROM HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.—The following Message from His Excellency the Administrator of the Government was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—

JOHN MADDEN,
Administrator of the Government.

Message No. 7.

The Administrator of the Government 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 One million and forty-two thousand six hundred and eighty pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six.”

Government Offices,
Melbourne, 24th October, 1895.

5. ADJOURNMENT.—The Honorable J. H. Abbott having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed. The Honorable J. H. Abbott then said that he proposed to speak on the subject of certain paragraphs in the *Bendigo Advertiser* of 21st and 23rd October, with reference to the abrupt adjournment of the Supreme Court on the 19th October, and moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.

6. OFFICIAL PRECEDENCE.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the question of official precedence in this colony be referred to the Standing Orders Committee for consideration and report.

Debate ensued, during which the President announced that he had received a letter from the Clerk of the Parliaments which he read as follows :—

Sir,

Parliament House, Melbourne,
29th October, 1895.

Referring to the reception of His Excellency Lord Brassey on Friday last, I would feel deeply indebted to you if you would be so good as to read, this day, to the Legislative Council the following statement :—

1. That I was absolutely unaware that I would be called upon to take any part in the procession to accompany Lord Brassey from St. Kilda to Melbourne until I saw it publicly notified in the Melbourne Press of the morning of the 8th October instant.

2. That I never applied for a position in such procession, and further that I never had the least desire to take part in the same.

3. That I neither directly nor indirectly claimed precedence over Ministers or Members of Parliament on the occasion referred to, and never expressed in any way whatever, either directly or indirectly, a wish that precedence over any one should be allotted to me in connexion with the function to celebrate the arrival of Lord Brassey.

4. That I rode in the carriage with yourself, the Honorable the Premier, and the Honorable the Attorney-General, as I was specially requested to do so.

5. That during the whole of my service in this Parliament—nearly 30 years—I have never claimed precedence over any Minister of the Crown or Member of Parliament; and further, if such precedence had been allotted to me I should have felt it to be my duty to have declined the same.

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

GEO. H. JENKINS,
Clerk of the Parliaments.

The Honorable the President of the Legislative Council.

Question—That the question of official precedence in this colony be referred to the Standing Orders Committee for consideration and report—put and resolved in the affirmative.

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

Land Act 1890.—Part I.—Addition to Regulations (Chapters XI., XIII., and Schedule 71).
Settlement on Lands Act 1893.—Alteration of Regulations (Schedule B).

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to regulate the Licensing of Surveyors and for other purposes*,” 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 one of the said amendments, but have made a further amendment, with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 24th October, 1895.

And the said amendment was read and is as follows :—

Amendment of the Legislative Council:—In clause 9, line 20, omit “with partial or without examination”—*disagreed with by the Legislative Assembly with the following amendment*:—After “examination” insert the following words :—“to applicants who produce satisfactory evidence of having passed an examination equivalent in the opinion of the Board to that prescribed by the Board and of having been professionally employed for not less than twelve months in any Australasian colony.”

On the motion of the Honorable N. Thornley the Council agreed not to insist on their amendment, and agreed to the amendment made by the Legislative Assembly.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council do not insist on their amendment disagreed with by the Legislative Assembly and have agreed to the amendment made by the Legislative Assembly.

9. CUSTOMS AND EXCISE DUTIES BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time. Debate ensued.

10. DISTINGUISHED VISITOR.—The Honorable H. Cuthbert moved, That a chair be provided on the floor of the Council Chamber for the Honorable Sir George Shenton, President of the Legislative Council of the Colony of Western Australia.

Question—put and resolved in the affirmative.

11. CUSTOMS AND EXCISE DUTIES BILL.—Debate resumed on the question—That this Bill be now read a second time.
 Question—put and resolved in the affirmative—Bill read a second time.
 The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
 On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.
 And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.
 The Honorable H. Cuthbert moved, That the following be the title of the Bill:—
“An Act for Granting Amending and Consolidating Duties of Customs and Excise.”
 Question—put and resolved in the affirmative.
 Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.
12. MUNICIPAL OVERDRAFTS INDEMNITY BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable S. Williamson moved, That this Bill be now read a second time.
 Debate ensued.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable S. Williamson moved, That this Bill be now committed to a Committee of the whole.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable S. Williamson, the President left the Chair, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable F. Brown 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, 6th November next, again resolve itself into the said Committee.
13. MARONG RESERVE MINING BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable W. McCulloch moved, That this Bill be now read a second time.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable W. McCulloch moved, That this Bill be now committed to a Committee of the whole.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable W. McCulloch, the President left the Chair, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
 On the motion of the Honorable W. McCulloch the Council adopted the Report from the Committee of the whole on this Bill.
 And, on the further motion of the Honorable W. McCulloch, the Bill was read a third time and passed.
 The Honorable W. McCulloch moved, That the following be the title of the Bill:—
“An Act to provide for Mining on the Marong Public Recreation Reserve by holders of miners’ rights.”
 Question—put and resolved in the affirmative.
 Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative 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 Wednesday, 6th November next:—
Treasury Deposits Interest Bill—Second reading.
Local Government (Municipal Elections) Bill—To be further considered in Committee.
Book Debts Bill—Third reading.
Dairies Supervision Bill—Second reading.
Intestates’ Estates Bill—Consideration of Report.
15. ADDRESS TO HIS EXCELLENCY LORD BRASSEY.—The Honorable H. Cuthbert moved, by leave, That the Council agree to the following Address to His Excellency Lord Brassey, viz.:—
To His Excellency the Right Honorable Thomas, Baron Brassey, Knight Commander of the Most Honorable Order of the Bath; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.
 MAY IT PLEASE YOUR EXCELLENCY—
 We, Her Most Gracious Majesty’s most dutiful and loyal subjects, the Members of the Legislative Council of Victoria, in Parliament assembled, desire to convey to Your Excellency the expression of our loyalty to Her Majesty’s Throne, our affection to Her Person, and our regard for the high office Her Majesty has been pleased to confer upon Your Excellency.

We beg that Your Excellency will receive our assurance that we shall at all times readily co-operate with Your Excellency in advancing the welfare of this part of Her Majesty's dominions, and in preserving the connexion which happily exists between the Mother Country and the Colony of Victoria.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That the said Address be presented to His Excellency the Governor by the President and such Members as may desire to accompany him.

16. **ELECTRIC LIGHT AND POWER BILL.**—The Honorable H. Cuthbert brought up the Report from the Committee to which this Bill was referred.

Ordered to lie on the Table, and, together with the Proceedings of the Committee and Minutes of Evidence, to be printed, and taken into consideration on Wednesday, 6th November next.

17. **ADJOURNMENT.**—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Wednesday, 6th November next.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty minutes past ten o'clock, adjourned until Wednesday, 6th November next.]

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 25.

WEDNESDAY, 6TH NOVEMBER, 1895.

Questions.

1. The Hon. J. H. ABBOTT : To call the attention of the Honorable the Solicitor-General to paragraphs in the *Bendigo Advertiser* of 21st and 23rd October, with reference to the abrupt adjournment of the Supreme Court on 19th October, whereby a suitor who had been waiting and attending the court at Bendigo a week, with witnesses, and had counsel engaged at considerable cost, was prevented from having her case heard by the sudden closing of the court ; and to ask if the Honorable the Minister will make inquiry as to the cause thereof.
2. The Hon. T. D. WANLISS : To ask the Honorable the Solicitor-General—
 - (1) If he can give any explanation why, at the Governor's levée, on Monday, the 28th October, the only representatives of the religious bodies of the colony, to whom, according to the report in the *Argus*, seats were allotted on the dais were Archbishop Carr and Bishop Goe.
 - (2) If these dignitaries represented their respective Churches, why was the same courtesy not extended to the heads or chief representatives of the other Churches in the colony.
 - (3) If, on the other hand, these dignitaries were given this position of honour as representing respectively Ireland and England, why was the same courtesy not extended to the Moderator of the Presbyterian Church of Victoria, which in this colony is representative of Scotland.

General Business.

NOTICE OF MOTION :—

1. The Hon. F. S. GRIMWADE : To move, That he have leave to bring in a Bill to regulate Cremation.

ORDERS OF THE DAY :—

1. BOOK DEBTS BILL—Third reading.
2. DAIRIES SUPERVISION BILL—Second reading.
3. INTESTATES' ESTATES BILL—Consideration of Report.
4. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

Government Business.

ORDERS OF THE DAY :—

1. MUNICIPAL OVERDRAFTS (INDEMNITY) BILL—To be further considered in Committee.
2. TREASURY DEPOSITS INTEREST BILL—Second reading.
3. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee
4. ELECTRIC LIGHT AND POWER BILL—Report from Select Committee—To be taken into consideration.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Wednesday, 6th November.

USURIOUS MONEY-LENDERS—at three o'clock.

(160 copies.)

PARLIAMENTARY PAPERS ISSUED SINCE 24TH OCTOBER, 1895.

Minutes of the Proceedings of the Legislative Council. No. 24.
Notices of Motion and Orders of the Day. No. 25.

Votes and Proceedings of the Legislative Assembly. Nos. 61, 62, and 63.

Notices of Motion and Orders of the Day. No. 64.

Division in Committee of the Whole. No. 16.

Street Betting Suppression Bill—[86]. (To Members only.)

Audit Act 1890 Amendment Bill—[101].

Mallee Lands Bill.—Amendments to be proposed in Committee. (To Members of Assembly only.)

Report from the Parliamentary Standing Committee on Railways on the Question of Narrow-gauge Railways; together with Minutes of Evidence and Appendices.—Report No. 2. (To Members only.)

VICTORIA.

No. 26.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 6TH NOVEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—The President reported that he had, this day, waited upon His Excellency the Governor and presented the Address of the Legislative Council, agreed to on the 29th October ultimo, and that His Excellency had been pleased to make the following reply:—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

I thank you in the name and on behalf of the Queen for the expression of loyalty and affection to Her Majesty's Throne and Person, and for the regard for Her Majesty's Representative, which you have been so good as to convey in the Address.

It will be my earnest endeavour to discharge the duties intrusted to me to the best of my ability, and I greatly value the assurance of your ready co-operation with me at all times in the promotion of the welfare and happiness of this community, and in the preservation of those ties which so happily unite the Mother-land and this great Colony.

BRASSEY.

Government Offices,
Melbourne, 6th November, 1895.

5. PAPER.—The Honorable H. Cuthbert presented, by command of His Excellency the Governor—Charitable Institutions.—Report of Inspector for the year ended 30th June, 1895.
Ordered to lie on the Table.
6. CREMATION BILL.—The Honorable F. S. Grimwade moved, That he have leave to bring in a Bill to regulate Cremation.
Question—put and resolved in the affirmative.
Ordered—That the Honorable F. S. Grimwade do prepare and bring in the Bill.
The Honorable F. S. Grimwade then brought up a Bill intituled "*A Bill to regulate Cremation,*" and moved, That it 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 next.
7. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood the following Order of the Day was read and discharged:—
Book Debts Bill—Third reading.

8. **BOOK DEBTS BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clause 2 and a proposed new clause.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

9. **DAIRIES SUPERVISION BILL.**—The Order of the Day for the second reading of this Bill having been read—the Honorable J. Sternberg moved, That this Bill be now read a second time.

The Honorable J. H. Connor 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.

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

Intestates' Estates Bill—Consideration of Report.

Agricultural Colleges Act 1890 Amendment Bill—Second reading.

Municipal Overdrafts Indemnity Bill—To be further considered in Committee.

Treasury Deposits Interest Bill—Second reading.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

Electric Light and Power Bill—Report from Select Committee—To be taken into consideration.

11. **ADJOURNMENT.**—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

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.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 26.

TUESDAY, 12TH NOVEMBER, 1895.

Question.

1. The Hon. J. H. ABBOTT : To call the attention of the Honorable the Solicitor-General to paragraphs in the *Bendigo Advertiser* of 21st and 23rd October, with reference to the abrupt adjournment of the Supreme Court on 19th October, whereby a suitor who had been waiting and attending the court at Bendigo a week, with witnesses, and had counsel engaged at considerable cost, was prevented from having her case heard by the sudden closing of the court ; and to ask if the Honorable the Minister will make inquiry as to the cause thereof.

Government Business.

ORDERS OF THE DAY :—

1. MUNICIPAL OVERDRAFTS INDEMNITY BILL—To be further considered in Committee.
2. TREASURY DEPOSITS INTEREST BILL—Second reading.
3. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.
4. ELECTRIC LIGHT AND POWER BILL—Report from Select Committee—To be taken into consideration.

General Business.

ORDERS OF THE DAY :—

1. CREMATION BILL—Second reading.
2. BOOK DEBTS BILL—To be further considered in Committee.
3. DAIRIES SUPERVISION BILL—Second reading—*Resumption of debate.*
4. INTESSTATES' ESTATES BILL—Consideration of Report.
5. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 12th November.

STANDING ORDERS—at three o'clock.
REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

Wednesday, 13th November.

USURIOUS MONEY-LENDERS—at three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 31ST OCTOBER, 1895.

Minutes of the Proceedings of the Legislative Council. No. 25.

Notices of Motion and Orders of the Day. No. 26.

Cremation Bill—[10].

Votes and Proceedings of the Legislative Assembly. Nos. 64, 65, and 66.

Notices of Motion and Orders of the Day. No. 67.

Division in Committee of the Whole. No. 17.

Mallee Bill.—Amendments to be proposed in Committee. (To Members only.)

VICTORIA.

No. 27.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 12TH NOVEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. MUNICIPAL OVERDRAFTS INDEMNITY 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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.
5. TREASURY DEPOSITS INTEREST BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable W. McCulloch moved, That this Bill be now read a second time.
Debate ensued.
The Honorable J. Balfour moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put.
The Council divided.

Ayes, 16.

The Hon. J. H. Abbott
J. Bell
F. Brown
J. H. Connor
T. Dowling
Dr. W. H. Embling
F. S. Grimwade
D. E. McBryde
R. Reid
Lieut.-Col. Sir F. T. Sargood
J. Service
Sir A. Snowden
J. A. Wallace
T. D. Wanliss.

Tellers.

J. Balfour
N. Thornley.

Noes, 14.

The Hon. E. J. Crooke
H. Cuthbert
S. Fraser
G. Godfrey
D. Ham
W. McCulloch
D. Melville
E. Miller
J. M. Pratt
A. O. Sachse
G. Simmie
A. Wynne.

Tellers.

C. J. Ham
S. Williamson.

And so it was resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.

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

Local Government (Municipal Elections) Bill—To be further considered in Committee.

7. ELECTRIC LIGHT AND POWER BILL.—The Order of the Day for the consideration of the Report from the Select Committee to which this Bill was referred having been read—the Honorable H. Cuthbert moved, That the Report be now adopted.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Electric Light and Power Bill and the Bill as amended by the Select Committee be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable F. Brown reported that the Committee had made progress, 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. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—

Cremation Bill—Second reading.

Book Debts Bill—To be further considered in Committee.

9. DAIRIES SUPERVISION 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 A. O. Sachse moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and negatived.

Debate continued.

Motion—That this Bill be now read a second time, by leave, withdrawn.

Ordered—That the said Bill be withdrawn.

10. EVIDENCE BILL.—The Honorable H. Cuthbert moved, by leave, That he have leave to bring in a Bill to further amend the Law of Evidence.

Question—put and resolved in the affirmative.

Ordered—That the Honorable H. Cuthbert do prepare and bring in the Bill.

The Honorable H. Cuthbert then brought up a Bill intitled “*A Bill to further amend the Law of Evidence,*” and moved, That it 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 next.

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

Intestates' Estates Bill—Consideration of Report.

Agricultural Colleges Act 1890 Amendment Bill—Second reading.

12. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 27.

TUESDAY, 19TH NOVEMBER, 1895.

Questions.

1. The Hon. D. MELVILLE : To call the attention of the Honorable the Solicitor-General to the danger to the community arising from the prolonged drought in Australia; and to ask whether the Government will consider the expediency of suspending the duties on imported cereals, with the view of mitigating hardships to the people and saving our dairy herds from destruction during the ensuing winter.
2. The Hon. E. J. CROOKE : To ask the Honorable the Solicitor-General whether the Commissioners of the Savings Bank will reduce the minimum amount they will advance on mortgage from £200 to £100.
3. The Hon. J. SERVICE : To ask the Honorable the Minister of Defence—
 1. On what expert authority were the recent reductions in the strength of the Victorian Artillery and other branches of the Defence Force made.
 2. Have any reports been received by the Minister of Defence from the Military Commandant, Sir Charles Holled-Smith, relating to such reductions; and, if so, will the Minister lay these on the Table of the House.

Government Business.

ORDERS OF THE DAY :—

1. EVIDENCE BILL—Second reading.
2. MUNICIPAL OVERDRAFTS INDEMNITY BILL—To be further considered in Committee.
3. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
4. ELECTRIC LIGHT AND POWER BILL—To be further considered in Committee.
5. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDERS OF THE DAY :—

1. CREMATION BILL—Second reading.
2. BOOK DEBTS BILL—To be further considered in Committee.
3. INTESSTATES' ESTATES BILL—Consideration of Report.
4. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 19th November.

STANDING ORDERS—at three o'clock.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

Thursday, 21st November.

USURIOUS MONEY-LENDERS—at three o'clock.

(160 copies.)

PARLIAMENTARY PAPERS ISSUED SINCE 8TH NOVEMBER, 1895.

Minutes of the Proceedings of the Legislative Council. No. 26.

Notices of Motion and Orders of the Day. No. 27.

Evidence Bill—[106].

Book Debts Bill.—Amendments to be proposed by the Hon. Lieut.-Col. Sir F. T. Sargood. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 67, 68, and 69.

Notices of Motion and Orders of the Day. No. 70.

Divisions in Committee of the Whole. No. 18.

Mallee Lands Bill—[62]. (To Members only.)

Companies Act 1890 further Amendment Bill—

Bill including and showing Amendments to be proposed by the Attorney-General. (To Members only.)

Additional Amendments to be proposed by Mr. Isaac A. Isaacs. (To Members only.)

Amendments and New Clauses to be proposed in Committee by Mr. Fink. (To Members only.)

Factories and Shops Bill.—New Clauses to be proposed by Mr. Gray. (To Members only.)

Licensing Act 1890 Amendment Bill.—New Clause to be proposed in Committee by Mr. Outtrim. (To Members only.)

Mallee Lands Bill.—Amendments to be proposed on Consideration of Report or after Third Reading. (To Members only.)

Mutual Benefit Society of Australasia.—Part of Return to an Order of the House. C.—No. 4.

VICTORIA.

No. 28.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 19TH NOVEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **ERROR IN DIVISION LIST.**—The President informed the Council that, in a division which took place in the Council on Tuesday last, the Tellers for the "Noes" had recorded the name of the Honorable S. W. Cooke instead of that of the Honorable E. J. Crooke; whereupon the President directed the Clerk to correct the Division List accordingly.
5. **PAPER.**—The Honorable H. Cuthbert presented, by command of His Excellency the Governor—
State Banking.—Report of the Royal Commission on State Banking.
Ordered to lie on the Table.
6. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act relating to Mallee Lands*," with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 19th November, 1895.
7. **MALLEE LANDS BILL.**—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act relating to Mallee Lands*," 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 next.
8. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced the receipt of the following Message from the Legislative 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 Seventy-four thousand nine hundred and nine pounds to the service of the year One thousand eight hundred and ninety-four and ninety-five*," with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 19th November, 1895.
9. **CONSOLIDATED REVENUE BILL (No. 3).**—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to apply out of the Consolidated Revenue the sum of Seventy-four thousand nine hundred and nine pounds to the service of the year One thousand eight hundred and ninety-four and ninety-five*," 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 this day.

10. EVIDENCE BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.
Ordered—That the Bill, as amended, be printed, and taken into consideration to-morrow.
11. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until to-morrow :—
Treasury Deposits Interest Bill—Second reading—Resumption of debate.
12. BOOK DEBTS 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.
Ordered—That the Bill, as amended, be printed, and taken into consideration to-morrow.
13. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until to-morrow :—
Municipal Overdrafts Indemnity Bill—To be further considered in Committee.
14. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—
BRASSEY,
Governor. *Message No. 8.*
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 Parliaments, viz.:—
“*An Act to provide for Mining on the Marong Public Recreation Reserve by holders of miners' rights.*”
“*An Act to regulate the Licensing of Surveyors and for other purposes.*”
“*An Act for Granting Amending and Consolidating Duties of Customs and Excise.*”
Government Offices,
Melbourne, 18th November, 1895.
15. ELECTRIC LIGHT AND POWER 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had made progress, 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. CONSOLIDATED REVENUE BILL (No. 3).—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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.
17. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow :—
Local Government (Municipal Elections) Bill—To be further considered in Committee.
Cremation Bill—Second reading.
Intestates' Estates Bill—Consideration of Report.
Agricultural Colleges Act 1890 Amendment Bill—Second reading.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 28.

WEDNESDAY, 20TH NOVEMBER, 1895.

Question.

1. The Hon. Dr. W. H. EMBLING : To call the attention of the Honorable the Solicitor-General to the reports upon the sanitation of Melbourne ; and to ask if the Government will cause the Health Act to be properly enforced.

General Business.

NOTICE OF MOTION :—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD : To move, That there be laid before this House—
 1. The report of the Commissioners of Audit relating to the payment by the Honorable the Treasurer of interest upon funds and bank deposits paid or indorsed to the Treasurer by the Commissioners of Savings Banks.
 2. Any letters received by the Honorable the Treasurer from the Commissioners in relation to the "Bill to authorize the payment of interest on certain deposits in the Treasury."
 3. Copy of the agreements entered into between the late or the present Treasurer in relation to the deposit by the Commissioners of Savings Banks of funds or bank deposits.
 4. Copy of any recommendations or suggestions made to the Treasurer by the Commissioners of Savings Banks in relation to the deposit by them with the Treasurer of funds and bank deposits.

ORDERS OF THE DAY :—

1. BOOK DEBTS BILL—Consideration of Report.
2. CREMATION BILL—Second reading.
3. INTESSTATES' ESTATES BILL—Consideration of Report.
4. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

Government Business.

ORDERS OF THE DAY :—

1. CONSOLIDATED REVENUE BILL (No. 3)—To be further considered in Committee.
2. EVIDENCE BILL—Consideration of Report.
3. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
4. MUNICIPAL OVERDRAFTS INDEMNITY BILL—To be further considered in Committee.
5. ELECTRIC LIGHT AND POWER BILL—To be further considered in Committee.
6. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

TUESDAY, 26TH NOVEMBER.

Government Business.

ORDER OF THE DAY :—

1. MALLEE LANDS BILL—Second reading.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Thursday, 21st November.

USURIOUS MONEY-LENDERS.—at three o'clock.

Tuesday, 26th November.

STANDING ORDERS.—at three o'clock.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 14TH NOVEMBER, 1895.

Notices of Motion and Orders of the Day. No. 28.

Mallee Lands Bill—[62]. (To Members of Council only.)

Book Debts Bill—[93]. (To Members of Council only.)

Evidence Bill—[106]. (To Members of Council only.)

Electric Light and Power Bill—

Amendments to be proposed by the Hon. J. M. Pratt. (To Members of Council only.)

Amendments to be proposed by the Hon. C. J. Ham. (To Members of Council only.)

Amendments to be proposed by the Hon. H. Cuthbert. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 70, 71, and 72.

Notices of Motion and Orders of the Day. No. 73.

Divisions in Committee of the Whole. No. 19.

Factories and Shops Bill—[1]. (To Members only.)

Companies Act 1890 further Amendment Bill—

Amendments to be proposed in Committee. (To Members only.)

Additional Amendments to be proposed in Committee by Mr. Fink. (To Members only.)

Amendment to be proposed in Committee by Mr. Maloney. (To Members only.)

Instruments Bill.—Amendments to be proposed by Mr. Isaac A. Isaacs. (To Members only.)

Licensing Act 1890 Amendment Bill.—New Clauses to be proposed in Committee. (To Members only.)

Charitable Institutions.—Report of Inspector for the year ended 30th June, 1895. No. 73.

VICTORIA.

No. 29.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 20TH NOVEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. INTEREST ON SAVINGS BANKS' DEPOSITS.—The Hon. Lieut.-Col. Sir F. T. Sargood moved, That there be laid before this House—
 1. The report of the Commissioners of Audit relating to the payment by the Honorable the Treasurer of interest upon funds and bank deposits paid or indorsed to the Treasurer by the Commissioners of Savings Banks.
 2. Any letters received by the Honorable the Treasurer from the Commissioners in relation to the "Bill to authorize the payment of interest on certain deposits in the Treasury."
 3. Copy of the agreements entered into between the late or the present Treasurer in relation to the deposit by the Commissioners of Savings Banks of funds or bank deposits.
 4. Copy of any recommendations or suggestions made to the Treasurer by the Commissioners of Savings Banks in relation to the deposit by them with the Treasurer of funds and bank deposits.

Question—put and resolved in the affirmative.

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

Book Debts Bill—Consideration of Report.

6. CONSOLIDATED REVENUE BILL (No. 3).—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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill:—

"An Act to apply out of the Consolidated Revenue the sum of Seventy-four thousand nine hundred and nine pounds to the service of the year One thousand eight hundred and ninety-four and ninety-five."

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

7. EVIDENCE BILL.—The Order of the Day for the consideration of the Report on this Bill having been read—on the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed. The Honorable H. Cuthbert moved, That the following be the title of the Bill:—

“An Act to further amend the Law of Evidence.”

Question—put and resolved in the affirmative.

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

8. CREMATION BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable F. S. Grimwade moved, That this Bill be now read a second time.

Debate ensued.

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 Tuesday next.

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

Intestates' Estates Bill—Consideration of Report.

Agricultural Colleges Act 1890 Amendment Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

10. MUNICIPAL OVERDRAFTS INDEMNITY 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill:—

“An Act to indemnify the Councillors of various Municipalities for Borrowing Moneys by Overdrafts on Bankers for the purposes of their Municipalities contrary to the provisions of the ‘Local Government Act 1890’ and for other purposes.”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

11. ELECTRIC LIGHT AND POWER 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had made progress, 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.

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

Local Government (Municipal Elections) Bill—To be further considered in Committee.

13. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 29.

TUESDAY, 26TH NOVEMBER, 1895.

Question.

1. The Hon. J. C. CAMPBELL: To ask the Honorable the Solicitor-General if it is a fact that the Government intend to appoint an official from the Postal Department as a veterinary surgeon to the Board of Health, a gentleman who has had no practice or experience as a veterinary surgeon.

Government Business.

ORDERS OF THE DAY:—

1. MALLEE LANDS BILL—Second reading.
2. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
3. ELECTRIC LIGHT AND POWER BILL—To be further considered in Committee.
4. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDERS OF THE DAY:—

1. BOOK DEBTS BILL—Consideration of Report.
2. CREMATION BILL—Second reading—*Resumption of debate.*
3. INTESSTATES' ESTATES BILL—Consideration of Report.
4. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 26th November.

STANDING ORDERS—at three o'clock.
REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

Wednesday, 27th November.

USURIOUS MONEY-LENDERS—at three o'clock.

PARLIAMENTARY PAPERS ISSUED 20TH NOVEMBER, 1895.

Notices of Motion and Orders of the Day. No. 29.

Notices of Motion and Orders of the Day. No. 74.

Ararat Mechanics' Institute Land Bill—[99].

Factories and Shops Act 1890 Amendment Bill.—Amendments and New Clauses to be proposed on Consideration of Report or after Third Reading. (To Members only.)

Companies Act 1890 further Amendment Bill.—New Clause to be proposed in Committee by Mr. Beazley. (To Members only.)

VICTORIA.

No. 30.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 26TH NOVEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **STANDING ORDERS COMMITTEE.**—The Honorable Lieut.-Col. Sir F. T. Sargood brought up the Report from this Committee on Official Precedence.
Ordered to lie on the Table, to be printed, and taken into consideration on Tuesday next.
5. **ADJOURNMENT.**—The Honorable F. S. Grimwade having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.
The Honorable F. S. Grimwade then said that he proposed to speak on the subject of the withdrawal of the Companies Act 1890 further Amendment Bill, and moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.
6. **PAPERS.**—The Honorable H. Cuthbert presented, by command of His Excellency the Governor—
Factories Act Inquiry Board.—Minutes of Evidence and Appendices.—*In substitution of the Paper laid on the Table on the 15th October ultimo.*
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, 1894, to 30th June, 1894.
The Constitution Act Amendment Act 1890, Part IX.—
Statement showing the name, remuneration, duties, &c., of person temporarily employed in the Department of the Legislative Council.
Statement showing the names, remuneration, duties, &c., of all persons temporarily employed in the Department of the Legislative Assembly.
Savings Banks.—General Order No. 21.
Water Act 1890.—Rodney Irrigation and Water Supply Trust—Loan.
7. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to further amend the ‘Instruments Act 1890,’*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 26th November, 1895.

GRAHAM BERRY,
Speaker.

TUESDAY, 3RD DECEMBER.

Question.

1. The Hon. J. C. CAMPBELL: To ask the Honorable the Solicitor-General if the Government have in their service a qualified veterinary surgeon who has had practical experience and is a suitable person for the appointment of veterinary surgeon to the Board of Health.

Government Business.

ORDERS OF THE DAY:—

1. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL—Second reading.
2. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Second reading.

General Business.

ORDER OF THE DAY:—

1. STANDING ORDERS COMMITTEE—REPORT ON OFFICIAL PRECEDENCE—To be taken into consideration.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Wednesday, 27th November.

USURIOUS MONEY-LENDERS—at three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 21ST NOVEMBER, 1895.

Minutes of the Proceedings of the Legislative Council. No. 29.
 Notices of Motion and Orders of the Day. No. 30.
 Factories and Shops Bill—[1]. (To Members of Council only.)
 Instruments Bill—[51]. (To Members of Council only.)
 Mallee Lands Bill.—Amendments to be proposed by the Hon. Lieut.-Col. Sir F. T. Sargood. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 73, 74, and 75.
 Notices of Motion and Orders of the Day. No. 76.
 Divisions in Committee of the Whole. No. 20.
 Evidence Bill—[106]. (To Members only.)
 Plural Voting Abolition and Women's Suffrage Bill.—Amendments to be proposed in Committee by Mr. Kirton. (To Members only.)
 First Report of the Printing Committee. D.—No. 1.

VICTORIA.

No. 31.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 27TH NOVEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPER.—The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk :—
Public Service Acts.—Regulation regarding Travelling Allowances.
5. LATE TRAINS.—The Honorable A. Wynne moved, That there be laid before this House a Return showing—
 1. The number of times the trains from Warrnambool to Melbourne have been late during the last six months.
 2. The time each train was late.
 3. The reason thereof.
 4. The like from Melbourne to Warrnambool.
 Question—put and resolved in the affirmative.
6. MALLEE LANDS 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. A. Wallace moved, That the debate be adjourned until Tuesday, 4th February next.
Debate continued.
Question—That the debate be adjourned until Tuesday, 4th February next—put and negatived.
Debate further continued.
Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time.
The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair ; and the Honorable F. Brown 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 Wednesday next :—
Cremation Bill—Second reading—Resumption of debate.
Intestates' Estates Bill—Consideration of Report.
Agricultural Colleges Act 1890 Amendment Bill—Second reading.
8. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until to-morrow :—
Treasury Deposits Interest Bill—Second reading—Resumption of debate.

9. ELECTRIC LIGHT AND POWER 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, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.

Ordered—That the Bill, as amended, be printed, and taken into consideration to-morrow.

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

Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 31.

THURSDAY, 28TH NOVEMBER, 1895.

Government Business.

ORDERS OF THE DAY :—

1. ELECTRIC LIGHT AND POWER BILL—Consideration of Report.
 2. MALLEE LANDS BILL—To be further considered in Committee.
 3. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
 4. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.
-

TUESDAY, 3RD DECEMBER.

Question.

1. The Hon. J. C. CAMPBELL : To ask the Honorable the Solicitor-General if the Government have in their service a qualified veterinary surgeon who has had practical experience and is a suitable person for the appointment of veterinary surgeon to the Board of Health.

Government Business.

ORDERS OF THE DAY :—

1. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL—Second reading.
2. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Second reading.

General Business.

ORDER OF THE DAY :—

1. STANDING ORDERS COMMITTEE—REPORT ON OFFICIAL PRECEDENCE—To be taken into consideration.
-

WEDNESDAY, 4TH DECEMBER.

General Business.

ORDERS OF THE DAY :—

1. CREMATION BILL—Second reading—*Resumption of debate.*
2. INTESTATES' ESTATES BILL—Consideration of Report.
3. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 3rd December.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.
PARLIAMENT BUILDINGS (JOINT)—at a quarter to four o'clock.

Wednesday, 4th December.

USURIOUS MONEY-LENDERS—at half-past two o'clock.

(120 copies.)

PARLIAMENTARY PAPERS ISSUED 27TH NOVEMBER, 1895.

Minutes of the Proceedings of the Legislative Council. No. 30.

Notices of Motion and Orders of the Day. No. 31.

Electric Light and Power Bill—

Amendments to be proposed by the Hon. Sir Arthur Snowden. (To Members of Council only.)

Amendments to be proposed by the Hon. H. Cuthbert. (To Members of Council only.)

Standing Orders Committee.—Report on Official Precedence. D 2.

Notices of Motion and Orders of the Day. No. 77.

Book Debts Bill—[93]. (To Members only.)

Jumbunna and Outtrim Railway Construction Act 1895 Amendment Bill—[109].

Lapsed Bills Restoration Bill—[110].

Plural Voting Abolition and Women's Suffrage Bill—

Amendment to be proposed in Committee by Mr. Burton. (To Members only.)

Amendment to be proposed in Committee by Sir John McIntyre. (To Members only.)

VICTORIA.

No. 32.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 28TH NOVEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—

VICTORIA.

BRASSEY,

*Governor.**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 apply out of the Consolidated Revenue the sum of Seventy-four thousand nine hundred and nine pounds to the service of the year One thousand eight hundred and ninety-four and ninety-five.”

“An Act to indemnify the Councillors of various Municipalities for Borrowing Moneys by Overdrafts on Bankers for the purposes of their Municipalities contrary to the provisions of the ‘Local Government Act 1890’ and for other purposes.”

Government Offices,
Melbourne, 26th November, 1895.

5. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Customs and Excise Duties Act 1890—
 - Minor Articles used in Manufacture.—Glass Stoppers, Canvas Padding, &c.
 - Duty on Indiarubber Tires.
 - Fisheries Act 1890—
 - Certain Varieties of Fish added to the Second Schedule to the Fisheries Act 1890.
 - Oyster Dredging in Western Port Bay.
 - Netting in the vicinity of the Mouth of the Yarra River.
 - Melbourne Harbor Trust.—The Accounts of the Melbourne Harbor Trust for the six months ended 30th June, 1895.
 - Port Phillip Pilot Sick and Superannuation Fund.—Regulations.
 - Marine Act 1890.—Regulations for the Examination of Masters and Mates for Certificates of Competency.
6. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable H. Cuthbert the following Order of the Day was read and discharged :—
 - Electric Light and Power Bill—Consideration of Report.*

7. **ELECTRIC LIGHT AND POWER BILL.**—The Honorable H. Cuthbert moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clauses 6, 7, 14, 26, 31, 35, 39 and proposed new clauses.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered clauses 6, 7, 14, 26, 31, 35, 39 and proposed new clauses, and agreed to the same with amendments.

The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

Ordered—That the Bill be read a third time on Tuesday next.

8. **MALLEE LANDS 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

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

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 32.

TUESDAY, 3RD DECEMBER, 1895.

Questions.

1. The Hon. J. C. CAMPBELL : To ask the Honorable the Solicitor-General if the Government have in their service a qualified veterinary surgeon who has had practical experience and is a suitable person for the appointment of veterinary surgeon to the Board of Health.
2. The Hon. E. J. CROOKE : To call the attention of the Honorable the Solicitor-General to the manner in which the Rolls for the Legislative Council are compiled, and to ask—
 1. Whether persons are entitled to be enrolled for this House who possess leases giving the right to acquire the freehold of their selections and are rated at £10 or over for the same.
 2. If so, will he cause instructions to be issued to that effect.

Government Business.

NOTICE OF MOTION :—

1. The Hon. H. CUTHBERT : To move, That during the remainder of the present Session the Council shall meet for the despatch of business on Friday, and that half-past Four o'clock be the hour of meeting.

ORDERS OF THE DAY :—

1. ELECTRIC LIGHT AND POWER BILL—Third reading.
2. MALLEE LANDS BILL—To be further considered in Committee.
3. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
4. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL—Second reading.
5. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Second reading.
6. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDER OF THE DAY :—

1. STANDING ORDERS COMMITTEE—REPORT ON OFFICIAL PRECEDENCE—To be taken into consideration.
-

WEDNESDAY, 4TH DECEMBER.

General Business.

ORDERS OF THE DAY :—

1. CREMATION BILL—Second reading—*Resumption of debate.*
2. INTESSTATES' ESTATES BILL—Consideration of Report.
3. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 3rd December.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

PARLIAMENT BUILDINGS (JOINT)—at a quarter to four o'clock.

Wednesday, 4th December.

USURIOUS MONEY-LENDERS—at half-past two o'clock.

PARLIAMENTARY PAPERS ISSUED 28TH NOVEMBER, 1895.

Notices of Motion and Orders of the Day. No. 32.

Notices of Motion and Orders of the Day. No. 78.

Beet Sugar Works Bill—[44].

Mildura Irrigation Trusts Bill—[49].

VICTORIA.

No. 33.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 3RD DECEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITION.—The Honorable Dr. W. H. Embling presented a Petition from the Corporation and Councillors of the Shire of Strathfieldsaye, under the common seal of the said corporation, praying that the Council would see fit to reject any proposal to extend to shires the operation of the Factories and Shops Act 1890 Amendment Bill.
Ordered to lie on the Table, and to be referred to the Committee of the whole on the Factories and Shops Act 1890 Amendment Bill.
5. ADJOURNMENT.—The Honorable J. C. Campbell having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.
The Honorable J. C. Campbell then said that he proposed to speak on the subject of the appointment of a qualified veterinary surgeon who has had practical experience, and is a suitable person for the appointment of veterinary surgeon to the Board of Health, and moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.
6. PAPER.—The Honorable H. Cuthbert presented, by command of His Excellency the Governor—
Thirty-first Report of the Board for the Protection of the Aborigines in the Colony of Victoria.
Ordered to lie on the Table.
7. ADJOURNMENT.—The Honorable N. Thornley having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.
The Honorable N. Thornley then said that he proposed to speak on the subject of the late arrival of trains, and moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.
8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly:—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to abolish Plural Voting and remove the Disqualification of Women in the Elections of Members of the Legislative Assembly,*" with which they desire the concurrence of the Legislative Council.
GRAHAM BERRY,
Speaker.
Legislative Assembly,
Melbourne, 3rd December, 1895.
9. PLURAL VOTING ABOLITION AND WOMEN'S SUFFRAGE BILL.—The Honorable D. Coutts, for the Honorable W. McCulloch, moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to abolish Plural Voting and remove the Disqualification of Women in the Elections of Members of the Legislative Assembly,*" 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 next.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize the granting of a Lease of certain Crown Land in the Parish of Moolap as a Site for the Manufacture of Salt,*" with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 3rd December, 1895.

11. MOOLAP LAND LEASING BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to authorize the granting of a Lease of certain Crown Land in the Parish of Moolap as a Site for the Manufacture of Salt,*" 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 Thursday next.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act relating to Disease affecting Vegetation,*" with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 3rd December, 1895.

13. VEGETATION DISEASES BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act relating to Disease affecting Vegetation,*" 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 Thursday next.

14. ELECTRIC LIGHT AND POWER BILL.—The Order of the Day for the third reading of this Bill having been read—Bill, on the motion of the Honorable H. Cuthbert, read a third time.

On the motion of the Honorable H. Cuthbert the following amendments were made in the Bill—

In clause A, page 3, line 38, the words "sub-section (1) of this" were omitted, and the words "the last preceding" inserted.

In clause 27, line 43, the word "wire" was omitted, and the word "wires" inserted.

In clause 42, line 38, the word "cost" was omitted, and the word "costs" inserted.

The Honorable H. Cuthbert moved, That this Bill do pass.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

"*An Act to facilitate and regulate the supply of Electricity for Lighting and for other purposes.*"

Question—put and resolved in the affirmative.

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

15. ADJOURNMENT.—The Honorable J. Service having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.

The Honorable J. Service then said that he proposed to speak on the subject of the necessity of proceeding this Session with the Companies Act Amendment Bill, and moved, That the House do now adjourn.

Debate ensued.

Question—put and negatived.

16. MALLEE LANDS 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

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

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Instruments Act 1890 further Amendment Bill—Second reading.

Factories and Shops Act 1890 Amendment Bill—Second reading.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

Standing Orders Committee—Report on Official Precedence—To be taken into consideration.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 33.

WEDNESDAY, 4TH DECEMBER, 1895.

General Business.

ORDERS OF THE DAY:—

1. CREMATION BILL—Second reading—*Resumption of debate.*
2. INTESTATES' ESTATES BILL—Consideration of Report.
3. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
4. STANDING ORDERS COMMITTEE—REPORT ON OFFICIAL PRECEDENCE—To be taken into consideration.

Government Business.

ORDERS OF THE DAY:—

1. MALLEE LANDS BILL—To be further considered in Committee.
2. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
3. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL—Second reading.
4. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Second reading.
5. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

THURSDAY, 5TH DECEMBER.

Government Business.

NOTICE OF MOTION:—

1. The Hon. H. CUTHBERT: To move, That during the remainder of the present Session the Council shall meet for the despatch of business on Friday, and that half-past Four o'clock be the hour of meeting.

ORDERS OF THE DAY:—

1. MOOLAP LAND LEASING BILL—Second reading.
2. VEGETATION DISEASES BILL—Second reading.

TUESDAY, 10TH DECEMBER.

Government Business.

ORDER OF THE DAY:—

1. PLURAL VOTING ABOLITION AND WOMEN'S SUFFRAGE BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Wednesday, 4th December.

USURIOUS MONEY-LENDERS—at half-past two o'clock.

Tuesday, 10th December.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

(120 copies.)

PARLIAMENTARY PAPERS ISSUED SINCE 29TH NOVEMBER, 1895.

Minutes of the Proceedings of the Legislative Council. Nos. 31 and 32.

Notices of Motion and Orders of the Day. No. 33.

Vegetation Diseases Bill—[7]. (To Members of Council only.)

Constitution Amendment Bill—[42]. (To Members of Council only.)

Moolap Salt Works Bill—[58]. (To Members of Council only.)

Factories and Shops Act 1890 Amendment Bill.—Amendments proposed by the Hon. Lieut.-Col. Sir F. T. Sargood. (To Members of Council only.)

Mallee Lands Bill—

Amendments proposed by the Hon. Lieut.-Col. Sir F. T. Sargood. (To Members of Council only.)

Amendments to be proposed by the Hon. Jas. Bell. (To Members of Council only.)

Amendments to be proposed by the Hon. D. Melville. (To Members of Council only.)

Amendments to be proposed by the Hon. J. Buchanan. (To Members of Council only.)

New Clause to be proposed by the Hon. W. Pitt. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 76, 77, 78, and 79.

Notices of Motion and Orders of the Day. No. 80.

Divisions in Committee of the Whole. No. 21.

Railways Bill—[103].

Horticultural Improvement Society Land Bill—[108].

Explosives Act 1890 Amendment Bill.—Amendments and New Clauses to be proposed by Mr. Best. (To Members only.)

Railway Inquiry Board.—Memorandum of the Acting Commissioners. Return to an Order of the House. C.—No. 5.

Agricultural Education.—Accounts of the Trustees of Agricultural Colleges and the Council of Agricultural Education, from 1st January, 1894, to 30th June, 1894. No. 75.

Fisheries Act 1890.—Netting in the vicinity of the Mouth of the Yarra River. No. 83.

VICTORIA.

No. 34.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 4TH DECEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. ECHUCA AGRICULTURAL SHOW GROUNDS SALE BILL.—The Honorable G. Simmie moved, by leave, That he have leave to bring in a Bill to provide for the Sale of the Echuca Agricultural Association Show Grounds in the Borough of Echuca.
Question—put and resolved in the affirmative.
Ordered—That the Honorable G. Simmie do prepare and bring in the Bill.
The Honorable G. Simmie then brought up a Bill, intituled “*A Bill to provide for the Sale of the Echuca Agricultural Association Show Grounds in the Borough of Echuca,*” and moved, That it 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 Wednesday next.
5. COMPANIES ACT 1890 FURTHER AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That he have leave to bring in a Bill to further amend the *Companies Act 1890*.
Question—put and resolved in the affirmative.
Ordered—That the Honorable Lieut.-Col. Sir F. T. Sargood do prepare and bring in the Bill.
The Honorable Lieut.-Col. Sir F. T. Sargood then brought up a Bill, intituled “*A Bill to further amend the ‘Companies Act 1890,’*” and moved, That it 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 next.
6. OFFICIAL PRECEDENCE.—The Order of the Day for the consideration of the Report from the Standing Orders Committee on this question having been read—the Hon. Lieut.-Col. Sir F. T. Sargood moved, That the Report be now adopted.
Debate ensued.
Question—put and resolved in the affirmative.
The Hon. Lieut.-Col. Sir F. T. Sargood moved, That the Council adopt the following Address to His Excellency the Governor :—

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

MAY IT PLEASE YOUR EXCELLENCY :

The Legislative Council of Victoria desire most respectfully to bring under the notice of Your Excellency a question of precedence arising out of the proceedings originally proposed to be observed on the occasion of the landing of Your Excellency on the 25th October last.

When the first order of procedure was published by the Government, the President of the Legislative Council noticed that the position allotted to him was subordinate to the whole of the Ministers, and also to the Honorable the Speaker.

The President thereupon wrote to the responsible Minister, and took exception to the position assigned him. In reply he was promised by the Minister that the President's "proper place" would be given to him.

On the day preceding the arrival of Your Excellency a new table of precedence was published, in which the President observed that, while his status had been allowed so far as the Honorable the Speaker was concerned, it was still intended that all the Ministers should rank above the President. The President demurred to this proposal, and declined to concur therewith. Eventually a compromise for the occasion was arrived at, and the President was accorded a similar position to that granted to the Honorable the Premier, and was given precedence of the other Ministers.

Since that time the leader of the Government in the Legislative Council has verbally intimated to the Council that the Government might propose to approach Your Excellency on the question of official precedence, and, it is presumed, tender Your Excellency certain advice as to the status of the President. The Legislative Council therefore feel that Your Excellency should be informed of the views and wishes of the Council.

The Legislative Council claim for their President that he should rank immediately after the following Imperial Officers, viz.:—His Excellency the Admiral in command on the Australasian Station, and His Excellency the Lieutenant-Governor of the Colony of Victoria (when there is one); and the Legislative Council contend that this position is justified and conceded to their President by section 10 of *The Constitution Act Amendment Act 1890*, and section 11 of the *Supreme Court Act 1890*, as follow:—

Section 10 of The Constitution Act Amendment Act 1890—"The Legislative Council and Legislative Assembly of Victoria respectively and the committees and members thereof respectively shall hold enjoy and exercise such and the like privileges immunities and powers as, and the privileges immunities and powers of the said Council and Assembly respectively and of the committees and members thereof respectively are hereby defined to be the same as, at the time of the passing of '*The Constitution Statute*' were held enjoyed and exercised by the Commons House of Parliament of Great Britain and Ireland and by the committees and members thereof, so far as the same are not inconsistent with the said Act, whether such privileges immunities or powers were so held possessed or enjoyed by custom statute or otherwise."

Section 11 of the Supreme Court Act 1890—"One of the said Judges shall be styled 'The Chief Justice of the Supreme Court of the Colony of Victoria,' and until Her Majesty's pleasure be known he shall have rank and precedence above and before all persons whomsoever in Victoria excepting the Governor and Lieutenant-Governor thereof, and except all such persons as by law or usage take place in England before the Lord Chief Justice of England."

Hence it follows that, as the Victorian Constitution (like that of Great Britain) embraces two Houses of Parliament, the respective heads of the two Houses hold corresponding rank in their respective spheres to that enjoyed by the Lord Chancellor as Speaker of the House of Peers, and by the Right Honorable the Speaker as chief officer of the House of Commons.

The rank and precedence of these two great officers of the Imperial Parliament are clearly defined by law and usage.

With the exception of the Archbishop of Canterbury the Lord Chancellor takes rank immediately after the Royal family; therefore, by analogy (there being no State Church in Victoria, and no ecclesiastical precedence), the President of the Legislative Council of Victoria ranks next after the Queen's Representatives, viz., His Excellency the Admiral and His Excellency the Lieutenant-Governor (when there is one).

The status of the President of the Legislative Council and that of the Honorable the Speaker of the Legislative Assembly (so far as the Colony of Victoria is concerned) is further defined by Rule No. 43 of the Standing Rules and Orders of the Legislative Assembly, and by Standing Order No. 238 of the Legislative Council, as follow:—

Rule No. 43 of the Standing Rules and Orders of the Legislative Assembly—"When a joint Address shall be ordered to be presented to the Governor by both Houses, the President and Members of the Council, and Mr. Speaker, with this House, proceed to the Government House, and being admitted to the Governor's presence, the President of the Council (with Mr. Speaker on his left hand) shall read the Address to the Governor."

Standing Order No. 238 of the Legislative Council—"When it is ordered that an Address in which the Assembly joins the Council be presented by the whole Council, such Address shall be presented by the President, and such Members as may be named by the Council, together with the Speaker, and the Members appointed by the Assembly."

Further, all official documents and official procedure recognise the President as the senior officer.

By Imperial precedent the rank of Ministers, if they are commoners, is below that of the Right Honorable the Speaker of the House of Commons.

The Legislative Council therefore humbly pray that Your Excellency will not sanction any order or regulation which will prejudicially affect the privileges of the Legislative Council and their President.

Question—put and resolved in the affirmative.

7. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable G. Godfrey the following Order of the Day was read and discharged:—

Intestates' Estates Bill—Consideration of Report.

8. **INTESTATES' ESTATES BILL.**—The Honorable G. Godfrey moved, That this Bill be recommitted to a Committee of the whole for the consideration of a proposed new clause.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable G. Godfrey, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable F. Brown having reported that the Committee had agreed to the Bill without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable A. Wynne the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable A. Wynne, the Bill was read a third time and passed.

The Honorable A. Wynne moved, That the following be the title of the Bill :—

“An Act to amend the Law by making better provision for the Widows of certain Intestates in the distribution of such Intestates' Property.”

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative 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 Wednesday next :—

Agricultural Colleges Act 1890 Amendment Bill—Second reading.

10. **MALLEE LANDS 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, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable F. Brown 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 :—

Cremation Bill—Second reading—Resumption of debate.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Instruments Act 1890 further Amendment Bill—Second reading.

Factories and Shops Act 1890 Amendment Bill—Second reading.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,

Clerk of the Legislative Council.



LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 34.

THURSDAY, 5TH DECEMBER, 1895.

Government Business.

NOTICE OF MOTION :—

1. The Hon. H. CUTHBERT : To move, That during the remainder of the present Session the Council shall meet for the despatch of business on Friday, and that half-past Four o'clock be the hour of meeting.

ORDERS OF THE DAY :—

1. MALLEE LANDS BILL—To be further considered in Committee.
2. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
3. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL—Second reading.
4. MOOLAP LAND LEASING BILL—Second reading.
5. VEGETATION DISEASES BILL—Second reading.
6. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Second reading.
7. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDER OF THE DAY :—

1. CREMATION BILL—Second reading—*Resumption of debate.*
-

TUESDAY, 10TH DECEMBER.

Government Business.

ORDER OF THE DAY :—

1. PLURAL VOTING ABOLITION AND WOMEN'S SUFFRAGE BILL—Second reading.

General Business.

ORDER OF THE DAY :—

1. COMPANIES ACT 1890 FURTHER AMENDMENT BILL—Second reading.
-

WEDNESDAY, 11TH DECEMBER.

General Business.

ORDERS OF THE DAY :—

1. ECHUCA AGRICULTURAL SHOW GROUNDS SALE BILL—Second reading.
2. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 10th December.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

Wednesday, 11th December.

USURIOUS MONEY-LENDERS—at half-past two o'clock.

(120 copies.)

PARLIAMENTARY PAPERS ISSUED 4TH DECEMBER, 1895.

Minutes of the Proceedings of the Legislative Council. No. 33.

Notices of Motion and Orders of the Day. No. 34.

Notices of Motion and Orders of the Day. No. 81.

Beet Sugar Works Bill.—Amendments to be proposed in Committee. (To Members only.)

Explosives Act 1890 Amendment Bill.—Additional New Clause to be proposed by Mr. Best. (To Members only.)

Victorian Railways Trust Bill.—Amendment to be proposed in Committee by Mr. Rogers. (To Members only.)

VICTORIA.

No. 35.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 5TH DECEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPER.—The Honorable H. Cuthbert presented—
 Late Trains.—Return to an Order of the Legislative Council, dated 27th November, 1895, for a Return showing—
 1. The number of times the trains from Warrnambool to Melbourne have been late during the last six months.
 2. The time each train was late.
 3. The reason thereof.
 4. The like from Melbourne to Warrnambool.
5. ADDITIONAL DAY OF BUSINESS.—The Honorable H. Cuthbert moved, pursuant to amended notice, That, during the remainder of the present month, the Council shall meet for the despatch of business on Friday, and that half-past four o'clock be the hour of meeting.
 Debate ensued.
 Question—put and resolved in the affirmative.
6. MALLEE LANDS 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, and the Council resolved itself into Committee.
 The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.
 Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.
7. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative 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 at Ararat,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
 Melbourne, 5th December, 1895.

GRAHAM BERRY,
 Speaker.

8. **ARARAT MECHANICS' INSTITUTE SITE SALE BILL.**—The Honorable S. Williamson moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to provide for the Sale of certain Land set apart as a Site for a Mechanics' Institute at Ararat,*" 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 next.

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

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Instruments Act 1890 further Amendment Bill—Second reading.

Moolap Land Leasing Bill—Second reading.

Vegetation Diseases Bill—Second reading.

Factories and Shops Act 1890 Amendment Bill—Second reading.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

Cremation Bill—Second reading—Resumption of debate.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to constitute Irrigation Trusts within the Irrigation Colony of Mildura and to invest such Trusts with certain powers and for other purposes,*" with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 5th December, 1895.

11. **MILDURA IRRIGATION TRUSTS BILL.**—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to constitute Irrigation Trusts within the Irrigation Colony of Mildura and to invest such Trusts with certain powers and for other purposes,*" 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 Wednesday next.

12. **ADJOURNMENT.**—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 35.

TUESDAY, 10TH DECEMBER, 1895.

Government Business.

ORDERS OF THE DAY:—

1. MALLEE LANDS BILL—Consideration of Report.
2. PLURAL VOTING ABOLITION AND WOMEN'S SUFFRAGE BILL—Second reading.
3. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Second reading.
4. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL—Second reading.
5. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
6. MOOLAP LAND LEASING BILL—Second reading.
7. VEGETATION DISEASES BILL—Second reading.
8. ARARAT MECHANICS' INSTITUTE SITE SALE BILL—Second reading.
9. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDERS OF THE DAY:—

1. COMPANIES ACT 1890 FURTHER AMENDMENT BILL—Second reading.
 2. CREMATION BILL—Second reading—*Resumption of debate.*
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WEDNESDAY, 11TH DECEMBER.

General Business.

ORDERS OF THE DAY:—

1. ECHUCA AGRICULTURAL SHOW GROUNDS SALE BILL—Second reading.
2. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.

Government Business.

ORDER OF THE DAY:—

1. MILDURA IRRIGATION TRUSTS BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 10th December.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

Wednesday, 11th December.

USURIOUS MONEY-LENDERS—at half-past two o'clock.

(160 copies.)

PARLIAMENTARY PAPERS ISSUED 5TH DECEMBER, 1895.

Notices of Motion and Orders of the Day. No. 35.

Mallee Lands Bill.—Amendments to be proposed by the Hon. J. C. Campbell. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 82.

Customs and Excise Duties Act 1890—

Minor Articles used in Manufacture. No. 79.

Duty on Indiarubber Tires. No. 80.

Fisheries Act 1890—

Certain varieties of Fish added to the Second Schedule to the Fisheries Act 1890. No. 81.

Oyster Dredging in Western Port Bay. No. 82.

VICTORIA.

No. 36.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 10TH DECEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITIONS.—The Honorable D. Melville presented a Petition from women resident in Fitzroy in favour of the extension of the Parliamentary Franchise to Women.
Petition read and ordered to lie on the Table.
Similar Petitions were presented as under :—
 - By the Honorable C. J. Ham—
From women resident in Richmond.
 - By the Honorable Lieut.-Col. Sir F. T. Sargood—
From women resident in South Yarra.
 - By the Honorable W. Pitt—
From women resident in Footscray and elsewhere.
 - By the Honorable E. Miller—
From women resident in Kew.
 - By the Honorable S. Fraser—
From women resident in Prahran.
 - By the Honorable F. S. Grimwade—
From women resident in Collingwood.
 - By the Honorable D. Ham—
From persons resident in Creswick and district.
From persons resident in Ballarat and district.
 Severally ordered to lie on the Table.
5. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend and continue an Act intituled 'An Act to authorize the construction of the Cape Patterson and Kilcunda Junction Railway and for other purposes,'*" with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 10th December, 1895.
6. CAPE PATTERSON AND KILCUNDA JUNCTION RAILWAY ACT AMENDMENT AND CONTINUATION BILL.—The Honorable A. Wynne moved, by leave, That all the Standing Orders relating to Private Bills be suspended in relation to the Bill to amend and continue an Act to authorize the construction of the Cape Patterson and Kilcunda Junction Railway and for other purposes, and that all fees be remitted with regard to such Bill.
Question—put and resolved in the affirmative.
The Honorable A. Wynne moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to amend and continue an Act intituled 'An Act to authorize the construction of the Cape Patterson and Kilcunda Junction Railway and for other purposes,'*" 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 this day.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to encourage the Establishment of the Sugar Beet Industry in Victoria,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 10th December, 1895.

GRAHAM BERRY,
Speaker.

8. SUGAR BEET BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to encourage the Establishment of the Sugar Beet Industry in Victoria,*" 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 Thursday next.
9. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable H. Cuthbert the following Order of the Day was read and discharged :—
Mallee Lands Bill—Consideration of Report.
10. MALLEE LANDS BILL.—The Honorable H. Cuthbert moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clauses 2, 16, 17, 19, 24, 25, 39, 48, and 56.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered clauses 2, 16, 17, 19, 24, 25, 39, 48, and 56, and agreed to the same with amendments. The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.
Question—put and resolved in the affirmative.
On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.
And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed. The Honorable H. Cuthbert moved, That the following be the title of the Bill :—
"An Act relating to Mallee Lands."
Question—put and resolved in the affirmative.
Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.
11. PLURAL VOTING ABOLITION AND WOMEN'S SUFFRAGE BILL.—The Order of the day for the second reading of this Bill having been read—the Honorable W. McCulloch moved, That this Bill be now read a second time.
Debate ensued.
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.
12. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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.
13. CAPE PATTERSON AND KILCUNDA JUNCTION RAILWAY ACT AMENDMENT AND CONTINUATION BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable A. Wynne moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable A. Wynne moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable A. Wynne, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
On the motion of the Honorable A. Wynne the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable A. Wynne, the Bill was read a third time and passed. The Honorable A. Wynne moved, That the following be the title of the Bill :—

“ *An Act to amend and continue an Act intituled ‘ An Act to authorize the construction of the Cape Patterson and Kilcunda Junction Railway and for other purposes.’*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative 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 Act 1890 Amendment Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Moolap Land Leasing Bill—Second reading.

Vegetation Diseases Bill—Second reading.

Ararat Mechanics' Institute Site Sale Bill—Second reading.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

Companies Act 1890 further Amendment Bill—Second reading.

Cremation Bill—Second reading—Resumption of debate.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 36.

WEDNESDAY, 11TH DECEMBER, 1895.

General Business.

ORDERS OF THE DAY :—

1. ECHUCA AGRICULTURAL SHOW GROUNDS SALE BILL—Second reading.
2. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
3. COMPANIES ACT 1890 FURTHER AMENDMENT BILL—Second reading.
4. CREMATION BILL—Second reading—*Resumption of debate.*

Government Business.

ORDERS OF THE DAY :—

1. MILDURA IRRIGATION TRUSTS BILL—Second reading.
 2. PLURAL VOTING ABOLITION AND WOMEN'S SUFFRAGE BILL—Second reading—*Resumption of debate.*
 3. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL—To be further considered in Committee.
 4. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Second reading.
 5. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
 6. MOOLAP LAND LEASING BILL—Second reading.
 7. VEGETATION DISEASES BILL—Second reading.
 8. ARARAT MECHANICS' INSTITUTE SITE SALE BILL—Second reading.
 9. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.
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THURSDAY, 12TH DECEMBER.

Government Business.

ORDER OF THE DAY :—

1. SUGAR BEET BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Wednesday, 11th December.

USURIOUS MONEY-LENDERS—at half-past two o'clock.

Tuesday, 17th December.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 6TH DECEMBER, 1895.

Minutes of the Proceedings of the Legislative Council. Nos. 34 and 35.

Notices of Motion and Orders of the Day. No. 36.

Beet Sugar Works Bill—[44]. (To Members of Council only.)

Companies Bill—[114]. (To Members of Council only.)

Instruments Act 1890 further Amendment Bill.—Amendments to be proposed by the Hon. Lieut.-Col. Sir F. T. Sargood. (To Members of Council only.)

Factories and Shops Bill.—Amendments to be proposed by the Hon. H. Cuthbert. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 80, 81, 82, and 83.

Notices of Motion and Orders of the Day. No. 84.

Divisions in Committee of the Whole. No. 22.

No. 37.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 11TH DECEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITION.—The Honorable Lieut.-Col. Sir F. T. Sargood presented a Petition from J. D. Law, G. T. Baker, and F. G. Smith, on behalf respectively of the Bank of Victoria, Limited, the Union Bank of Australia, Limited, and the National Bank of Australasia, Limited, praying that the Council would make amendments in the Mildura Irrigation Trusts Bill so as to remove certain grievances set forth in the petition.
Petition read, ordered to lie on the Table, and to be referred to the Committee of the whole on the Mildura Irrigation Trusts Bill.
5. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to prevent in certain cases the Lapsing of Bills by the Termination of a Session of Parliament,*" with which they desire the concurrence of the Legislative Council.
Legislative Assembly,
Melbourne, 11th December, 1895.
GRAHAM BERRY,
Speaker.
6. LAPSED BILLS RESTORATION BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to prevent in certain cases the Lapsing of Bills by the Termination of a Session of Parliament,*" 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 next.
7. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until to-morrow :—
Echuca Agricultural Show Grounds Sale Bill—Second reading.
8. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday next :—
Agricultural Colleges Act 1890 Amendment Bill—Second reading.
(500 copies.)

9. COMPANIES ACT 1890 FURTHER AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Bill was read a third time and passed.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill:—

“*An Act to further amend the ‘Companies Act 1890.’*”

Question—put and resolved in the affirmative.

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

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

Cremation Bill—Second reading—Resumption of debate.

11. MILDURA IRRIGATION TRUSTS BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time. Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

12. PLURAL VOTING ABOLITION AND WOMEN'S SUFFRAGE 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 F. S. Grimwade 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.

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

Instruments Act 1890 further Amendment Bill—To be further considered in Committee.

Factories and Shops Act 1890 Amendment Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Moolap Land Leasing Bill—Second reading.

Vegetation Diseases Bill—Second reading.

Ararat Mechanics' Institute Site Sale Bill—Second reading.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 37.

THURSDAY, 12TH DECEMBER, 1895.

Question.

1. The Hon. T. DOWLING : To ask the Honorable the Solicitor-General if it is the intention of the Government to propose, before the close of the Session, any amendments in the Income Tax Act.

Government Business.

ORDERS OF THE DAY :—

1. PLURAL VOTING ABOLITION AND WOMEN'S SUFFRAGE BILL—Second reading—*Resumption of debate.*
2. MILDURA IRRIGATION TRUSTS BILL—To be further considered in Committee.
3. SUGAR BEET BILL—Second reading.
4. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL—To be further considered in Committee.
5. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Second reading.
6. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
7. MOOLAP LAND LEASING BILL—Second reading.
8. VEGETATION DISEASES BILL—Second reading.
9. ARARAT MECHANICS' INSTITUTE SITE SALE BILL—Second reading.
10. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDER OF THE DAY :—

1. ECHUCA AGRICULTURAL SHOW GROUNDS SALE BILL—Second reading.

TUESDAY, 17TH DECEMBER.

Government Business.

ORDER OF THE DAY :—

1. LAPSED BILLS RESTORATION BILL—Second reading.

WEDNESDAY, 18TH DECEMBER.

General Business.

ORDERS OF THE DAY :—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
2. CREMATION BILL—Second reading—*Resumption of debate.*

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Tuesday, 17th December.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

(120 copies.)

PARLIAMENTARY PAPERS ISSUED 11TH DECEMBER, 1895.

Notices of Motion and Orders of the Day. No. 37.

Lapsed Bills Restoration Bill—[110]. (To Members of Council only.)

Companies Bill—[114]. (Issue completed.)

Factories and Shops Act 1890 Amendment Bill.—Amendment to be proposed by the Hon. Dr. W. H. Embling. (To Members of Council only.)

Mildura Irrigation Trusts Bill.—Petition. E 1.

Notices of Motion and Orders of the Day. No. 85.

Mallee Lands Bill.—Amendments of the Legislative Council. (To Members only.)

VICTORIA.

No. 38.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 12TH DECEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. ADJOURNMENT.—The Honorable T. Dowling having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.
The Honorable T. Dowling then said that he proposed to speak on the subject of the amendment of the Income Tax Act, and moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.
5. PETITIONS.—The Honorable J. Service presented a Petition from the Trustees, Executors, and Agency Company, Limited, under the seal of the said company, praying that the Council would make amendments in the Mildura Irrigation Trusts Bill so as to remove certain grievances set forth in the petition.
Petition read, ordered to lie on the Table, and to be referred to the Committee of the whole on the Mildura Irrigation Trusts Bill.
A similar Petition was presented by the Honorable J. Service from R. E. Jacomb, Official Liquidator, for the City of Melbourne Bank, Limited, in liquidation, and for the Federal Bank of Australia, Limited, in liquidation.
Ordered to lie on the Table, and to be referred to the Committee of the whole on the Mildura Irrigation Trusts Bill.
6. PLURAL VOTING ABOLITION AND WOMEN'S SUFFRAGE 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. M. Pratt moved, as an amendment, That all the words after the word "That" be omitted, with a view to insert in place thereof the following words:—"this House will not proceed with the Plural Voting Abolition and Women's Suffrage Bill until a measure has been submitted to Parliament, having for its object the reduction of the number of Members in both Houses of Parliament, in accordance with the views expressed by the Members of the Legislative Assembly on the occasion of the last General Election, and demanded by the majority of the electors."
Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.
The Council divided.

Ayes, 31.

The Hon. J. Balfour
J. Bell
F. Brown
T. Brunton
Sir W. J. Clarke, Bart.
J. H. Connor
S. W. Cooke
D. Coutts
E. J. Crooke
H. Cuthbert
T. Dowling
Dr. W. H. Embling
S. Fraser
G. Godfrey
C. J. Ham
D. Ham
N. Levi
D. E. McBryde
W. McCulloch
D. Melville
E. Miller
E. Morey
W. H. S. Osmand
Lieut.-Col. Sir F. T. Sargood
J. Service
G. Simmie
N. Thornley
W. I. Winter-Irving
A. Wynne.

Tellers.

F. S. Grimwade
A. O. Sachse.

Noes, 5.

The Hon. J. H. Abbott
J. C. Campbell
J. A. Wallace.

Tellers.

J. M. Pratt
Sir A. Snowden.

And so it was resolved in the affirmative.

Debate further continued on the question That this Bill be now read a second time.

Question—put.

The Council divided.

Ayes, 17.

The Hon. J. Balfour
J. H. Connor
S. W. Cooke
E. J. Crooke
H. Cuthbert
G. Godfrey
F. S. Grimwade
C. J. Ham
D. Ham
N. Levi
W. McCulloch
D. Melville
E. Miller
Lieut.-Col. Sir F. T. Sargood
G. Simmie.

Tellers.

D. Coutts
A. Wynne.

Noes, 19.

The Hon. J. H. Abbott
J. Bell
F. Brown
T. Brunton
J. C. Campbell
Sir W. J. Clarke, Bart.
T. Dowling
Dr. W. H. Embling
S. Fraser
E. Morey
W. H. S. Osmand
J. M. Pratt
A. O. Sachse
J. Service
Sir A. Snowden
J. A. Wallace
W. I. Winter-Irving.

Tellers.

D. E. McBryde
N. Thornley.

And so it passed in the negative.

7. MILDURA IRRIGATION TRUSTS 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

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

Sugar Beet Bill—Second reading.

Instruments Act 1890 further Amendment Bill—To be further considered in Committee.

Factories and Shops Act 1890 Amendment Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Moolap Land Leasing Bill—Second reading.

Vegetation Diseases Bill—Second reading.

Ararat Mechanics' Institute Site Sale Bill—Second reading.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

Echuca Agricultural Show Grounds Sale Bill—Second reading.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

The first part of the document discusses the general principles of the proposed system. It is intended to provide a clear and concise summary of the main points. The second part of the document contains a detailed description of the system's components and their functions. This section is intended to provide a comprehensive overview of the system's architecture and its various parts.

The third part of the document describes the system's performance and its ability to meet the requirements of the project. It includes a comparison of the system's performance against the requirements and a discussion of the system's strengths and weaknesses. The fourth part of the document discusses the system's future development and the potential for further improvements.

The fifth part of the document discusses the system's implementation and the steps that have been taken to ensure its successful deployment. It includes a description of the system's installation and the steps that have been taken to ensure its security and reliability. The sixth part of the document discusses the system's maintenance and the steps that have been taken to ensure its long-term operation.

The seventh part of the document discusses the system's user interface and the steps that have been taken to ensure its usability. It includes a description of the system's user interface and the steps that have been taken to ensure its ease of use. The eighth part of the document discusses the system's documentation and the steps that have been taken to ensure its completeness and accuracy.

The ninth part of the document discusses the system's testing and the steps that have been taken to ensure its reliability. It includes a description of the system's testing and the steps that have been taken to ensure its accuracy and consistency. The tenth part of the document discusses the system's conclusion and the steps that have been taken to ensure its successful completion.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 38.

FRIDAY, 13TH DECEMBER, 1895.

Government Business.

ORDERS OF THE DAY:—

1. MILDURA IRRIGATION TRUSTS BILL—To be further considered in Committee.
2. SUGAR BEET BILL—Second reading.
3. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL—To be further considered in Committee.
4. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Second reading.
5. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
6. MOOLAP LAND LEASING BILL—Second reading.
7. VEGETATION DISEASES BILL—Second reading.
8. ARARAT MECHANICS' INSTITUTE SITE SALE BILL—Second reading.
9. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDER OF THE DAY:—

1. ECHUCA AGRICULTURAL SHOW GROUNDS SALE BILL—Second reading.
-

TUESDAY, 17TH DECEMBER.

Government Business.

ORDER OF THE DAY:—

1. LAPSED BILLS RESTORATION BILL—Second reading.
-

WEDNESDAY, 18TH DECEMBER.

General Business.

ORDERS OF THE DAY:—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
2. CREMATION BILL—Second reading—*Resumption of debate.*

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Tuesday, 17th December.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED 12TH DECEMBER, 1895.

Minutes of the Proceedings of the Legislative Council. Nos. 36 and 37.

Notices of Motion and Orders of the Day. No. 38.

Echuca Show Grounds Bill—[113].

Plural Voting Abolition and Women's Suffrage Bill.—New Clauses to be proposed by the Hon. Lieut.-Col. Sir F. T. Sargood, Hon. Agar Wynne, and Hon. S. W. Cooke, (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 86.
Australasian Federation Enabling Bill—[111].

THE UNITED STATES OF AMERICA

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

MEMORANDUM FOR THE DIRECTOR, FBI

DATE: 10/15/54

VICTORIA.

No. 39.

MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

FRIDAY, 13TH DECEMBER, 1895.

- 1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPERS.—The Honorable H. Cuthbert presented, by command of His Excellency the Governor—
Statistical Register of the Colony of Victoria for the year 1894—
Part V.—Finance, &c.
Part VI.—Vital Statistics, &c.
Severally ordered to lie on the Table.
5. MILDURA IRRIGATION TRUSTS 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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 ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday next :—
Sugar Beet Bill—Second reading.
7. INSTRUMENTS ACT 1890 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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. 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 Act 1890 Amendment Bill—Second reading.
Treasury Deposits Interest Bill—Second reading—Resumption of debate.
Moolay Land Leasing Bill—Second reading.
Vegetation Diseases Bill—Second reading.
Ararat Mechanics' Institute Site Sale Bill—Second reading.
Local Government (Municipal Elections) Bill—To be further considered in Committee.
Echuca Agricultural Show Grounds Sale Bill—Second reading.

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

GEORGE H. JENKINS, Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 39.

TUESDAY, 17TH DECEMBER, 1895.

Question.

1. The Hon. G. GODFREY : To ask the Honorable the Minister of Defence if his attention has been called to the case of Gillespie and the Queen, where the Chief Justice decided that the petitioner, a Queenscliff artilleryman, was entitled to 3s. a day retiring allowance, as agreed by the Government, but that he had no rights to enforce through the courts because he was a soldier ; and if the Government will pay the man the amount, £6 17s. 3d., which the court decided the Government agreed to pay.

Government Business.

ORDERS OF THE DAY :—

1. MILDURA IRRIGATION TRUSTS BILL—To be further considered in Committee.
2. SUGAR BEET BILL—Second reading.
3. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL—To be further considered in Committee.
4. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Second reading.
5. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
6. MOOLAP LAND LEASING BILL—Second reading.
7. VEGETATION DISEASES BILL—Second reading.
8. ARARAT MECHANICS' INSTITUTE SITE SALE BILL—Second reading.
9. LAPSED BILLS RESTORATION BILL—Second reading.
10. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDER OF THE DAY :—

1. ECHUCA AGRICULTURAL SHOW GROUNDS SALE BILL—Second reading.
-

WEDNESDAY, 18TH DECEMBER.

General Business.

ORDERS OF THE DAY :—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
2. CREMATION BILL—Second reading—*Resumption of debate.*

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Tuesday, 17th December.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED 13TH DECEMBER, 1895.

Minutes of the Proceedings of the Legislative Council. No. 38.
Notices of Motion and Orders of the Day. No. 39.

Notices of Motion and Orders of the Day. No. 87.
Companies Bill—[114]. (To Members only.)

VICTORIA.

No. 40.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 17TH DECEMBER, 1895.

1. The Council met in accordance with adjournment.

2. The President took the Chair.

3. The President read the Prayer.

4. PETITIONS.—The Honorable C. J. Ham presented a Petition from James McEwan and Company, Limited, under the common seal of the said company, and others, styling themselves Creditors of Chaffey Brothers, Limited, in liquidation, praying that the Council would make amendments in the Mildura Irrigation Trusts Bill so as to remove certain grievances set forth in the petition.

Petition read, ordered to lie on the Table, and to be referred to the Committee of the whole on the Mildura Irrigation Trusts Bill.

A similar Petition was presented by the Honorable C. J. Ham from S. Fischer and John F. McCarron, styling themselves the Liquidators and Representatives of the Creditors of Chaffey Brothers, Limited, in liquidation.

Ordered to lie on the Table, and to be referred to the Committee of the whole on the Mildura Irrigation Trusts Bill.

5. MILDURA IRRIGATION TRUSTS 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending an amendment in the Bill intituled "*An Act to amend and continue an Act intituled 'An Act to authorize the construction of the Cape Patterson and Kilcunda Junction Railway and for other purposes,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 17th December, 1895.

BRASSEY,
Governor.

Message.

Pursuant to the provisions of section 36 of *The Constitution Act*, the Governor transmits to the Legislative Assembly, for their consideration, the following amendment, which he desires to be made in the Bill intituled "*An Act to amend and continue an Act intituled 'An Act to authorize the construction of the Cape Patterson and Kilcunda Junction Railway and for other purposes,'*":—

Preamble, page 2, line 8, after "*Amendment Act*" insert "1893."

Government Offices,
Melbourne, 16th December, 1895.

On the motion of the Honorable H. Cuthbert the Council agreed to the amendment recommended by His Excellency the Governor, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Printers and Newspapers Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

Legislative Assembly,
Melbourne, 17th December, 1895.

GRAHAM BERRY,
Speaker.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Police Regulation Act 1890,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 17th December, 1895.

GRAHAM BERRY,
Speaker.

9. POLICE REGULATION ACT 1890 AMENDMENT BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to amend the 'Police Regulation Act 1890,'*" 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 to-morrow.

10. INSTRUMENTS ACT 1890 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.

The Honorable H. Cuthbert moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clauses 4, 7, and 8.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered clauses 4, 7, and 8, and agreed to the same with amendments.

The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill:—

"An Act to further amend the 'Instruments Act 1890.'"

Question—put and resolved in the affirmative.

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

11. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

The Honorable Lieut.-Col. Sir F. T. Sargood 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.

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

Sugar Beet Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Moolap Land Leasing Bill—Second reading.

Vegetation Diseases Bill—Second reading.

Ararat Mechanics' Institute Site Sale Bill—Second reading.

Lapsed Bills Restoration Bill—Second reading.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

Echuca Agricultural Show Grounds Sale Bill—Second reading.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 40.

WEDNESDAY, 18TH DECEMBER, 1895.

Question.

1. The Hon. G. GODFREY : To ask the Honorable the Minister of Defence if his attention has been called to the case of Gillespie and the Queen, where the Chief Justice decided that the petitioner, a Queenscliff artilleryman, was entitled to 3s. a day retiring allowance, as agreed by the Government, but that he had no rights to enforce through the courts because he was a soldier; and if the Government will pay the man the amount, £6 17s. 3d., which the court decided the Government agreed to pay.

General Business.

ORDERS OF THE DAY:—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
2. CREMATION BILL—Second reading—*Resumption of debate.*
3. ECHUCA AGRICULTURAL SHOW GROUNDS SALE BILL—Second reading.

Government Business.

ORDERS OF THE DAY:—

1. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Second reading—*Resumption of debate.*
2. MILDURA IRRIGATION TRUSTS BILL—To be further considered in Committee.
3. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
4. MOOLAP LAND LEASING BILL—Second reading.
5. VEGETATION DISEASES BILL—Second reading.
6. ARARAT MECHANICS' INSTITUTE SITE SALE BILL—Second reading.
7. SUGAR BEET BILL—Second reading.
8. POLICE REGULATION ACT 1890 AMENDMENT BILL—Second reading.
9. LAPSED BILLS RESTORATION BILL—Second reading.
10. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 13TH DECEMBER, 1895.

Minutes of the Proceedings of the Legislative Council. No. 39.

Notices of Motion and Orders of the Day. No. 40.

Police Regulation Bill—[90]. (To Members of Council only.)

Mildura Irrigation Trusts Bill.—Amendments to be proposed by the Hon. Agar Wynne. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 84, 85, 86, and 87.

Notices of Motion and Orders of the Day. No. 88.

Income Tax 1896.—Resolution to be proposed in Committee of Ways and Means by Mr. G. Turner. (To Members only.)

Port Phillip Pilot Sack and Superannuation Fund.—Regulations. No. 84.

No. 41.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 18TH DECEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Ninth Annual Report of the Proceedings of the Assistant Government Statist in connexion with Trade Unions.—Report for the year 1894, with an Appendix.
 - Bank Liabilities and Assets.—Summary of Sworn Returns for the quarter ended 30th September, 1895.
5. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Wednesday, 1st January next :—
 - Agricultural Colleges Act 1890 Amendment Bill—Second reading.*
 - Cremation Bill—Second reading—Resumption of debate.*
6. ECHUCA AGRICULTURAL SHOW GROUNDS SALE BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable G. Simmie moved, That this Bill be now read a second time.
 - Question—put and resolved in the affirmative.—Bill read a second time.
 - The Honorable G. Simmie moved, That this Bill be now committed to a Committee of the whole.
 - Question—put and resolved in the affirmative.
 - And, on the further motion of the Honorable G. Simmie, the President left the Chair, and the Council resolved itself into Committee.
 - The President resumed the Chair ; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
 - On the motion of the Honorable G. Simmie the Council adopted the Report from the Committee of the whole on this Bill.
 - And, on the further motion of the Honorable G. Simmie, the Bill was read a third time and passed.
 - The Honorable G. Simmie moved, That the following be the title of the Bill :—
 - “ *An Act to provide for the Sale of the Echuca Agricultural Association Show Grounds in the Borough of Echuca.* ”
 - Question—put and resolved in the affirmative.
 - Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.

7. **FACTORIES AND SHOPS ACT 1890 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. Bell 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 this day.

8. **MILDURA IRRIGATION TRUSTS 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.

The Honorable H. Cuthbert moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clauses 1, 3, 5, 6, 9, 15, 101, 114, and 149.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered clauses 1, 3, 5, 6, 9, 15, 101, 114, and 149, and agreed to the same with amendments.

The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“ An Act to constitute Irrigation Trusts within the Irrigation Colony of Mildura and to invest such Trusts with certain powers and for other purposes.”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to declare the Rates of Duties of Income Tax for the Year ending on the thirty-first day of December One thousand eight hundred and ninety-six,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th December, 1895.

GRAHAM BERRY,
Speaker.

10. **INCOME TAX RATE BILL.**—The Honorable W. McCulloch moved, That the Bill transmitted by the foregoing Message, intituled “ *An Act to declare the Rates of Duties of Income Tax for the Year ending on the thirty-first day of December One thousand eight hundred and ninety-six,*” 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 to-morrow.

11. **FACTORIES AND SHOPS ACT 1890 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.

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

Ordered—That the debate be adjourned until to-morrow.

12. **ARARAT MECHANICS' INSTITUTE SITE SALE BILL.**—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“ An Act to provide for the Sale of certain Land set apart as a Site for a Mechanics' Institute at Ararat.”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

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

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Moolap Land Leasing Bill—Second reading.

Vegetation Diseases Bill—Second reading.

Sugar Beet Bill—Second reading.

Police Regulation Act 1890 Amendment Bill—Second reading.

Lapsed Bills Restoration Bill—Second reading.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 41.

THURSDAY, 19TH DECEMBER, 1895.

Questions.

1. The Hon. J. H. CONNOR : To ask the Honorable the Minister of Defence—
 1. Has he any objection to state how many tons of beet-root were operated upon by the Government Agricultural Chemist (Mr. Pearson) at Mr. Goldie's farm, Port Fairy, in converting the juice.
 2. What was the weight of the converted juice.
 3. What was the amount of sugar obtained at the refinery from it.
 4. With regard to the phenomenal percentage of sugar (20 to 22 per cent.) in roots grown at Riddell's Creek, was there anything in the variety of the seed or mode of cultivation to account for such exceptional richness.
 5. Have any steps been taken to grow seed from these roots.
2. The Hon. J. SERVICE : To call the attention of the Government to the condition of the telephone provided for this House ; and to ask the Honorable the Solicitor-General whether the attention of the Honorable the Minister for Public Works has been called to the matter.

Government Business.

ORDERS OF THE DAY :—

1. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Second reading—*Resumption of debate.*
2. INCOME TAX RATE BILL—Second reading.
3. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
4. MOOLAP LAND LEASING BILL—Second reading.
5. VEGETATION DISEASES BILL—Second reading.
6. SUGAR BEET BILL—Second reading.
7. POLICE REGULATION ACT 1890 AMENDMENT BILL—Second reading.
8. LAPSED BILLS RESTORATION BILL—Second reading.
9. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

WEDNESDAY, 1ST JANUARY, 1896.

General Business.

ORDERS OF THE DAY :—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
2. CREMATION BILL—Second reading—*Resumption of debate.*

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 18TH DECEMBER, 1895.

Minutes of the Proceedings of the Legislative Council. No. 40.

Notices of Motion and Orders of the Day. No. 41.

Income Tax Rate Bill—[94].

Moolap Land Leasing Bill.—Amendments to be proposed by the Hon. Lieut.-Col. Sir F. T. Sargood.
(To Members of Council only.)

Notices of Motion and Orders of the Day. No. 89.

Electoral Districts Boundaries Amendment Bill—[117].

Instruments Act 1890 further Amendment Bill.—Amendments of the Legislative Council. (To Members only.)

Mildura Irrigation Trusts Bill.—Amendments of the Legislative Council. (To Members only.)

VICTORIA.

No. 42.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 19TH DECEMBER, 1895.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITION.—The Honorable F. S. Grimwade presented a Petition from the Committee of Management of the Women's Hospital, signed by Agnes Shields and W. H. Gibson, styling themselves Honorary Secretary and Superintendent and Secretary respectively, praying that the Council would reject clauses 45 and 48 of the Factories and Shops Act 1890 Amendment Bill.
Ordered to lie on the Table, and to be referred to the Committee on the Factories and Shops Act 1890 Amendment Bill.
5. ADJOURNMENT.—The Honorable J. Service having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.
The Honorable J. Service then said that he proposed to speak on the subject of the adjournment of the Council for the holidays, and moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.
6. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative 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 Three hundred and twenty-one thousand six hundred and seventy-seven pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six,*" with which they desire the concurrence of the Legislative Council.
GRAHAM BERRY,
Speaker.
Legislative Assembly,
Melbourne, 19th December, 1895.
7. CONSOLIDATED REVENUE BILL (No. 4).—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to apply out of the Consolidated Revenue the sum of Three hundred and twenty-one thousand six hundred and seventy-seven pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six,*" 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 this day.
The Honorable H. Cuthbert moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.
And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“An Act to apply out of the Consolidated Revenue the sum of Three hundred and twenty-one thousand six hundred and seventy-seven pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six.”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled *“An Act to constitute Irrigation Trusts within the Irrigation Colony of Mildura and to invest such Trusts with certain powers and for other purposes,”* 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, and have agreed to one of the said amendments with an amendment, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 19th December, 1895.

GRAHAM BERRY,
Speaker.

And the said amendments were read and are as follow :—

Amendments made by the Legislative Council.	How dealt with by the Legislative Assembly.
Clause 6, line 32, after “Murray” insert “which irrigation works are specified in the Second Schedule hereto.”	} Disagreed with.
„ Omit the following sub-clause :— “(2) The Second Schedule to this Act sets forth the whole or the greater part of the works hereinbefore in this section referred to ; but it is hereby expressly provided that the Second Schedule shall not be deemed in any manner to limit the generality of the provisions of this section.”	
Clause 9, line 42, after “directors)” insert “and money which is proved to the satisfaction of the Minister to have been specially advanced by Mr. Henry Williams of Mildura for the payment of wages.”	} Agreed to with the following amendment :— After “wages” insert “and to have been applied to that purpose.”
Clause 114, line 34, at end of line add “The amount or amounts which may be so granted pursuant to this Act shall not exceed in the aggregate the sum of Twenty thousand pounds.”	} Disagreed with.

On the motion of the Honorable H. Cuthbert the Council agreed not to insist on their amendments disagreed with by the Legislative Assembly, and agreed to the amendment of the Legislative Assembly on the amendment of the Legislative Council in clause 9.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council do not insist on their amendments with which the Legislative Assembly have disagreed, and have agreed to the amendment of the Legislative Assembly on an amendment of the Legislative Council.

9. USURIOUS MONEY LENDERS—SELECT COMMITTEE.—The Honorable D. Melville, on behalf of the Honorable D. E. McBryde, Chairman, brought up the Report from this Committee.

Ordered to lie on the Table, and, together with the Proceedings of the Committee, Minutes of Evidence, and Appendices, to be printed, and the Report to be taken into consideration on Tuesday, 14th January next.

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

Water Act 1890.—Bairnsdale Irrigation and Water Supply Trust—Regulation No. 9.

Agricultural Education.—Accounts of the Trustees of Agricultural Colleges and the Council of Agricultural Education from 1st January, 1895, to 30th June, 1895.

11. FACTORIES AND SHOPS ACT 1890 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. M. Pratt 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 this day.

12. INCOME TAX RATE BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable W. McCulloch moved, That this Bill be now read a second time.

Debate ensued.

The Honorable T. Dowling moved, That the debate be now adjourned.

Debate continued.

Question—That the debate be now adjourned—put and negatived.

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

The Honorable W. McCulloch moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable W. McCulloch, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable W. McCulloch the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable W. McCulloch, the Bill was read a third time and passed.

The Honorable W. McCulloch moved, That the following be the title of the Bill:—

“ An Act to declare the Rates of Duties of Income Tax for the Year ending on the thirty-first day of December One thousand eight hundred and ninety-six.”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

13. **FACTORIES AND SHOPS ACT 1890 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.

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

The Honorable W. McCulloch moved, That this Bill be committed.

Question—put and resolved in the affirmative.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill be committed to a Select Committee.

Question—put and resolved in the affirmative.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That Standing Order No. 183 be suspended so as to allow the Committee to consist of twelve members.

Question—put and resolved in the affirmative.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the Select Committee consist of the Honorables S. Austin, J. Balfour, S. W. Cooke, H. Cuthbert, F. S. Grimwade, J. M. Pratt, J. Sternberg, N. Thornley, J. A. Wallace, T. D. Wanliss, W. I. Winter-Irving, and the Mover; such Committee to have power to send for persons, papers, and records, and to move from place to place; three to be the quorum.

Question—put and resolved in the affirmative.

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

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Moolap Land Leasing Bill—Second reading.

Vegetation Diseases Bill—Second reading.

Sugar Beet Bill—Second reading.

Police Regulation Act 1890 Amendment Bill—Second reading.

Lapsed Bills Restoration Bill—Second reading.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

15. **ADJOURNMENT.**—The Honorable W. McCulloch moved, by leave, That the Council, at its rising, adjourn until Tuesday, 14th January next.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty minutes past ten o'clock, adjourned until Tuesday, 14th January next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 42.

TUESDAY, 14TH JANUARY, 1896.

Government Business.

ORDERS OF THE DAY:—

1. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
2. MOOLAP LAND LEASING BILL—Second reading.
3. VEGETATION DISEASES BILL—Second reading.
4. SUGAR BEET BILL—Second reading.
5. POLICE REGULATION ACT 1890 AMENDMENT BILL—Second reading.
6. LAPSED BILLS RESTORATION BILL—Second reading.
7. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDERS OF THE DAY:—

1. USURIOUS MONEY-LENDERS—Report from Select Committee—To be taken into consideration.
2. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
3. CREMATION BILL—Second reading—*Resumption of debate.*

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Wednesday, 15th January, 1896.

FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—at three o'clock.

PARLIAMENTARY PAPERS ISSUED 19TH DECEMBER, 1895.

Notices of Motion and Orders of the Day. No. 42.

Moolap Land Leasing Bill.—Amendment to be proposed by the Hon. Lieut.-Col. Sir F. T. Sargood.
(To Members of Council only.)

Notices of Motion and Orders of the Day. No. 90.

Echuca Show Grounds Bill—[113]. (To Members only.)

Licensing Act 1890 Amendment Bill—[119].

VICTORIA.

No. 43.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 14TH JANUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to enable Victoria to take part in the framing acceptance and enactment of a Federal Constitution for Australasia,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 14th January, 1896.

GRAHAM BERRY,
Speaker.

5. FEDERATION OF AUSTRALASIA ENABLING BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to enable Victoria to take part in the framing acceptance and enactment of a Federal Constitution for Australasia,*" 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 Thursday next.
6. PAPERS.—The Honorable H. Cuthbert presented, by command of His Excellency the Governor—
Report of the Council of Judges under section 33 of the *Supreme Court Act 1890*.
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 :—
Summary of Statements for the year 1894 made by Companies transacting Life Assurance business in Victoria.
Neglected Children's Act 1890.—Alteration of Regulations.
7. TREASURY DEPOSITS INTEREST 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 ensued.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the debate on the question—That this Bill be now read a second time—be re-opened.
Question—put and resolved in the affirmative.
The Honorable H. Cuthbert moved, That this Bill be now read a second time.
Debate ensued.
The Honorable S. Fraser 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.

8. MOOLAP LAND LEASING BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable W. McCulloch moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable W. McCulloch moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable W. McCulloch, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with an amendment.

The Honorable W. McCulloch moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable W. McCulloch the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable W. McCulloch, the Bill was read a third time and passed.

The Honorable W. McCulloch moved, That the following be the title of the Bill :—

“ *An Act to authorize the granting of a Lease of certain Crown Land in the Parish of Moolap as a Site for the Manufacture of Salt.*”

Question—put and resolved in the affirmative.

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

9. POLICE REGULATION ACT 1890 AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with an amendment.

The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“ *An Act to amend the ‘ Police Regulation Act 1890.’*”

Question—put and resolved in the affirmative.

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

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

Vegetation Diseases Bill—Second reading.

Sugar Beet Bill—Second reading.

Lapsed Bills Restoration Bill—Second reading.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

Usurious Money-Lenders—Report from Select Committee—To be taken into consideration.

Agricultural Colleges Act 1890 Amendment Bill—Second reading.

Cremation Bill—Second reading—Resumption of debate.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 43.

WEDNESDAY, 15TH JANUARY, 1896.

Question.

1. The Hon. G. DAVIS: To ask the Honorable the Minister of Defence if he will obtain a full report giving exact and specific particulars of the dam and reservoir it is proposed to construct across a gorge in the ranges near Wallhalla, and lay the same on the Table of this House as early as convenient; and, in the meantime, induce his colleagues to suspend negotiations with the promoters of the work.

General Business.

ORDERS OF THE DAY:—

1. USURIOUS MONEY-LENDERS—Report from Select Committee—To be taken into consideration.
2. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
3. CREMATION BILL—Second reading—*Resumption of debate.*

Government Business.

ORDERS OF THE DAY:—

1. VEGETATION DISEASES BILL—Second reading.
 2. SUGAR BEET BILL—Second reading.
 3. LAPSED BILLS RESTORATION BILL—Second reading.
 4. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.
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THURSDAY, 16TH JANUARY.

Government Business.

ORDER OF THE DAY:—

1. FEDERATION OF AUSTRALASIA ENABLING BILL—Second reading.
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TUESDAY, 21ST JANUARY.

Government Business.

ORDER OF THE DAY:—

1. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEEING OF SELECT COMMITTEE.

Wednesday, 15th January, 1896.

FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—at three o'clock.

(120 copies.)

PARLIAMENTARY PAPERS ISSUED SINCE 20TH DECEMBER, 1895.

Minutes of the Proceedings of the Legislative Council. Nos. 41 and 42.
 Notices of Motion and Orders of the Day. No. 43.
 Australasian Federation Enabling Bill—[111]. (To Members of Council only.)
 Report of the Select Committee on Usurious Money Lenders; together with the Proceedings of the Committee, Minutes of Evidence, and Appendices. D 3.

Votes and Proceedings of the Legislative Assembly. Nos. 88, 89, 90, and 91.
 Notices of Motion and Orders of the Day. No. 92.
 Divisions in Committee of the Whole. No. 23.
 Appropriation Bill.—Amendment to be proposed in Committee of Supply by Mr. Levien. (To Members only.)
 Victorian Railways Trust Bill—
 Amendments to be proposed in Committee by Mr. Gray. (To Members only.)
 Amendments to be proposed in Committee by Mr. Fink. (To Members only.)
 Finance, 1894-5.—The Treasurer's Statement of the Receipts and Expenditure for the year ending 30th June, 1895, &c. A.—No. 1.
 Dairy Produce and other Bonuses.—Return to an Order of the House. C.—No. 6.
 Report from the Select Committee upon Municipal Endowment Distribution; together with the Proceedings of the Committee and Minutes of Evidence. D.—No. 2.
 Report of the Parliamentary Standing Committee on Railways on the proposed Railway from Glenrowen to Edi; together with the Appendices and Minutes of Evidence. Report No. 3.
 Thirty-first Report of the Board for the Protection of the Aborigines. No. 78.
 Marine Act 1890.—Regulations for the Examination of Masters and Mates for Certificates of Competency. No. 85.
 Bank Liabilities and Assets.—Summary of Sworn Returns for the quarter ended 30th September, 1895. No. 89.

VICTORIA.

No. 44.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 15TH JANUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. ADJOURNMENT.—The Honorable G. Davis having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed. The Honorable G. Davis then said that he proposed to speak on the subject of the dam and reservoir it is proposed to construct across a gorge in the ranges near Walhalla, and moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.
5. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to facilitate and regulate the Supply of Electricity for Lighting and for other purposes*," 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, 15th January, 1896.

GRAHAM BERRY,
Speaker.

And the said amendments were read, and are as follow:—

- (1) Clause 1, line 6, omit "1895" and insert "1896."
- (2) Clause 3, page 2, line 48, omit "subject to this Act."
- (3) " page 3, at end of clause add the following words:—"and for the purposes of placing constructing and maintaining such lines the Postmaster-General the said Board and the said Commissioners respectively shall have and may exercise the like powers and authorities as those conferred by the *Post Office Act* 1890 on the Postmaster-General with regard to telegraph lines."
- (4) Clause 7, omit this clause.

(5) Insert the following new clauses:—

A. Any company or person after having obtained an order under the last preceding section may, subject to the general provisions of this Act, apply for and be granted an order authorizing such company or person to supply electricity for any public or private purposes within any area extending beyond the limits of the area specified in such first-mentioned order; and such further order shall be made so as to expire at the same time as such first-mentioned order. Power to obtain order for extended area.

B. Every council shall be entitled to an order for its municipal district. Council entitled to order for its district.

C. It shall be lawful for the Governor in Council (after the Minister has either heard all parties interested or given them an opportunity to be heard) to cancel and rescind wholly or in part any order granted to any council company or person whenever it is proved to the satisfaction of the Governor in Council that the terms and conditions of such order have not been complied with. Cancellation of order for breach.

- (6) Clause 8, line 20, after "passed" insert "pursuant to law."
 (7) " " line 21, omit "by such majority."
 (8) " " lines 22 and 23, omit the following words:—"as is prescribed by the company's Act of incorporation for determining questions at such meetings" and insert "of the company."
 (9) Clause 10, line 30, after "has" insert "either."
 (10) " " line 31, after "interested" insert "or given them an opportunity to be heard."
 (11) Clause 14, line 45, omit "local authority" and insert "council."
 (12) Clause 22, line 36, omit "six" and insert "nine."
 (13) Clause 23, page 10, line 9, omit "six" and insert "nine."
 (14) Clause 26, line 40, after "has" insert "either," and after "interested" insert "or given them an opportunity to be heard."
 (15) Clause 28, line 17, after "has" insert "either," and after "interested" insert "or given them an opportunity to be heard."
 (16) Clause 33, page 13, line 1, after "line" insert "of the undertakers."
 (17) Clause 38, lines 18 and 19, omit "together with any expenses incurred by the undertakers in cutting off such supply of electricity as aforesaid are" and insert "is."
 (18) Clause 41, page 17, line 8, omit "after" and insert "before."
 (19) " " page 17, line 11, omit "after" and insert "before."
 (20) " " page 18, line 16, after "powers" insert "pursuant to Part XI. of the *Local Government Act* 1890 or to any Act relating to the municipality of such council," and after "borrow" insert "money."
 (21) " " page 18, line 17, after "aforesaid" omit the following words:—"on the security of such rates and the undertaking either together or separately" and insert "upon the credit of such municipality, and the said undertaking shall be deemed to be a permanent work and undertaking within the meaning of the said Part, or to be a purpose for which such council may borrow money pursuant to any such Act as the case may be."

On the motion of the Honorable H. Cuthbert the Council agreed to the several amendments made by the Legislative Assembly in this Bill, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

6. ADJOURNMENT.—The Honorable N. Thornley having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.

The Honorable N. Thornley then said that he proposed to speak on the subject of the rabbit pest in this colony, and moved, That the House do now adjourn.

Debate ensued.

Question—put and negatived.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Jumbunna and Outtrim Railway Construction Act 1895,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 15th January, 1896.

GRAHAM BERRY,
Speaker.

8. JUMBUNNA AND OUTTRIM RAILWAY CONSTRUCTION ACT 1895 AMENDMENT BILL.—The Honorable W. McCulloch moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to amend the 'Jumbunna and Outtrim Railway Construction Act 1895,'*" 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 next.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the carrying on of the Business of Licensed Persons in certain circumstances and to provide for the transfer and renewal of certain Licences,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 15th January, 1896.

GRAHAM BERRY,
Speaker.

10. LICENSING ACT 1890 AMENDMENT BILL (No. 2).—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to provide for the carrying on of the Business of Licensed Persons in certain circumstances and to provide for the transfer and renewal of certain Licences,*” 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 next.
11. USURIOUS MONEY-LENDERS.—The Order of the Day for the consideration of the Report of the Select Committee on Usurious Money-Lenders having been read—the Honorable D. E. McBryde moved, That the Report be adopted.
Debate ensued.
The Honorable J. Service moved, as an amendment, That after the words “recommend that,” in the last paragraph of the Report, the words “the Government should take into consideration whether” be inserted; and after the word “should” the word “not” be inserted.
Debate ensued.
Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.
Question—That the Report, as amended, be adopted—put and resolved in the affirmative.
12. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to authorize the granting of a Lease of certain Crown Land in the Parish of Moolap as a Site for the Manufacture of Salt,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment made in such Bill by the Legislative Council.
Legislative Assembly,
Melbourne, 15th January, 1896.
GRAHAM BERRY,
Speaker.
13. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the ‘Police Regulation Act 1890,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment made in such Bill by the Legislative Council.
Legislative Assembly,
Melbourne, 15th January, 1896.
GRAHAM BERRY,
Speaker.
14. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Wednesday next :—
Agricultural Colleges Act 1890 Amendment Bill—Second reading.
Cremation Bill—Second reading—Resumption of debate.
15. SUGAR BEET BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable W. McCulloch moved, That this Bill be now read a second time.
Debate ensued.
The Honorable N. Levi 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.
16. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Vegetation Diseases Bill—Second reading.
Lapsed Bills Restoration Bill—Second reading.
Local Government (Municipal Elections) Bill—To be further considered in Committee.
17. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 44.

TUESDAY, 21ST JANUARY, 1896.

Questions.

1. The Hon. G. DAVIS : To ask the Honorable the Minister of Defence if he will obtain a full report giving exact and specific particulars of the dam and reservoir it is proposed to construct across a gorge in the ranges near Walhalla, and lay the same on the Table of this House as early as convenient ; and, in the meantime, induce his colleagues to suspend negotiations with the promoters of the work.
2. The Hon. G. GODFREY : To ask the Honorable the Solicitor-General whether the Government, in view of the short time allowed for sending in the Income Tax Schedules, will grant an extension of time to send in the same till the 29th February.
3. The Hon. J. H. CONNOR : To ask the Honorable the Solicitor-General what action, if any, the Government intend to take in respect to the Income Tax Schedules, wherein no deduction column is provided for farmers to insert the amounts paid for their labourers' board and maintenance.
4. The Hon. J. STERNBERG : To ask the Honorable the Solicitor-General if the Government intend to introduce an amending Water Supply Bill this Session in view of the urgency of this matter, which affects the whole of the farming interests in the northern portion of this colony, and is a matter of vital importance.

Government Business.

ORDERS OF THE DAY :—

1. SUGAR BEET BILL—Second reading—*Resumption of debate.*
 2. LAPSED BILLS RESTORATION BILL—Second reading.
 3. VEGETATION DISEASES BILL—Second reading.
 4. JUMBUNNA AND OUTTRIM RAILWAY CONSTRUCTION ACT 1895 AMENDMENT BILL—Second reading.
 5. LICENSING ACT 1890 AMENDMENT BILL (No. 2)—Second reading.
 6. FEDERATION OF AUSTRALASIA ENABLING BILL—Second reading.
 7. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
 8. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.
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WEDNESDAY, 22ND JANUARY.

General Business.

ORDERS OF THE DAY :—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
2. CREMATION BILL—Second reading—*Resumption of debate.*

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 21st January.

- FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—at half-past two o'clock.
REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

(160 copies.)

PARLIAMENTARY PAPERS ISSUED 15TH JANUARY, 1896.

Minutes of the Proceedings of the Legislative Council. No. 43.

Notices of Motion and Orders of the Day. No. 44.

Jumbunna and Outtrim Railway Construction Act 1895 Amendment Bill—[109]. (To Members of Council only.)

Licensing Act Amendment Bill—[119]. (To Members of Council only.)

Australasian Federation Enabling Bill.—Amendments to be proposed by the Hon. C. Sargeant. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 93.

Companies Bill—[115].

Statistical Register of the Colony of Victoria for the year 1894—

Part V.—Finance, &c. No. 61.

Part VI.—Vital Statistics, &c. No. 62.

Accounts of the Melbourne Harbor Trust for the six months ended 30th June, 1895. No. 86.

Report of the Council of Judges under section 33 of the Supreme Court Act 1890. No. 93.

VICTORIA.

No. 45.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 21ST JANUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. ADJOURNMENT.—The Honorable J. Bell having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.
The Honorable J. Bell then said that he proposed to speak on the subject of sending in the Income Tax Schedules, and moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.
5. PETITION.—The Honorable G. Davis presented a Petition from certain business people of the township of Outtrim, praying that the Council, before assenting to a proposed expenditure of £900 in contingencies on a railway station, would take steps to give relief to the petitioners from the hardship of being deprived of goods accommodation.
Petition read and ordered to lie on the Table.
6. SUGAR BEET 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 S. Fraser 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.
7. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow:—
 - Lapsed Bills Restoration Bill—Second reading.*
 - Vegetation Diseases Bill—Second reading.*
 - Jumbunna and Outtrim Railway Construction Act 1895 Amendment Bill—Second reading.*
 - Licensing Act 1890 Amendment Bill (No. 2)—Second reading.*
 - Federation of Australasia Enabling Bill—Second reading.*
 - Treasury Deposits Interest Bill—Second reading—Resumption of debate.*
 - Local Government (Municipal Elections) Bill—To be further considered in Committee.*

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 45.

WEDNESDAY, 22ND JANUARY, 1896.

Questions.

1. The Hon. J. H. CONNOR: To ask the Honorable the Solicitor-General what action, if any, the Government intend to take in respect to the Income Tax Schedules, more particularly in respect to farmers.
2. The Hon. J. BELL: To ask the Honorable the Solicitor-General if the arrangements recently made as to payment of the premiums in connexion with the fidelity guarantee of the officers of the Public Service will also apply to the employés of the Victorian Railways.

General Business.

NOTICE OF MOTION:—

1. The Hon. G. DAVIS: To move, That the prayer of the petition presented from the business people of Outtrim on the 21st instant, referring to the site of proposed railway station, be now taken into consideration.

ORDERS OF THE DAY:—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
2. CREMATION BILL—Second reading—*Resumption of debate.*

Government Business.

ORDERS OF THE DAY:—

1. SUGAR BEET BILL—Second reading—*Resumption of debate.*
2. LAPSED BILLS RESTORATION BILL—Second reading.
3. VEGETATION DISEASES BILL—Second reading.
4. JUMBUNNA AND OUTTRIM RAILWAY CONSTRUCTION ACT 1895 AMENDMENT BILL—Second reading.
5. LICENSING ACT 1890 AMENDMENT BILL (No. 2)—Second reading.
6. FEDERATION OF AUSTRALASIA ENABLING BILL—Second reading.
7. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
8. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

TUESDAY, 28TH JANUARY.

Question.

1. The Hon. J. STERNBERG: To ask the Honorable the Solicitor-General is it a fact that an officer of the Postal Department, Mr. F. Cother, who holds a veterinary certificate, has been appointed to the responsible position of Chief Inspector under the Board of Health; what practical experience has that gentleman obtained for so important a position, and what are his qualifications.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Wednesday, 22nd January.

FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—at three o'clock.

Tuesday, 28th January.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 16TH JANUARY, 1896.

Minutes of the Proceedings of the Legislative Council. No. 44.

Notices of Motion and Orders of the Day. No. 45.

Factories and Shops Act 1890 Amendment Bill.—New Clause to be proposed by the Hon. G. Davis.
(To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 92, 93, and 94.

Notices of Motion and Orders of the Day. No. 95.

Division in Committee of the Whole. No. 24.

Railways Bill 1896.—Amendments to be proposed by Mr. G. Turner. (To Members only.)

Victorian Railways Trust Bill.—Further Amendments to be proposed in Committee by Mr. Fink. (To Members only.)

Companies Act 1890 further Amendment Bill (No. 3).—Amendments to be proposed in Committee by Mr. Fink. (To Members only.)

VICTORIA.

No. 46.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 22ND JANUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act relating to Mallee Lands*," 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, and have agreed to some of the said amendments with amendments, and have made two consequential amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 21st January, 1896.

GRAHAM BERRY,
Speaker.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the 'Instruments Act 1890'*," 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, and have agreed to some of the said amendments with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 21st January, 1896.

GRAHAM BERRY,
Speaker.

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

6. PAPER.—The following Paper, pursuant to the directions of an Act of Parliament, was 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, 1894, to 31st December, 1894.

7. PROPOSED RAILWAY STATION AT OUTTRIM.—The Honorable G. Davis moved, That the prayer of the Petition presented from the business people of Outtrim on the 21st instant, referring to the site of proposed railway station, be now taken into consideration.

Debate ensued.

Motion, by leave, withdrawn.

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

Agricultural Colleges Act 1890 Amendment Bill—Second reading.
Cremation Bill—Second reading—Resumption of debate.

9. SUGAR BEET 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.

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

The Honorable W. McCulloch moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable W. McCulloch, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

10. LAPSED BILLS RESTORATION BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Debate ensued.

Question—put.

The Council divided.

Ayes, 8.

The Hon. H. Cuthbert
C. J. Ham
W. McCulloch
E. Morey
W. Pitt
T. D. Wanliss.

Tellers.

J. H. Abbott
G. Godfrey.

Noes, 25.

The Hon. J. Bell
F. Brown
J. H. Connor
S. W. Cooke
G. Davis
T. Dowling
N. FitzGerald
S. Fraser
F. S. Grimwade
D. Ham
N. Levi
D. E. McBryde
D. Melville
E. Miller
W. H. S. Osmand
J. M. Pratt
A. O. Sachse
Lieut.-Col. Sir F. T. Sargood
J. Service
G. Simmie
Sir A. Snowden
N. Thornley
J. A. Wallace.

Tellers.

Dr. W. H. Embling
J. Sternberg.

And so it passed in the negative.

11. VEGETATION DISEASES BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Debate ensued.

The Honorable J. Sternberg moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put.

The Council divided.

Ayes, 10.

The Hon. J. H. Abbott
F. Brown
J. H. Connor
N. FitzGerald
E. Miller
W. Pitt
A. O. Sachse
J. A. Wallace.

Tellers.

D. Melville
J. Sternberg.

Noes, 15.

The Hon. J. Bell
S. W. Cooke
H. Cuthbert
G. Davis
T. Dowling
Dr. W. H. Embling
G. Godfrey
D. Ham
N. Levi
W. McCulloch
E. Morey
Lieut.-Col. Sir F. T. Sargood
Sir A. Snowden.

Tellers.

W. H. S. Osmand
G. Simmie.

And so it passed in the negative.

Debate continued on the question—That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

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

Jumbunna and Outtrim Railway Construction Act 1895 Amendment Bill—Second reading.

Licensing Act 1890 Amendment Bill (No. 2)—Second reading.

Federation of Australasia Enabling Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,

Clerk of the Legislative Council.



LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 46.

THURSDAY, 23RD JANUARY, 1896.

Government Business.

ORDERS OF THE DAY:—

1. SUGAR BEET BILL—To be further considered in Committee.
2. MALLEE LANDS BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
3. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
4. VEGETATION DISEASES BILL—To be further considered in Committee.
5. JUMBUNNA AND OUTTRIM RAILWAY CONSTRUCTION ACT 1895 AMENDMENT BILL—Second reading.
6. LICENSING ACT 1890 AMENDMENT BILL (No. 2)—Second reading.
7. FEDERATION OF AUSTRALASIA ENABLING BILL—Second reading.
8. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
9. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

TUESDAY, 28TH JANUARY.

Questions.

1. The Hon. J. STERNBERG : To ask the Honorable the Solicitor-General is it a fact that an officer of the Postal Department, Mr. F. Cother, who holds a veterinary certificate, has been appointed to the responsible position of Chief Inspector under the Board of Health ; what practical experience has that gentleman obtained for so important a position, and what are his qualifications.
2. The Hon. J. BELL : To ask the Honorable the Solicitor-General if the arrangements recently made as to payment of the premiums in connexion with the fidelity guarantee of the officers of the Public Service will also apply to the employés of the Victorian Railways.

WEDNESDAY, 29TH JANUARY.

General Business.

ORDERS OF THE DAY:—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
2. CREMATION BILL—Second reading—*Resumption of debate.*

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Monday, 27th January.

FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—at four o'clock.

Tuesday, 28th January.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED 22ND JANUARY, 1896.

Minutes of the Proceedings of the Legislative Council. No. 45.

Notices of Motion and Orders of the Day. No. 46.

Instruments Act 1890 further Amendment Bill.—Amendments made by the Legislative Council—How dealt with by the Legislative Assembly. (To Members of Council only.)

Mallee Lands Bill.—Amendments made by the Legislative Council—How dealt with by the Legislative Assembly. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 96.

Trade Unions.—Ninth Annual Report of the Proceedings of the Assistant Government Statist in connexion with—Report for the year 1894, with an Appendix. No. 88.

Agricultural Education—

Accounts of the Trustees of Agricultural Colleges and the Council of Agricultural Education, from 1st July, 1894, to 31st December, 1894. No. 77.

Accounts of the Trustees of Agricultural Colleges and the Council of Agricultural Education, from 1st January, 1895, to 30th June, 1895. No. 90.

VICTORIA.

No. 47.

MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

THURSDAY, 23RD JANUARY, 1896.

- 1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday next :—
5. MALLEE LANDS BILL.—The Order of the Day for the consideration of the amendments of the Legislative Council disagreed with by the Legislative Assembly, or agreed to by the Legislative Assembly with amendments, 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 2 (page 2), line 4, after "thereon" add "For the purposes of this definition if any person before the said first day of June proves to the satisfaction of the Board that he had before the said twenty-fourth day of October gone into possession of any portion of a mallee allotment or block and cleared or cultivated part thereof or made improvements thereon and the consent of the Board to any assignment or improvements was omitted to be obtained merely by inadvertence then the Board may give its consent to such assignment or improvements, and such consent shall have the like force and effect as if the same had actually been given previously to the date of such assignment or improvements"

Agreed to with the following amendments:—Line 3, after "June" insert "One thousand eight hundred and ninety-six"; line 5, after "into" insert "and was in the actual"; line 6, omit "or block."

2. Clause 18 (page 8), line 12, before "perpetual" insert "over a period not longer than the first six years of the term of the"

Disagreed with, and the following consequential amendment made:—In the same line of the same clause before "term" insert "first six years of the."

3. Clause 19 (page 10), after sub-clause (8) insert new sub-clause— (d) Where an agricultural allotment is selected either under licence or perpetual lease in any part of the Mallee Country or Mallee Border in which all future lines of road have not been determined and laid out, a right to construct a public road across such allotment may be reserved in such licence or perpetual lease, and in lieu of any claim for compensation for removing improvements on such allotment an allowance shall be made to the licensee or perpetual lessee for such reserve of three acres per centum to licensees or perpetual lessees of six hundred and forty acres and so in proportion for any lesser quantity

Disagreed with.

Question—That the words—“but under protest, because this House is of opinion that this amendment is not such as the Council is, by the 56th section of *The Constitution Act*, prevented from making in this Bill”—proposed to be added be so added—put and resolved in the affirmative.

Question—That the Council do not insist on amendment 7, but under protest, because this House is of opinion that this amendment is not such as the Council is, by the 56th section of *The Constitution Act*, prevented from making in this Bill—put and resolved in the affirmative.

On the motion of the Honorable H. Cuthbert the Council did not insist on their amendment 8, and agreed to the consequential amendment made by the Legislative Assembly.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council do not insist on some of their amendments disagreed with by the Legislative Assembly; that they insist on others; that they have agreed to some of the amendments of the Legislative Assembly on amendments of the Legislative Council, and disagreed with one of such amendments, and have agreed to two consequential amendments made by the Legislative Assembly.

6. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL.—The Order of the Day for the consideration of the amendments of the Legislative Council disagreed with by the Legislative Assembly, or agreed to by the Legislative Assembly with amendments, 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 4, at end of clause add “Provided that the following words in section ninety-two of the <i>Instruments Act</i> 1890, ‘the fixed sum hereinafter mentioned for costs (exclusive of mileage) that is to say— in town causes Four guineas and in country or agency causes Five pounds unless the plaintiff claim more than such fixed sum in which case’ shall not apply to actions or bills in the County Court ”	Agreed to with the following amendment :—In line 8, omit “or” and insert “on.”
2. Clause 7, line 15, after “ Bill ” insert “ and that the amount claimed is justly and truly due and owing to him ”	Agreed to with the following amendment :—After “ that ” insert “ he believes.”
3. „ same line, after “ served ” insert “ personally ” ...	Disagreed with.
4. „ at end of line 22 add “ Provided that after judgment or order a police magistrate may, on such terms as he thinks fit upon being satisfied by affidavit statutory declaration or otherwise that the defendant has a defence or such facts as would make it incumbent on the holder to prove consideration or such other facts as the police magistrate may deem sufficient to support the application, set aside the judgment or order and reinstate the complaint, and if necessary stay or set aside execution, and may give leave to defend as though the defendant had complied with the provisions of this section if it shall appear reasonable to the police magistrate so to do, and on such terms as to the police magistrate may seem just.”	Agreed to with the following amendments :—Lines 1 and 2, omit “ after judgment or order ”; line 2, after “ magis- trate ” insert “ upon reasonable notice to the complainant ”; and after “ may ” omit “ on such terms as ” and insert “ if ”; line 3, after “ affidavit ” insert “ or ”; line 4, omit “ or otherwise ”; line 14, after “ terms ” insert “ as to costs or otherwise ”; and at the end of the proviso add “ If the judgment or order be set aside as aforesaid and the complaint be reinstated the police magistrate shall state in his order the time when and the place where such complaint is to be heard.”
5. Clause 10, at end of clause add “ and the words ‘ within twelve months ’ substituted therefor ”	Disagreed with.
6. Clause 12, lines 37–8, omit “ and from the time of the commencement of the said Act be deemed to have meant ”	
7. Clause 14, omit this clause	

On the motion of the Honorable H. Cuthbert the Council agreed to the amendment made by the Legislative Assembly in amendment 1.

The Honorable H. Cuthbert moved, That the Council agree to the amendment made by the Legislative Assembly in amendment 2.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Council do not insist on amendment 3.

Debate ensued.

Question—put and negatived.

The Honorable H. Cuthbert moved, That the Council agree to the amendments made by the Legislative Assembly in amendment 4.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Council do not insist on amendment 5.

Debate ensued.

Question put.

The Council divided.

Ayes, 14.

The Hon. J. H. Abbott
J. C. Campbell
H. Cuthbert
G. Davis
F. S. Grimwade
N. Levi
W. McCulloch
W. H. S. Osmand
J. M. Pratt
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
J. A. Wallace.

Tellers.

S. Austin
J. H. Connor.

Noes, 12.

The Hon. J. Bell
F. Brown
S. W. Cooke
Dr. W. H. Embling
G. Godfrey
D. Melville
W. Pitt
J. Service
Sir A. Snowden
W. I. Winter-Irving.

Tellers.

A. O. Sachse
J. Sternberg.

And so it was resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Council do not insist on amendment 6.

Debate ensued.

Question—put.

The Council divided.

Ayes 12.

The Hon. S. Austin
J. Bell
J. H. Connor
H. Cuthbert
G. Davis
G. Godfrey
F. S. Grimwade
W. McCulloch
Sir A. Snowden
J. A. Wallace.

Tellers.

N. Levi
C. Sargeant.

Noes, 14.

The Hon. J. H. Abbott
F. Brown
J. C. Campbell
S. W. Cooke
Dr. W. H. Embling
W. H. S. Osmand
W. Pitt
A. O. Sachse
Lieut.-Col. Sir F. T. Sargood
J. Service
J. Sternberg
W. I. Winter-Irving.

Tellers.

D. Melville
J. M. Pratt.

And so it passed in the negative.

The Honorable H. Cuthbert moved, That the Council do not insist on amendment 7.

Debate ensued.

Question—put and negatived.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council do not insist on one of their amendments disagreed with by the Legislative Assembly, that they insist on others, and that they have agreed to the amendments of the Legislative Assembly on amendments of the Legislative Council.

7. LICENSING ACT 1890 AMENDMENT BILL (No. 2).—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill:—

“An Act to provide for the carrying on of the Business of Licensed Persons in certain circumstances and to provide for the transfer and renewal of certain Licences.”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

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

Vegetation Diseases Bill—To be further considered in Committee.

Jumbunna and Outtrim Railway Construction Act 1895 Amendment Bill—Second reading.

Federation of Australasia Enabling Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 47.

TUESDAY, 28TH JANUARY, 1896.

Questions.

1. The Hon. J. STERNBERG : To ask the Honorable the Solicitor-General is it a fact that an officer of the Postal Department, Mr. F. Cother, who holds a veterinary certificate, has been appointed to the responsible position of Chief Inspector under the Board of Health ; what practical experience has that gentleman obtained for so important a position, and what are his qualifications.
2. The Hon. J. BELL : To ask the Honorable the Solicitor-General if the arrangements recently made as to payment of the premiums in connexion with the fidelity guarantee of the officers of the Public Service will also apply to the employés of the Victorian Railways.
3. The Hon. Dr. W. H. EMBLING : To ask the Honorable the Solicitor-General—
 1. If he will give the date when the new Income Tax Schedules were handed to the Government Printer for the purpose of printing.
 2. When the Schedules were ready for distribution.
 3. When the last Executive Council was held, and who presided.
4. The Hon. G. SIMMIE : To ask the Honorable the Solicitor-General—
 1. Is it the intention of the Government to proceed in any way with selecting a new Metropolitan Cemetery site during the recess.
 2. Is it the intention of the Government to use the accumulated funds of the metropolitan cemeteries for providing a new cemetery.
 3. What would be the length of railway required to connect the 240 acres with the 200 acres at Frankston intended for burial purposes ; what the probable cost of such railway ; and is it intended to run the trains into the centre of each of these portions if this site be adopted.

Government Business.

ORDERS OF THE DAY :—

1. FEDERATION OF AUSTRALASIA ENABLING BILL—Second reading.
2. SUGAR BEET BILL—To be further considered in Committee.
3. VEGETATION DISEASES BILL—To be further considered in Committee.
4. JUMBUNNA AND OUTTRIM RAILWAY CONSTRUCTION ACT 1895 AMENDMENT BILL—Second reading.
5. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
6. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. STERNBERG : To move, That there be laid before this House a copy of all correspondence and papers relating to the appointment of Mr. F. Cother as Chief Veterinary Inspector to the Board of Health.

WEDNESDAY, 29TH JANUARY.

General Business.

ORDERS OF THE DAY :—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
2. CREMATION BILL—Second reading—*Resumption of debate.*

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Monday, 27th January.

FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—at four o'clock.

Tuesday, 28th January.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED 23RD JANUARY, 1896.

Notices of Motion and Orders of the Day. No. 47.

Sugar Beet Bill.—Amendment to be proposed by the Hon. G. Davis. (To Members of Council only.)

Vegetation Diseases Bill.—Amendment to be proposed by the Hon. J. H. Connor. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 97.

Water Bill—[120].

Railways Bill 1896.—New clause to be proposed in Committee by Mr. Outtrim. (To Members only.)

VICTORIA.

No. 48.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 28TH JANUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—

VICTORIA.

BRASSEY,
Governor.

Message No. 10.

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 and continue an Act intituled ‘ An Act to authorize the construction of the Cape Patterson and Kilcunda Junction Railway and for other purposes.’ ”
- “ An Act to amend the ‘ Printers and Newspapers Act 1890.’ ”
- “ An Act to provide for the Sale of certain Land set apart as a Site for a Mechanics’ Institute at Ararat.”
- “ An Act to apply out of the Consolidated Revenue the sum of Three hundred and twenty-one thousand six hundred and seventy-seven pounds to the service of the year One thousand eight hundred and ninety-five and ninety-six.”
- “ An Act to constitute Irrigation Trusts within the Irrigation Colony of Mildura and to invest such Trusts with certain powers and for other purposes.”
- “ An Act to declare the Rates of Duties of Income Tax for the year ending on the thirty-first day of December One thousand eight hundred and ninety-six.”

Government Offices,
Melbourne, 24th December, 1895.

5. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Melbourne and Metropolitan Board of Works.—Balance-sheet and Statements of Accounts and Contracts of the Board for the year ending 30th June, 1895.
Defences and Discipline Act 1890.—Regulations.
6. FEDERATION OF AUSTRALASIA ENABLING BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.
Debate ensued.
Ordered—That the debate be adjourned until this day.
7. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council an Address to Her Majesty the Queen, 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.

Legislative Assembly,
Melbourne, 28th January, 1896.

GRAHAM BERRY,
Speaker.

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

To Her Most Gracious Majesty the Queen.

MOST GRACIOUS SOVEREIGN :

We, the Legislative Assembly of Victoria, deeply regret the death of Your son-in-law, His Royal Highness Prince Henry of Battenberg.

We sympathize with Your Majesty and the other Members of the Royal Family in this sad event, and especially do we sympathize with Her Royal Highness the Princess Beatrice, the widow of the deceased Prince.

The Honorable H. Cuthbert 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 H. Cuthbert moved, That this House agree with the Legislative Assembly in the said Address.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative 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 :—

To His Excellency the Governor.

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 telegraph, to the Principal Secretary of State for the Colonies, the accompanying Address of Condolence for presentation to Her Majesty the Queen, on the death of His Royal Highness Prince Henry of Battenberg.

The Honorable H. Cuthbert 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 H. Cuthbert moved, That this House agree with the Legislative Assembly in the said Address.

Question—put and resolved in the affirmative.

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

8. FEDERATION OF AUSTRALASIA ENABLING 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. Bell moved, That the debate be now adjourned.

Debate continued.

Question—That the debate be now adjourned—put.

The Council divided.

Ayes, 21.

The Hon. J. Bell
F. Brown
J. C. Campbell
J. H. Connor
S. W. Cooke
T. Dowling
Dr. W. H. Embling
N. FitzGerald
S. Fraser
C. J. Ham
D. Ham
D. Melville
E. Miller
W. Pitt
J. M. Pratt
Lieut.-Col. Sir F. T. Sargood
J. Sternberg
J. A. Wallace
W. I. Winter-Irving.
Tellers.
N. Levi
A. O. Sachse.

Noes, 14.

The Hon. S. Austin
D. Coutts
E. J. Crooke
H. Cuthbert
G. Godfrey
J. H. Grey
W. McCulloch
E. Morey
W. H. S. Osmand
C. Sargeant
Sir A. Snowden
S. Williamson.

Tellers.

J. H. Abbott
G. Davis.

And so it was resolved in the affirmative.

Ordered—That the debate be adjourned until to-morrow.

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

Sugar Beet Bill—To be further considered in Committee.

Vegetation Diseases Bill—To be further considered in Committee.

Jumbunna and Outtrim Railway Construction Act 1895 Amendment Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 48.

WEDNESDAY, 29TH JANUARY, 1896.

Questions.

1. The Hon. J. BELL: To ask the Honorable the Solicitor-General if the arrangements recently made as to payment of the premiums in connexion with the fidelity guarantee of the officers of the Public Service will also apply to the employés of the Victorian Railways.
2. The Hon. A. WYNNE: To ask the Honorable the Solicitor-General why the trains from Warrnambool to Melbourne are still continually late.

General Business.

ORDERS OF THE DAY:—

1. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL—Second reading.
2. CREMATION BILL—Second reading—*Resumption of debate.*

Government Business.

ORDERS OF THE DAY:—

1. FEDERATION OF AUSTRALASIA ENABLING BILL—Second reading—*Resumption of debate.*
2. SUGAR BEET BILL—To be further considered in Committee.
3. VEGETATION DISEASES BILL—To be further considered in Committee.
4. JUMBUNNA AND OUTTRIM RAILWAY CONSTRUCTION ACT 1895 AMENDMENT BILL—Second reading.
5. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
6. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Wednesday, 29th January.

FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—at half-past two o'clock.

Tuesday, 4th February.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 24TH JANUARY, 1896.

Minutes of the Proceedings of the Legislative Council. No. 47.

Notices of Motion and Orders of the Day. No. 48.

Sugar Beet Bill—

Amendments to be proposed by the Hon. Lieut.-Col. Sir F. T. Sargood. (To Members of Council only.)

Amendment to be proposed by the Hon W. McCulloch. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 95, 96, 97, and 98.

Notices of Motion and Orders of the Day. No. 99.

Divisions in Committee of the Whole. No. 25.

Railways Bill—[103]. (To Members only.)

Land Bill—[122].

Railways Bill 1896—

Amendments and new Clause to be moved on consideration of Report or after Third Reading. (To Members only.)

Amendments to be proposed by Mr. G. Turner on consideration of Report. (To Members only.)

Instruments Act 1890 further Amendment Bill.—Amendments of the Legislative Council disagreed with by the Legislative Assembly and insisted on by the Legislative Council. (To Members only.)

Mallee Lands Bill.—Amendments made by the Legislative Council as to which the two Houses are not yet agreed. (To Members only.)

VICTORIA.

No. 49.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 29TH JANUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPER.—The Honorable H. Cuthbert presented, by command of His Excellency the Governor—
Perishable Produce.—Progress Report of the Board appointed by His Excellency the Governor in Council to inquire into the alleged deteriorated condition of Victorian butter in England, and to report as to the best means of maintaining a high standard for perishable produce exported from Victoria; with Minutes of Evidence and Appendix.
Ordered to lie on the Table.
5. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable J. H. Connor the following Order of the Day was read and discharged :—
Agricultural Colleges Act 1890 Amendment Bill—Second reading.
Ordered—That the said Bill be withdrawn.
6. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable D. Melville the following Order of the Day was read and discharged :—
Cremation Bill—Second reading—Resumption of debate.
Ordered—That the said Bill be withdrawn.
7. FEDERATION OF AUSTRALASIA ENABLING 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.
Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time.
The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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.
8. SUGAR BEET 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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.
9. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow :—
Vegetation Diseases Bill—To be further considered in Committee.
Jumbunna and Outtrim Railway Construction Act 1895 Amendment Bill—Second reading.
Treasury Deposits Interest Bill—Second reading—Resumption of debate.
Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 49.

THURSDAY, 30TH JANUARY, 1896.

Government Business.

ORDERS OF THE DAY :—

1. FEDERATION OF AUSTRALASIA ENABLING BILL—To be further considered in Committee.
 2. VEGETATION DISEASES BILL—To be further considered in Committee.
 3. JUMBUNNA AND OUTTRIM RAILWAY CONSTRUCTION ACT 1895 AMENDMENT BILL—Second reading.
 4. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
 5. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.
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TUESDAY, 4TH FEBRUARY.

Government Business.

ORDER OF THE DAY :—

1. SUGAR BEET BILL—To be further considered in Committee.
-

WEDNESDAY, 5TH FEBRUARY.

Questions.

1. The Hon. J. BELL : To ask the Honorable the Solicitor-General if the arrangements recently made as to payment of the premiums in connexion with the fidelity guarantee of the officers of the Public Service will also apply to the employés of the Victorian Railways.
2. The Hon. A. WYNNE : To ask the Honorable the Solicitor-General why the trains from Warrnambool to Melbourne are still continually late.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Friday, 31st January.

FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—at half-past ten o'clock.

Tuesday, 4th February.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED 29TH JANUARY, 1896.

Minutes of the Proceedings of the Legislative Council. No. 48.
Notices of Motion and Orders of the Day. No. 49.

Notices of Motion and Orders of the Day. No. 100.
First Report from the Select Committee upon Standing Orders. D.—No. 5.

By Authority: ROBT. S. BRAIN, Government Printer, Melbourne.

(120 copies.)

VICTORIA.

No. 50.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 30TH JANUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **FEDERATION OF AUSTRALASIA ENABLING 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.
The Honorable H. Cuthbert moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clauses 8, 9, 12, and 13.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered clauses 8, 9, 12, and 13 and agreed to the same with amendments.
Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.
5. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday next:—
Vegetation Diseases Bill—To be further considered in Committee.
6. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced the receipt of the following Message from the Legislative 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, 30th January, 1896.
GRAHAM BERRY,
Speaker.
7. **RAILWAYS BILL.**—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to further amend the Law relating to the Victorian Railways,*” 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 next.

8. JUMBUNNA AND OUTTRIM RAILWAY CONSTRUCTION ACT 1895 AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable W. McCulloch moved, That this Bill be now read a second time.

Debate ensued.

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

Debate continued.

Question—That the debate be now adjourned—put and negatived.

Debate further continued.

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

The Honorable W. McCulloch moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable W. McCulloch, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

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

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 50.

TUESDAY, 4TH FEBRUARY, 1896.

Question.

1. The Hon. D. MELVILLE: To ask the Honorable the Solicitor-General what provision do the Government propose to make in order to provide work for the unemployed during the recess.

Government Business.

ORDERS OF THE DAY:—

1. FEDERATION OF AUSTRALASIA ENABLING BILL—Consideration of Report.
 2. SUGAR BEET BILL—To be further considered in Committee.
 3. VEGETATION DISEASES BILL—To be further considered in Committee.
 4. JUMBUNNA AND OUTTRIM RAILWAY CONSTRUCTION ACT 1895 AMENDMENT BILL—To be further considered in Committee.
 5. RAILWAYS BILL—Second reading.
 6. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
 7. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.
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WEDNESDAY, 5TH FEBRUARY.

Questions.

1. The Hon. J. BELL: To ask the Honorable the Solicitor-General if the arrangements recently made as to payment of the premiums in connexion with the fidelity guarantee of the officers of the Public Service will also apply to the employes of the Victorian Railways.
2. The Hon. A. WYNNE: To ask the Honorable the Solicitor-General why the trains from Warrnambool to Melbourne are still continually late.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

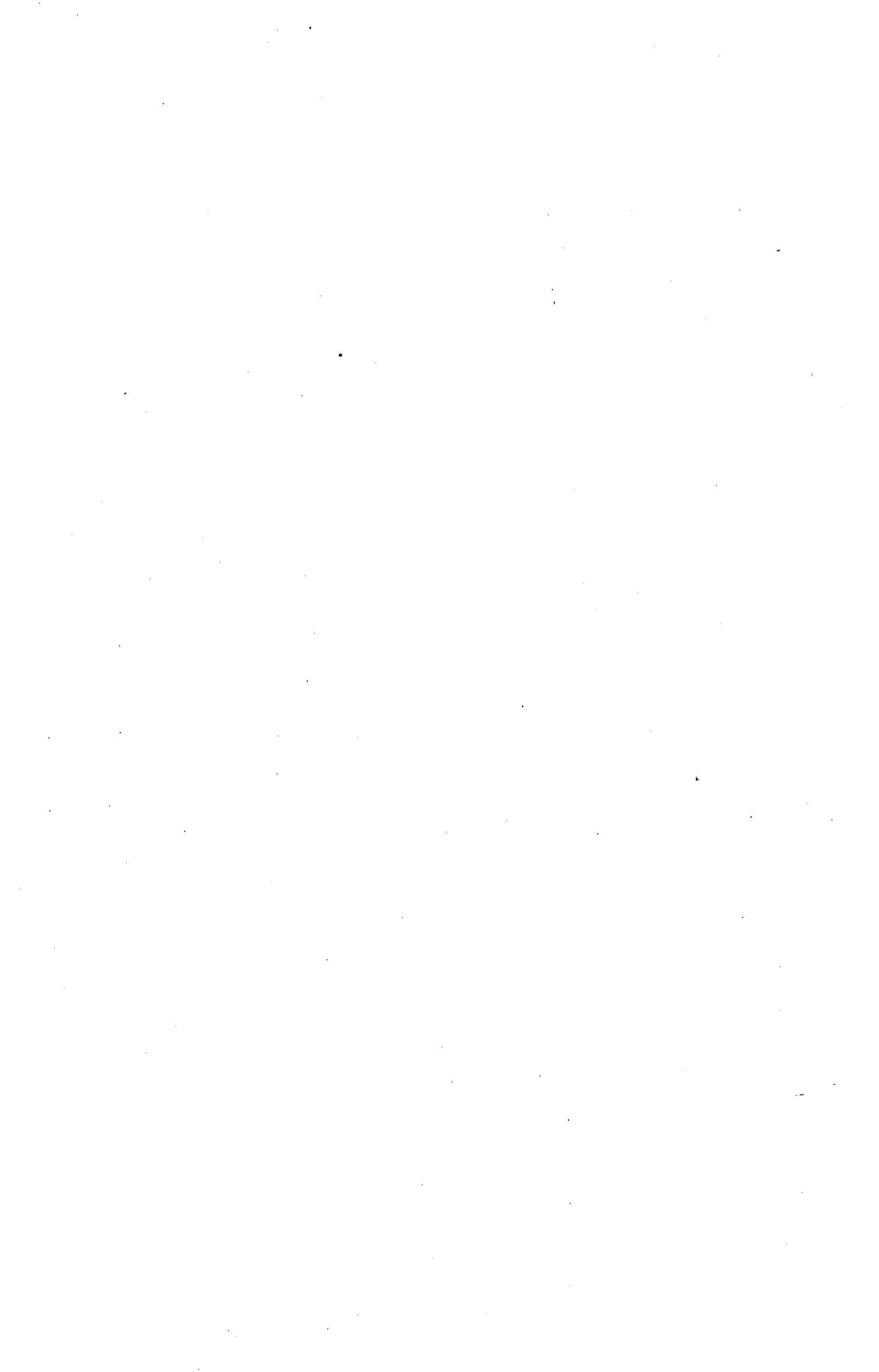
Tuesday, 4th February.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED 30TH JANUARY, 1896.

Minutes of the Proceedings of the Legislative Council. No. 49.
Notices of Motion and Orders of the Day. No. 50.
Railways Bill—[103]. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 101.
Homestead Bill—[123].



VICTORIA.

No. 51.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 4TH FEBRUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable H. Cuthbert the following Order of the Day was read and discharged :—

Federation of Australasia Enabling Bill—Consideration of Report.

5. FEDERATION OF AUSTRALASIA ENABLING BILL.—The Honorable H. Cuthbert moved, That this Bill be recommitted to a Committee of the whole for reconsideration.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered the Bill and agreed to the same with amendments.

The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“An Act to enable Victoria to take part in the framing acceptance and enactment of a Federal Constitution for Australasia.”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Gaols Act 1890' and for other purposes,*" 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.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 4th February, 1896.

And the said amendment was read, and is as follows :—

Clause 1, line 5, omit "1895" and insert "1896."

On the motion of the Honorable H. Cuthbert the Council agreed to the amendment made by the Legislative Assembly in this Bill, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Married Women's Property Act 1890,'*" 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.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 4th February, 1896.

And the said amendment was read, and is as follows :—

Clause 1, line 6, omit "1895" and insert "1896."

On the motion of the Honorable H. Cuthbert the Council agreed to the amendment made by the Legislative Assembly in this Bill, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Law relating to the Avoidance of Voluntary Conveyances,*" 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.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 4th February, 1896.

And the said amendment was read, and is as follows :—

Clause 1, line 5, omit "1895" and insert "1896."

On the motion of the Honorable H. Cuthbert the Council agreed to the amendment made by the Legislative Assembly in this Bill, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to provide for the Transfer of certain Powers and Duties from the Government Statist to the Actuary for Friendly Societies,*" 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.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 4th February, 1896.

And the said amendments were read, and are as follow :—

Clause 1, line 6, omit "1895" and insert "1896."

„ line 6, omit "August" and insert "March."

„ line 7, omit "ninety-five" and insert "ninety-six."

On the motion of the Honorable H. Cuthbert the Council agreed to the several amendments made by the Legislative Assembly in this Bill, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Law by making better provision for the Widows of certain Intestates in the distribution of such Intestates' Property,*" 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, 4th February, 1896.

GRAHAM BERRY,
Speaker.

And the said amendments were read, and are as follow :—

Clause 1, line 6, omit "January" and insert "March."
Clause 5, line 11, omit "1895" and insert "1896."

On the motion of the Honorable H. Cuthbert the Council agreed to the several amendments made by the Legislative Assembly in this Bill, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act relating to the Assignment or Transfer of Book Debts,*" 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, 4th February, 1896.

GRAHAM BERRY,
Speaker.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Law relating to Trusts and Trustees,*" 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, 4th February, 1896.

GRAHAM BERRY,
Speaker.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act for codifying the Law relating to the Sale of Goods,*" 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, 4th February, 1896.

GRAHAM BERRY,
Speaker.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act relating to Mallee Lands,*" and acquaint the Legislative Council that the Legislative Assembly insist on disagreeing with the amendments in such Bill insisted on by the Legislative Council, and do also insist on their amendment to omit the words "or block" in the amendment of the Legislative Council in clause 2 of the said Bill.

Legislative Assembly,
Melbourne, 4th February, 1896.

GRAHAM BERRY,
Speaker.

And the said amendments were read, and are as follow :—

Amendments made by the Legislative Council.	How dealt with.
1. Clause 2 (page 2), line 4, after "thereon" add "For the purposes of this definition if any person before the said first day of June proves to the satisfaction of the Board that he had before the said twenty-fourth day of October gone into possession of any portion of a mallee allotment or block and cleared or cultivated part thereof or made improvements thereon and the consent of the Board to any assignment or improvements was omitted to be obtained merely by inadvertence then the Board may give its consent to such assignment or improvements, and such consent shall have the like force and effect as if the same had actually been given previously to the date of such assignment or improvements."	Agreed to by the Assembly with certain amendments; two agreed to by Council, but amendment of Assembly to omit "or block" after "mallee allotment" disagreed with by Council.
2. Clause 19 (page 10), after sub-clause (8) insert new sub-clause :— (d) Where an agricultural allotment is selected either under licence or perpetual lease in any part of the Mallee Country or Mallee Border in which all future lines of road have not been determined and laid out, a right to construct a public road across such allotment may be reserved in such licence or perpetual lease, and in lieu of any claim for compensation for removing improvements on such allotment an allowance shall be made to the licensee or perpetual lessee for such reserve of three acres per centum to licensees or perpetual lessees of six hundred and forty acres and so in proportion for any lesser quantity.	Disagreed with by the Assembly and insisted on by the Council.
3. Clause 25, line 39, omit "may if he thinks fit" and insert "shall."	Disagreed with by the Assembly and insisted on by the Council.
4. Clause 25, after sub-clause (7) insert new sub-clause :— A. (c) If it appear that the failure to fulfil and comply with or the committal of breaches of the covenants and conditions of any such licence on the part of the licensee is continuing the holder of the licence lien thereof may after foreclosure transfer such licence to any person qualified to hold the same and approved by the Governor in Council.	Disagreed with by the Assembly and insisted on by the Council.

Assembly insist on their amendment to omit "or block" after "mallee allotment."

Disagreement insisted on by the Assembly.

The Honorable H. Cuthbert moved, That the Council do not insist on disagreeing with the amendment of the Legislative Assembly to omit the words "or block" in amendment 1.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Council do not now insist on amendment 2 disagreed with by the Legislative Assembly.

Debate ensued.

Question—put.

The Council divided.

Ayes, 10.

The Hon. D. Coutts
E. J. Crooke
H. Cuthbert
G. Davis
G. Godfrey
J. H. Grey
W. McCulloch
S. Williamson.

Tellers.

T. Brunton
T. D. Wanliss.

Noes, 22.

The Hon. J. H. Abbott
J. Bell
F. Brown
J. Buchanan
J. C. Campbell
J. H. Connor
S. W. Cooke
T. Dowling
Dr. W. H. Embling
S. Fraser
D. Melville
W. Pitt
A. O. Sachse
Lieut.-Col. Sir F. T. Sargood
J. Service
Sir A. Snowden
J. Sternberg
J. A. Wallace
W. I. Winter-Irving
A. Wynne.

Tellers.

J. M. Pratt
N. Thornley.

And so it passed in the negative.

The Honorable H. Cuthbert moved, That the Council do not now insist on amendment 3 disagreed with by the Legislative Assembly.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Council do not now insist on amendment 4 disagreed with by the Legislative Assembly.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council do not now insist on disagreeing with the amendment of the Legislative Assembly to omit the words “or block” in clause 2, that they still insist on their amendment in clause 19, and do not now insist on certain other amendments disagreed with by the Legislative Assembly.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to further amend the ‘Instruments Act 1890,’*” and acquaint the Legislative Council that the Legislative Assembly do not insist on disagreeing with two of the amendments in such Bill insisted on by the Legislative Council, and do insist on disagreeing with one of the said amendments.

GRAHAM BERRY,
Speaker.

Legislative Assembly,

Melbourne, 4th February, 1896.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act relating to the Making and Levying of Rates within an Urban District under the ‘Water Act 1890’ and for the Abolition of Fees for Summonses to recover Rates and Charges under the said Act,*” with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,

Melbourne, 4th February, 1896.

17. WATER ACT 1890 (PART 2) AMENDMENT BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled “*An Act relating to the Making and Levying of Rates within an Urban District under the ‘Water Act 1890’ and for the Abolition of Fees for Summonses to recover Rates and Charges under the said Act,*” 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 to-morrow.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to further amend the ‘Marine Act 1890,’*” with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,

Melbourne, 4th February, 1896.

19. MARINE ACT 1890 FURTHER AMENDMENT BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to further amend the ‘Marine Act 1890,’*” 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 to-morrow.

20. JUMBUNNA AND OUTTRIM RAILWAY CONSTRUCTION ACT 1895 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable W. McCulloch the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable W. McCulloch, the Bill was read a third time and passed.

The Honorable W. McCulloch moved, That the following be the title of the Bill:—

“*An Act to amend the ‘Jumbunna and Outtrim Railway Construction Act 1895.’*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

21. SUGAR BEET 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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.

22. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—

BRASSEY,
Governor.

Message No. 11.

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 authorise the granting of a Lease of certain Crown Land in the Parish of Moolap as a Site for the Manufacture of Salt.”

“ An Act to amend the ‘ Police Regulation Act 1890.’ ”

Government Offices,
Melbourne, 28th January, 1896.

23. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—

BRASSEY,
Governor.

Message No. 12.

The Governor begs to inform the Legislative Council that, in accordance with its request, he communicated by telegraph, to the Principal Secretary of State for the Colonies, the Address of Condolence, expressing the sympathy of the Legislative Council of Victoria with Her Majesty and Her Royal Highness Princess Beatrice, on the death of His Royal Highness Prince Henry of Battenberg, and transmits a copy of a telegraphic despatch which he has received in reply thereto, viz. :—

“ Your telegram of 29th January communicated to Her Majesty the Queen and Her Royal Highness Princess Beatrice, and I have received Her Majesty’s commands to convey cordial thanks to Legislative Council of Victoria for their kind message expressing sympathy.”

Government Offices,
Melbourne, 1st February, 1896.

24. VEGETATION DISEASES 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.
The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.
Question—put and resolved in the affirmative.
On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.
Ordered—That the Bill be read a third time to-morrow.

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

Sugar Beet Bill—To be further considered in Committee.

Railways Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 51.

WEDNESDAY, 5TH FEBRUARY, 1896.

Questions.

1. The Hon. J. BELL : To ask the Honorable the Solicitor-General if the arrangements recently made as to payment of the premiums in connexion with the fidelity guarantee of the officers of the Public Service will also apply to the employés of the Victorian Railways.
2. The Hon. A. WYNNE : To ask the Honorable the Solicitor-General why the trains from Warrnambool to Melbourne are still continually late.
3. The Hon. G. DAVIS : To ask the Honorable the Minister of Defence if it is the intention of the Government to introduce this Session a Bill dealing with the dam on the Thomson River.
4. The Hon. J. H. CONNOR : To ask the Honorable the Solicitor-General if the surveyed railway line from Colac to the Beech Forest will be referred to the Railways Standing Committee during the recess for consideration and report.

General Business.

NOTICE OF MOTION :—

1. The Hon. T. BRUNTON : To move, That, in the opinion of this House, an amendment of the *Vermin Destruction Act 1890* is urgently required in section 15, by omitting the word "necessary" and inserting "reasonable."

Government Business.

NOTICE OF MOTION :—

1. The Hon. H. CUTHBERT : To move, That during the remainder of the present Session the Council shall meet for the despatch of business on Friday, and that half-past Four o'clock be the hour of meeting.

ORDERS OF THE DAY :—

1. BOOKS DEBTS BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
2. TRUSTS BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
3. SALE OF GOODS BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
4. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
5. VEGETATION DISEASES BILL—Third reading.
6. SUGAR BEET BILL—To be further considered in Committee.
7. RAILWAYS BILL—Second reading.
8. WATER ACT 1890 (PART 2) AMENDMENT BILL—Second reading.
9. MARINE ACT 1890 FURTHER AMENDMENT BILL—Second reading.
10. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
11. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 31ST JANUARY, 1896.

Minutes of the Proceedings of the Legislative Council. No. 50.

Notices of Motion and Orders of the Day. No. 51.

Marine Bill 1896—[15]. (To Members of Council only.)

Water Bill 1896—[120]. (To Members of Council only.)

Federation of Australasia Enabling Bill.—Amendments made by the Legislative Council. (To Members of Council only.)

Trusts Bill.—Amendments made by the Legislative Assembly. (To Members of Council only.)

Sale of Goods Bill.—Amendments made by the Legislative Assembly. (To Members of Council only.)

Book Debts Bill.—Amendments made by the Legislative Assembly. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 99, 100, 101, and 102.

Notices of Motion and Orders of the Day. No. 103.

Federation of Australasia Enabling Bill.—Amendments of the Legislative Council. (To Members only.)

Mallee Lands Bill.—Amendment made by the Legislative Council and still insisted on. (To Members only.)

VICTORIA.

No. 52.

MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

WEDNESDAY, 5TH FEBRUARY, 1896.

- 1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. ADJOURNMENT.—The Honorable A. Wynne having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.
5. DISTINGUISHED VISITOR.—The Honorable H. Cuthbert moved, That a chair be provided on the floor of the Council Chamber for the Honorable Sir James Lee Steere, Speaker of the Legislative Assembly of the Colony of Western Australia.
6. AMENDMENT OF VERMIN DESTRUCTION ACT 1890.—The Honorable T. Brunton moved, That, in the opinion of this House, an amendment of the Vermin Destruction Act 1890 is urgently required in section 15 by omitting the word "necessary" and inserting "reasonable."
7. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
8. ADDITIONAL DAY OF BUSINESS.—The Honorable H. Cuthbert moved, That during the remainder of the present Session the Council shall meet for the despatch of business on Friday, and that half-past Four o'clock be the hour of meeting.
9. BOOK DEBTS BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Assembly in this Bill having been read—the said amendments were read, and are as follow:—

10. TRUSTS BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Assembly in this Bill having been read—the said amendments were read, and are as follow:—

Clause 1, line 5, omit “1895” and insert “1896.”

Clause 8, line 20, after “share” insert “as such trustee executor or administrator.”

Clause 19, lines 36–8, omit all the words after “proceeds” to the end of the clause and insert the following words:—“where any property has been so sold or where the property consists of money then a Judge in chambers may direct the application of the income derived therefrom and such part of the principal as may be necessary for the maintenance and education of such persons.”

On the motion of the Honorable H. Cuthbert the Council agreed to the several amendments made by the Legislative Assembly in this Bill, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

11. SALE OF GOODS BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Assembly in this Bill having been read—the said amendments were read, and are as follow:—

1. Clause 1, line 5, omit “1895” and insert “1896.”

2. Clause 2, line 6, omit “October” and insert “July.”

3. “ ” line 7, omit “ninety-five” and insert “ninety-six.”

4. Clause 3, omit sub-section (3):

5. Clause 45 (page 14), line 3, omit “becomes insolvent” and insert “has ceased to pay his debts in the ordinary course of business or cannot pay his debts as they become due.”

6. Clause 48, line 24, omit “becomes insolvent” and insert “has ceased to pay his debts in the ordinary course of business or cannot pay his debts as they become due.”

7. Clause 51, line 36, after “title” insert “to goods.”

8. Clause 52, line 14, omit “or” and insert “and.”

Amendments 1, 2, and 3 agreed to.

Amendment 4 disagreed with.

The Honorable H. Cuthbert moved, That the words “has committed an act of insolvency or” be inserted before the words “has ceased” in amendments 5 and 6.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Council agree with amendments 5 and 6 as amended.

Debate ensued.

Question—put and negatived.

Amendments 7 and 8 agreed to.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to some of the amendments made in this Bill by the Legislative Assembly, and have disagreed with others of the said amendments.

12. INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL.—The Order of the Day for the consideration of the amendment made by the Legislative Council in this Bill, with which the Legislative Assembly insist on disagreeing, having been read—the said amendment was read, and is as follows:—

Clause 14, omit this clause.

The Honorable H. Cuthbert moved, That the Council do not now insist on the said amendment.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council do not now insist on their amendment to omit clause 14, with which the Legislative Assembly insist on disagreeing.

13. VEGETATION DISEASES BILL.—The Order of the Day for the third reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a third time.

Debate ensued.

The Honorable J. H. Connor moved, as an amendment, That the Order of the Day for the third reading of this Bill be discharged, with a view to its being re-committed.

Debate continued.

Amendment, by leave, withdrawn.

Question—That this Bill be now read a third time—put and resolved in the affirmative.—Bill read a third time.

The Honorable H. Cuthbert moved, That this Bill do pass.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the following be the title of the Bill:—

“An Act relating to Disease affecting Vegetation.”

Question—put and resolved in the affirmative.

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

14. RAILWAYS BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable W. McCulloch moved, That this Bill be now read a second time.

Debate ensued.

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

Debate continued.

Motion for the adjournment of the debate, by leave, withdrawn.

Debate further continued.

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

The Honorable W. McCulloch moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable W. McCulloch, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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 :—

Sugar Beet Bill—To be further considered in Committee.

Water Act 1890 (Part 2) Amendment Bill—Second reading.

Marine Act 1890 further Amendment Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,

Clerk of the Legislative Council.

The following is a list of the names of the persons who have been
 named in the report of the committee on the subject of the
 proposed amendment to the constitution of the State of New York.
 The names are given in the order in which they were named in the
 report.

- 1. Mr. J. B. ...
- 2. Mr. J. B. ...
- 3. Mr. J. B. ...
- 4. Mr. J. B. ...
- 5. Mr. J. B. ...
- 6. Mr. J. B. ...
- 7. Mr. J. B. ...
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- 12. Mr. J. B. ...
- 13. Mr. J. B. ...
- 14. Mr. J. B. ...
- 15. Mr. J. B. ...
- 16. Mr. J. B. ...
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- 24. Mr. J. B. ...
- 25. Mr. J. B. ...
- 26. Mr. J. B. ...
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- 33. Mr. J. B. ...
- 34. Mr. J. B. ...
- 35. Mr. J. B. ...
- 36. Mr. J. B. ...
- 37. Mr. J. B. ...
- 38. Mr. J. B. ...
- 39. Mr. J. B. ...
- 40. Mr. J. B. ...
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- 94. Mr. J. B. ...
- 95. Mr. J. B. ...
- 96. Mr. J. B. ...
- 97. Mr. J. B. ...
- 98. Mr. J. B. ...
- 99. Mr. J. B. ...
- 100. Mr. J. B. ...

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 52.

THURSDAY, 6TH FEBRUARY, 1896.

Question.

1. The Hon. J. BELL: To ask the Honorable the Solicitor-General if the arrangements recently made as to payment of the premiums in connexion with the fidelity guarantee of the officers of the Public Service will also apply to the employés of the Victorian Railways.

Government Business.

ORDERS OF THE DAY:—

1. RAILWAYS BILL—To be further considered in Committee.
2. SUGAR BEET BILL—To be further considered in Committee.
3. WATER ACT 1890 (PART 2) AMENDMENT BILL—Second reading.
4. MARINE ACT 1890 FURTHER AMENDMENT BILL—Second reading.
5. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
6. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Thursday, 6th February.

FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—at half-past two o'clock.

PARLIAMENTARY PAPERS ISSUED 5TH FEBRUARY, 1896.

Notices of Motion and Orders of the Day. No. 52.

Railways Bill.—Amendment to be proposed by the Hon. G. Godfrey. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 104.

Sale of Goods Bill.—Amendments of the Legislative Assembly disagreed with by the Legislative Council. (To Members only.)

Perishable Produce.—Progress Report of the Board appointed by the Governor in Council to inquire into the alleged deteriorated condition of Victorian butter in England, &c., &c.; with Minutes of Evidence and Appendix. No. 92.

VICTORIA.

No. 53.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 6TH FEBRUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Victorian Mining Accident Relief Fund.—Balance-sheet, 31st December, 1895.
Public Service Acts.—Regulations.
5. RAILWAYS 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments, and had amended the title thereof, which title is as follows :—
“*An Act to create a Victorian Railways Trust and to further amend the Law relating to the Victorian Railways.*”
Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.
6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Sugar Beet Bill—To be further considered in Committee.
Water Act 1890 (Part 2) Amendment Bill—Second reading.
Marine Act 1890 further Amendment Bill—Second reading.
Treasury Deposits Interest Bill—Second reading—Resumption of debate.
Local Government (Municipal Elections) Bill—To be further considered in Committee.
7. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEMORANDUM

TO :

FROM :

SUBJECT :

1. [Faint text]

2. [Faint text]

3. [Faint text]

4. [Faint text]

5. [Faint text]

6. [Faint text]

7. [Faint text]

8. [Faint text]

9. [Faint text]

10. [Faint text]

11. [Faint text]

12. [Faint text]

13. [Faint text]

14. [Faint text]

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 53.

TUESDAY, 11TH FEBRUARY, 1896.

Questions.

1. The Hon. J. C. CAMPBELL: To ask the Honorable the Solicitor-General if the Government have appointed a veterinary inspector to the Board of Health; and, if not, will they appoint some person before the end of the Session.
2. The Hon. Lieut.-Col. Sir F. T. SARGOOD: To ask the Honorable the Solicitor-General whether the words "in or from Victoria" have been omitted from the declaration in the new Income Tax Schedules intentionally or by inadvertence; if the former, what is the object of the omission.
3. The Hon. J. C. CAMPBELL: To call the attention of the Honorable the Solicitor-General to the great loss sustained by the breeders and exporters of horses in consequence of the very stringent regulations of the Customs authorities; and to inquire if the Government will consider the question and afford relief to exporters of horse stock, and so restore to this port trade now diverted to other colonies.

Government Business.

ORDERS OF THE DAY:—

1. RAILWAYS BILL—Consideration of Report.
2. SUGAR BEET BILL—To be further considered in Committee.
3. WATER ACT 1890 (PART 2) AMENDMENT BILL—Second reading.
4. MARINE ACT 1890 FURTHER AMENDMENT BILL—Second reading.
5. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
6. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 11th February.

- FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—at half-past three o'clock.
REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.
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PARLIAMENTARY PAPERS ISSUED 6TH FEBRUARY, 1896.

Notices of Motion and Orders of the Day. No. 53.

Notices of Motion and Orders of the Day. No. 105.

Railway Loan Application Bill—[25].

Vegetation Diseases Bill.—Amendments made by the Legislative Council. (To Members only.)

Gippsland West and Mornington (Rectification of Boundaries) Bill.—Amendments to be proposed in Committee by Mr. Isaac A. Isaacs. (To Members only.)

VICTORIA.

No. 54.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 11TH FEBRUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President:—

BRASSEY,
Governor.

Message No. 13.

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 facilitate and regulate the Supply of Electricity for Lighting and for other purposes.”
- “An Act to provide for the carrying on of the Business of Licensed Persons in certain circumstances and to provide for the transfer and renewal of certain Licences.”
- “An Act to amend the ‘Gaols Act 1890’ and for other purposes.”
- “An Act to amend the ‘Married Women’s Property Act 1890.’”
- “An Act to amend the Law relating to the Avoidance of Voluntary Conveyances.”
- “An Act to provide for the Transfer of certain Powers and Duties from the Government Statist to the Actuary for Friendly Societies.”
- “An Act to amend the Law by making better provision for the Widows of certain Intestates in the distribution of such Intestates’ Property.”
- “An Act to amend the ‘Jumbunna and Outtrim Railway Construction Act 1895.’”

Government Offices,
Melbourne, 10th February, 1896.

5. ADJOURNMENT.—The Honorable J. Service having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed. The Honorable J. Service then said that he proposed to speak on the subject of the forms of return for the Income Tax, and moved, That the House do now adjourn. Debate ensued. Question—put and negatived.

6. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President:—

BRASSEY,
Governor.

Message No. 14.

Pursuant to the provisions of section 36 of *The Constitution Act*, the Governor transmits to the Legislative Council, for their consideration, the following amendments which he desires to be made in the Bill intituled "*An Act relating to the Assignment or Transfer of Book Debts*":—

In each of the Schedules omit "1895" wherever it occurs, substitute "1896."

Government Offices,
Melbourne, 7th February, 1896.

On the motion of the Honorable H. Cuthbert the Council agreed to the several amendments recommended by His Excellency the Governor, and ordered the Message to be transmitted to the Legislative Assembly with a Message requesting their concurrence therein.

7. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood brought up the Report from the Select Committee on this Bill.
Ordered to lie on the Table, and, together with the Proceedings of the Committee and Minutes of Evidence, to be printed, and the Report taken into consideration to-morrow.

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

Income Tax Act 1895.—Regulations—Schedule amended.
Savings Banks.—General Order No. 22.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act relating to Mallee Lands*," and acquaint the Legislative Council that the Legislative Assembly do not now insist on disagreeing with the amendment in such Bill insisted on by the Legislative Council.

Legislative Assembly,
Melbourne, 11th February, 1896.

GRAHAM BERRY,
Speaker.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act for codifying the Law relating to the Sale of Goods*," and acquaint the Legislative Council that the Legislative Assembly do not insist on their amendments in this Bill with which the Legislative Council have disagreed.

Legislative Assembly,
Melbourne, 11th February, 1896.

GRAHAM BERRY,
Speaker.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending an amendment in the Bill intituled "*An Act to further amend the 'Instruments Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the said amendment recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 11th February, 1896.

GRAHAM BERRY,
Speaker.

BRASSEY,
Governor.

Message.

Pursuant to the provisions of section 36 of *The Constitution Act*, the Governor transmits to the Legislative Assembly, for their consideration, the following amendment which he desires to be made in the Bill intituled "*An Act to further amend the 'Instruments Act 1890'*":—

Clause 1, omit "1895," substitute "1896."

Government Offices,
Melbourne, 7th February, 1896.

On the motion of the Honorable H. Cuthbert the Council agreed to the amendment recommended by His Excellency the Governor, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Theatres Act 1890,'*" 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, 11th February, 1896.

GRAHAM BERRY,
Speaker.

And the said amendments were read, and are as follow :—

Clause 1, line 5, omit "1895" and insert "1896."

Clause 2 (page 2), line 6, at the end of the clause add the following words :—"nor the holding of any sacred concert on a Sunday where there is any charge for admission or any collection made."

On the motion of the Honorable H. Cuthbert the Council agreed to the several amendments made by the Legislative Assembly in this Bill, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to Suppress Betting in Streets and for other purposes,'*" 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, 11th February, 1896.

GRAHAM BERRY,
Speaker.

Ordered—That the foregoing Message be taken into consideration this day.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to rectify the Boundaries of the Gippsland West and Mornington Electoral Districts and certain Divisions thereof,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 11th February, 1896.

GRAHAM BERRY,
Speaker.

15. GIPPSLAND WEST AND MORNINGTON (RECTIFICATION OF BOUNDARIES) BILL.—The Honorable W. McCulloch moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to rectify the Boundaries of the Gippsland West and Mornington Electoral Districts and certain Divisions thereof,'*" 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 to-morrow.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Post Office Act 1890' and for other purposes,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 11th February, 1896.

GRAHAM BERRY,
Speaker.

17. POST OFFICE ACT 1890 AMENDMENT BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to amend the 'Post Office Act 1890' and for other purposes,'*" 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 to-morrow.

18. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood the following Order of the Day was read and discharged :—

Railways Bill—Consideration of Report.

19. RAILWAYS BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clause 17 and the Schedules.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered clause 17 and the Schedules, and agreed to the same with amendments.

The Honorable W. McCulloch moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable W. McCulloch the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable W. McCulloch, the Bill was read a third time and passed.

The Honorable W. McCulloch moved, That the following be the title of the Bill:—

“An Act to create a Victorian Railways Trust and to further amend the Law relating to the Victorian Railways.”

Question—put and resolved in the affirmative.

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

20. SUGAR BEET 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.

The Honorable W. McCulloch moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable W. McCulloch the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable W. McCulloch, the Bill was read a third time and passed.

The Honorable W. McCulloch moved, That the following be the title of the Bill:—

“An Act to encourage the Establishment of the Sugar Beet Industry in Victoria.”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Message from His Excellency the Governor recommending amendments in the Bill intituled “*An Act relating to the Assignment or Transfer of Book Debts,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 11th February, 1896.

22. WATER ACT 1890 (PART 2) AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill:—

“An Act relating to the Making and Levying of Rates within an Urban District under the ‘Water Act 1890’ and for the Abolition of Fees for Summonses to recover Rates and Charges under the said Act.”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

23. MARINE ACT 1890 FURTHER AMENDMENT BILL.—The Order of the day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed. The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“ *An Act to further amend the ‘ Marine Act 1890.’* ”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

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

Street Betting Suppression Bill—Message from Legislative Assembly—To be taken into consideration.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 54.

WEDNESDAY, 12TH FEBRUARY, 1896.

Questions.

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD : To call the attention of the Honorable the Solicitor-General to the class of advertisement issued by the Railway Department in the tickets ; and to ask if steps will be taken at once to discontinue such advertisements.
2. The Hon. Lieut.-Col. Sir F. T. SARGOOD : To ask the Honorable the Solicitor-General whether the words "in or from Victoria" have been omitted from the declaration in the new Income Tax Schedules intentionally or by inadvertence ; if the former, what is the object of the omission.

Government Business.

ORDERS OF THE DAY :—

1. STREET BETTING SUPPRESSION BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
2. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—REPORT FROM SELECT COMMITTEE—To be taken into consideration.
3. GIPPSLAND WEST AND MORNINGTON (RECTIFICATION OF BOUNDARIES) BILL—Second reading.
4. POST OFFICE ACT 1890 AMENDMENT BILL—Second reading.
5. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
6. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Tuesday, 18th February.

PARLIAMENT BUILDINGS (JOINT)—at three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 7TH FEBRUARY, 1896.

Notices of Motion and Orders of the Day. No. 54.
Post Office Act 1890 Amendment Bill—[39]. (To Members of Council only.)
Railways Bill—[103]. (To Members of Council only.)
Electoral Districts Boundaries Amendment Bill—[117]. (To Members of Council only.)
Sugar Beet Bill.—Amendments to be proposed by the Hon. Lieut.-Col. Sir F. T. Sargood in substitution for those previously issued. (To Members of Council only.)
Street Betting Suppression Bill.—Amendments made by the Legislative Assembly. (To Members of Council only.)
Report of the Select Committee of the Legislative Council on the Factories and Shops Act 1890 Amendment Bill.—D 4. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 103, 104, 105, and 106.
Notices of Motion and Orders of the Day. No. 107.
Divisions in Committee of the Whole. No. 26.
Railways Bill.—Amendments of the Legislative Council (To Members only.)

VICTORIA.

No. 55.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 12TH FEBRUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPERS.—The Honorable H. Cuthbert presented, by command of His Excellency the Governor—
Statistical Register of the Colony of Victoria for the year 1894.—Part VII.—Law, Crime, &c.
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 :—

Defences and Discipline Act 1890.—Victorian Military Forces—Alteration of Regulations
(Part VI., Reserves).
Water Act 1890.—Harcourt Irrigation and Water Supply Trust—Quorum of Commissioners.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to enable Victoria to take part in the framing acceptance and enactment of a Federal Constitution for Australasia,*" 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.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 12th February, 1896.

After debate, the Council ordered that the foregoing Message be taken into consideration to-morrow.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act relating to Disease affecting Vegetation,*" 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.

GRAHAM BERRY,
Speaker,

Legislative Assembly,
Melbourne, 12th February, 1896.

Ordered—That the foregoing Message be taken into consideration this day.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to extend the provisions of the Land Acts with regard to the granting of Leases and Licences,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 12th February, 1896.

GRAHAM BERRY,
Speaker.

8. LAND ACTS AMENDMENT BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to extend the provisions of the Land Acts, with regard to the granting of Leases and Licences,*" 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 to-morrow.

9. STREET BETTING SUPPRESSION BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Assembly in this Bill having been read—the said amendments were read and are as follow :—

1. Clause 1, line 6, omit "1895" and insert "1896."
2. Clause 2, lines 8 and 9, omit "on behalf of such person," and insert "promised to such person or on his behalf."
3. " lines 15 and 16, omit "turf commissioner or."
4. Clause 3, lines 7 and 8, omit "turf commissioner."
5. Clause 5, line 25, after "houses" insert "and all race-courses registered by the Victoria Racing Club."
6. " line 26, at the end of the clause add the following words :—"and the expression 'bookmaker' shall include any person who carries on the business of or acts as a bookmaker or turf commission agent or any person who gains or endeavours to gain his livelihood wholly or partly by betting or making wagers."
7. Clause 8, line 40, after "makes" insert "or offers to make."
8. " line 42, omit "or."
9. " (page 3), line 1, omit "other"; after "profit" insert "benefit or advantage"; omit "such," and after "person," insert "whom he knows to be an infant."
10. Clause 10, line 28, at the end of the clause add the following words :—"and the same shall be deemed to have been so sent for the purpose of earning commission reward profit benefit or advantage unless he proves to the contrary."

On the motion of the Honorable H. Cuthbert the Council agreed to amendments 1 and 2.

The Honorable H. Cuthbert moved, That the Council agree to amendment 3.

Debate ensued.

Question—put and resolved in the affirmative.

On the motion of the Honorable H. Cuthbert the Council agreed to amendment 4.

The Honorable H. Cuthbert moved, That the Council agree to amendment 5.

Debate ensued.

The Honorable T. Brunton moved, as an amendment, That the words "now existing" be inserted after the word "race-courses."

Debate continued.

Question—That the words proposed to be inserted be so inserted—put and negatived.

Question—That the Council agree to amendment 5—put and negatived.

On the motion of the Honorable H. Cuthbert the Council agreed to amendments 6, 7, and 8.

The Honorable H. Cuthbert moved, That the Council agree to amendment 9.

Debate ensued.

Question—put and resolved in the affirmative.

On the motion of the Honorable H. Cuthbert the Council agreed to amendment 10.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to some of the amendments made in this Bill by the Legislative Assembly, and have disagreed with one of the said amendments.

10. VEGETATION DISEASES BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill disagreed with by the Legislative Assembly having been read—the said amendments were read and are as follow :—

Clause 8, line 30, omit "eradicate all" and insert "take reasonable means for the eradication of."

" same line, omit "from."

" same line, omit "all" after "destroy," and insert "the."

Clause 9, line 89, omit "eradicate all" and insert "take reasonable means for the eradication of."

" same line, omit "destroy all" and insert "the destruction of."

" (page 4), line 1, omit "eradicate all" and insert "take reasonable means for the eradication of."

" same page, line 2, omit "to destroy all" and insert "the destruction of."

The Honorable H. Cuthbert moved, That the Council do not insist on their amendments disagreed with by the Legislative Assembly.

Debate ensued.

Question—put and negatived.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council insist on their amendments in this Bill with which the Legislative Assembly have disagreed.

11. **FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL.**—The Order of the Day for the consideration of the Report from the Select Committee to which this Bill was referred having been read—the Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Report be now adopted.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Factories and Shops Act 1890 Amendment Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

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

Gippsland West and Mornington (Rectification of Boundaries) Bill—Second reading.

Post Office Act 1890 Amendment Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

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

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 55.

THURSDAY, 13TH FEBRUARY, 1896.

Government Business.

ORDERS OF THE DAY :—

1. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—To be further considered in Committee.
2. FEDERATION OF AUSTRALASIA ENABLING BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
3. GIPPSLAND WEST AND MORNINGTON (RECTIFICATION OF BOUNDARIES) BILL—Second reading.
4. POST OFFICE ACT 1890 AMENDMENT BILL—Second reading.
5. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
6. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDER OF THE DAY :—

1. LAND ACTS AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Tuesday, 18th February.

PARLIAMENT BUILDINGS (JOINT)—at three o'clock.

PARLIAMENTARY PAPERS ISSUED 12TH FEBRUARY, 1896.

Notices of Motion and Orders of the Day. No. 55.

Land Bill—[122]. (To Members of Council only.)

Factories and Shops Act 1890 Amendment Bill—

Amendment to be proposed by the Hon. Sir A. Snowden. (To Members of Council only.)

Amendments to be proposed by the Hon. . (To Members of Council only.)

Federation of Australasia Enabling Bill.—Amendments made by the Legislative Council—How dealt with by the Legislative Assembly. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 108.

Federal Representatives Bill—[124].

Seed Advances Bill—[125].

Sugar Beet Bill.—Amendments of the Legislative Council. (To Members only.)

Customs Act 1890.—Drawback Regulations.—Order in Council. No. 94.

VICTORIA.

No. 56.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 13TH FEBRUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **FACTORIES AND SHOPS 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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.
5. **DISTINGUISHED VISITOR.**—The Honorable H. Cuthbert moved, That a chair be provided on the floor of the Council Chamber for the Honorable Sir Joseph P. Abbott, Speaker of the Legislative Assembly of the Colony of New South Wales.
Question—put and resolved in the affirmative.
6. **FACTORIES AND SHOPS 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.
Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.
7. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced the receipt of the following Message from the Legislative 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 disagreed with the amendments made in such Bill by the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 13th February, 1896.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize Advances to Municipalities for the purchase of Wire Netting,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 13th February, 1896.

GRAHAM BERRY,
Speaker.

9. ADVANCES TO MUNICIPALITIES (WIRE NETTING) BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to authorize Advances to Municipalities for the purchase of Wire Netting,*" 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 next.
10. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday next :—
Federation of Australasia Enabling Bill—Message from Legislative Assembly—To be taken into consideration.
11. GIPPSLAND WEST AND MORNINGTON (RECTIFICATION OF BOUNDARIES) BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable W. McCulloch moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable W. McCulloch moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable W. McCulloch, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair ; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
On the motion of the Honorable W. McCulloch the Council adopted the Report from the Committee of the whole on this Bill.
And, on the further motion of the Honorable W. McCulloch, the Bill was read a third time and passed.
The Honorable W. McCulloch moved, That the following be the title of the Bill :—
"An Act to rectify the Boundaries of the Gippsland West and Mornington Electoral Districts and certain Divisions thereof."
Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.
12. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Post Office Act 1890 Amendment Bill—Second reading.
Treasury Deposits Interest Bill—Second reading—Resumption of debate.
Local Government (Municipal Elections) Bill—To be further considered in Committee.
Land Acts Amendment Bill—Second reading.
13. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
Debate ensued.
Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 56.

TUESDAY, 18TH FEBRUARY, 1896.

Government Business.

ORDERS OF THE DAY:—

1. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Consideration of Report.
2. FEDERATION OF AUSTRALASIA ENABLING BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
3. RAILWAYS BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
4. ADVANCES TO MUNICIPALITIES (WIRE NETTING) BILL—Second reading.
5. POST OFFICE ACT 1890 AMENDMENT BILL—Second reading.
6. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
7. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDER OF THE DAY:—

1. LAND ACTS AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Tuesday, 18th February.

PARLIAMENT BUILDINGS (JOINT)—at three o'clock.

PARLIAMENTARY PAPERS ISSUED 13TH FEBRUARY, 1896.

Notices of Motion and Orders of the Day. No. 56.

Notices of Motion and Orders of the Day. No. 109.

Report from the Select Committee upon State Monopoly in Manufacture of Tobacco ; together with the Proceedings of the Committee, Minutes of Evidence, and an Appendix. D.—No. 4.

VICTORIA.

No. 57.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 18TH FEBRUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPER.—The Honorable H. Cuthbert presented, by command of His Excellency the Governor—
Statistical Register of the Colony of Victoria for the year 1894.—Part VIII.—Production.
Ordered to lie on the Table.
5. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following
Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending amendments in the Bill intituled "*An Act relating to Mallee Lands*," and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th February, 1896.

GRAHAM BERRY,
Speaker.

BRASSEY,
Governor.

Message.

Pursuant to the provisions of section 36 of *The Constitution Act*, the Governor transmits to the Legislative Assembly, for their consideration, the following amendments which he desires to be made in the Bill intituled "*An Act relating to Mallee Lands*":—

Clause 1, omit "1895," substitute "1896."

Clause 8, after "shall," in the last line of page 4, insert "upon such entry."

Clause 52, omit "or Treasury bonds or bills."

Government Offices,
Melbourne, 17th February, 1896.

On the motion of the Honorable H. Cuthbert the Council agreed to the several amendments recommended by His Excellency the Governor, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to sanction the expenditure of Moneys available under Loan Acts for Railways and other purposes and to prevent the further issue of Moneys under the authority of certain Railway Loan Application Acts*," with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th February, 1896.

GRAHAM BERRY,
Speaker.

7. RAILWAY LOAN APPLICATION BILL.—The Honorable W. McCulloch moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to sanction the expenditure of Moneys available under Loan Acts for Railways and other purposes and to prevent the further issue of Moneys under the authority of certain Railway Loan Application Acts,*” 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 to-morrow.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act relating to the nomination of Representatives of Victoria at the Convention for framing a Federal Constitution for Australasia,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th February, 1896.

GRAHAM BERRY,
Speaker.

9. FEDERATION OF AUSTRALASIA REPRESENTATIVES BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled “*An Act relating to the nomination of Representatives of Victoria at the Convention for framing a Federal Constitution for Australasia,*” 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 to-morrow.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to enable Seed to be advanced on certain terms to Cultivators of Land,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th February, 1896.

GRAHAM BERRY,
Speaker.

11. SEED BILL.—The Honorable D. Coutts moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to enable Seed to be advanced on certain terms to Cultivators of Land,*” 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 this day.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to encourage the Establishment of the Sugar Beet Industry in Victoria,*” 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, and have agreed to two of the said amendments with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th February, 1896.

GRAHAM BERRY,
Speaker.

Ordered—That the foregoing Message be taken into consideration this day.

13. FEDERATION OF AUSTRALASIA ENABLING BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill and disagreed with by the Legislative 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 8, page 3, at end of clause add—“and every person so nominated or some person for him or on his behalf shall at the time of the delivery of such nomination paper pay to the returning officer the sum of Fifty pounds to be dealt with as hereinafter provided.”
2. Clause 12, line 23, after “The” insert “voting for the.”
3. „ line 24, omit “on” and insert “before.”
4. Clause 13, line 27, after “taken” insert “by means of voting-papers transmitted by post to every elector by registered letter and shall be taken.”
5. Clause 33, line 37, after “taken” insert “by means of voting-papers in accordance with the Schedule hereto transmitted by post to every elector and shall be taken.”

Disagreed with.

Amendments made by the Legislative Council.	How dealt with by the Legislative Assembly.
6. Clause 34, omit this clause, and insert new clause :— “ A. Each voter shall vote ‘ Yes ’ or ‘ No ’ on the question in accordance with the direction on the voting-paper transmitted by post and every such voting-paper shall be posted before such day as may be prescribed.”	} Disagreed with.
7. Clause 36, line 5, omit “ fifty ” and insert “ seventy-five.”	
8. Clause 37, omit this clause, and insert new clause :— “ B. If two colonies in addition to Victoria accept the Constitution, the Legislative Council and the Legislative Assembly of Victoria may adopt a Joint Address to the Queen, praying that the Constitution may be passed into law by the Imperial Parliament upon receipt from the Parliaments of such two colonies either of similar joint or separate Addresses from each House of such Parliaments. Such Joint Address to the Queen shall not be adopted by the Parliament of Victoria after the expiration of twelve months from the said colonies accepting the said Constitution.”	} Agreed to.
9. Clause 39, omit sub-clauses (1) and (2).	
10. In the Schedule, omit “ Ballot-paper ” and insert “ Voting-paper.”	} Disagreed with.

The Honorable H. Cuthbert moved, That the Council do not insist on amendment 1.

Debate ensued.

Question—put and negatived.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council insist on this amendment for the following reason :—That the Legislative Council claim to have the right to make this amendment, as in no way does it come within the operation of section 56 of *The Constitution Act*.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Council do not insist on amendments 2 to 6 inclusive.

Debate ensued.

Question—put.

The Council divided.

Ayes, 7.

The Hon. D. Coutts
H. Cuthbert
C. J. Ham
N. Levi
W. McCulloch.

Tellers.

T. Brunton
S. Fraser.

Noes, 29.

The Hon. J. H. Abbott
J. Balfour
J. Bell
F. Brown
J. C. Campbell
Sir W. J. Clarke, Bart.
S. W. Cooke
E. J. Crooke
T. Dowling
Dr. W. H. Embling
N. FitzGerald
D. Ham
D. E. McBryde
D. Melville
E. Miller
E. Morey
J. M. Pratt
A. O. Sachse
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
J. Service
G. Simmie
Sir A. Snowden
N. Thornley
J. A. Wallace
T. D. Wanliss
W. I. Winter-Irving.

Tellers.

G. Godfrey
W. Pitt.

And so it passed in the negative.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council insist on these amendments for the following reasons :—That the Legislative Council are desirous that every possible facility should be afforded to voters, especially in the country districts, to record their votes, and the Council feel certain that if this amendment be agreed to by the Legislative Assembly a far larger number of the electors will be enabled to vote than would be possible under the existing electoral law.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Council do not insist on amendment 7.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Council do not insist on the portion of amendment 8 disagreed with by the Legislative Assembly.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Council do not insist on amendments 9 and 10.

Question—put and negated.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council do not insist on some of their amendments disagreed with by the Legislative Assembly, and that they do insist on others of the said amendments for the reasons above set forth.

14. RAILWAYS BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill and disagreed with by the Legislative Assembly having been read—the said amendments were read, and are as follow :—

1. Title, omit the Title and insert new Title :—

“ A Bill intituled An Act to create a Victorian Railways Trust and to further amend the Law relating to the Victorian Railways.”

2. Clause 2, lines 13 and 14, omit “ Provided however that section four shall come into operation on the passing of this Act ” and insert “ for the holding of the first meeting of the Victorian Railways Trust as hereinafter provided.”

3. Clause 5, omit this clause.

4. Clause 6, omit this clause.

5. Clause 7, omit this clause.

6. Clause 8, omit this clause.

7. Clause 9, omit this clause.

8. Clause 10, omit this clause.

9. Clause 11, omit this clause.

10. Clause 12, omit this clause.

11. Clause 13, omit this clause and insert the following head lines and new clauses :—

Abolition of Victorian Railways Commissioners.

A. On and after the day appointed for the first meeting of the Victorian Railways Trust as hereinafter provided the body corporate styled “ The Victorian Railways Commissioners ” as constituted under the Railways Acts shall be abolished.

Constitution of Victorian Railways Trust.

B. (1) For the purposes of carrying out and enforcing the provisions of this Act and such provisions of the Railways Acts, the Railways Standing Committee Acts, and any other Acts as have immediately before the commencement of this Act been carried out or enforced by the Commissioners, a Victorian Railways Trust (hereinafter called the Trust) shall be constituted.

(2) Such Trust shall consist of the Minister, who shall by virtue of his office be the Chairman of the Trust, and also of four other members who shall be appointed by the Governor in Council, and are hereinafter specially referred to as “ appointed Trustees.”

(3) Every appointed Trustee before entering upon the duties or exercising the powers vested in him by this Act shall make and subscribe before the Executive Council a declaration in the form contained in the Second Schedule to this Act; and every such declaration shall be kept among the records of the said Council.

C. (1) The Trust shall be a body corporate by the name “ The Victorian Railways Trust,” and by that name shall have perpetual succession and a common seal and be capable in law of suing and being sued, and shall have power to take purchase sell lease and hold lands tenements and hereditaments goods chattels and other property for any of the purposes of the Railways Acts subject to the restrictions therein contained.

(2) All courts judges and persons acting judicially shall take judicial notice of the common seal of the Victorian Railways Trust affixed to any deed and shall presume that such seal was properly affixed thereto.

D. (1) Of the four persons who are first appointed Trustees two shall hold office for a period of three years and two for four years as shall be specified in the Order in Council appointing such Trustees; but such persons shall at the expiration of the period for which they are respectively appointed be eligible for re-appointment.

- (2) Where a vacancy occurs in the office of Trustee before the expiration of the full period for which such Trustee was appointed, his successor shall be appointed only for the unexpired portion of such period, but shall be eligible for re-appointment.
 - (3) Where a vacancy occurs in the office of Trustee at the expiration of the full period for which such Trustee was appointed his successor shall be appointed for a period of two years.
 - (4) The office of an appointed Trustee shall by virtue of this Act be an office or place of profit under the Crown within the meaning of Part II. of *The Constitution Act Amendment Act 1890*.
- E. (1) Subject to this Act every appointed Trustee shall hold his office during good behaviour for the term for which he may be appointed pursuant to this Act.
- (2) It shall be lawful for the Governor in Council to remove any such Trustee from his office on an address praying for such removal being presented to the Governor by the Legislative Council and the Legislative Assembly respectively in the same session of Parliament or by the Legislative Assembly alone in two consecutive sessions thereof, provided that not less than six weeks shall intervene between such addresses when made by the Legislative Assembly alone as aforesaid.
 - (3) At any time when Parliament is not sitting it shall be lawful for the Governor in Council to suspend any appointed Trustee from [executing the powers and duties of] his office [but not from receiving the salary attached thereto] for inability inefficiency mismanagement or misbehaviour or refusal or neglect or failure to carry out any of the provisions of the Railways Acts [or any of his duties as a Trustee], and when and so often as the same happens a full statement of the cause of such suspension shall be laid before both Houses of Parliament within seven days after the commencement of the next session thereof; and if an address shall at any time [within two months from the laying of such statement before Parliament] be presented to the Governor by the Legislative Council or the Legislative Assembly praying for the restoration of such Trustee to his office such Trustee shall be restored accordingly; but if no such address be so presented it shall be lawful for the Governor in Council to confirm such suspension and to declare the office of such Trustee to be and the same shall thereupon become and be vacant as if such Trustee were naturally dead.
- F. (1) In the event at any time of the office of any appointed Trustee becoming vacant the Governor in Council may appoint some person to be an Acting Trustee.
- (2) No such vacancy shall be so filled for any period exceeding six months in the whole; and in making any appointment pursuant to this section the period for which any Acting Trustee is appointed shall be specified by the Governor in Council.
 - (3) Every Acting Trustee shall during the time for which he is appointed hold office during good behaviour and shall have all the powers and perform all the duties of a Trustee, and shall be liable to be suspended or removed from or restored to office by the Governor in Council in such manner and upon such grounds as the appointed Trustees are liable to be suspended or removed from or restored to office.
- G. In the case of the illness suspension or absence of any appointed Trustee it shall be lawful for the Governor in Council to appoint some other person to act as the deputy of such Trustee during such illness suspension or absence, and every such person shall during the time for which he acts as such deputy have all the rights powers duties and liabilities and perform all the duties of such Trustee and shall be liable to be suspended or removed from or restored to office by the Governor in Council in such manner and upon such grounds as appointed Trustees are liable to be suspended or removed from or restored to office.
- H. (1) *Every appointed Trustee shall during his continuance in such office be entitled to receive by way of remuneration for his services a salary at the rate of Seven hundred and fifty pounds per annum payable monthly.*
- (2) *In addition to the salary by this Act payable every appointed Trustee shall be entitled to a further sum not exceeding One pound per diem for the personal expenses incurred by him in the performance of his duties as a Trustee in travelling whether by land or water, and also any charges of railway steam-boat coach or other conveyance paid by him when so travelling.*
 - (3) *The amount to which any Trustee is entitled pursuant to this Act for salary or travelling expenses and charges shall when approved by the Minister be payable out of the consolidated revenue of Victoria which is hereby appropriated for that purpose accordingly.*
- I. (1) If any appointed Trustee be in anywise concerned or interested in any bargain or contract made by or on behalf of the Trust or in anywise participate or claim to be entitled to participate in the profit thereof or in any benefit or emolument arising from the same, he shall thereby vacate his office as Trustee, and shall also be guilty of a misdemeanour, and on conviction thereof shall be liable in the discretion of the court to a penalty not exceeding Five hundred pounds or to imprisonment for any term not exceeding three years or to both of these punishments.

- (2) Nothing in this section shall be construed to prevent any person who is a Trustee from entering into any contracts for the carriage of passengers or of goods belonging to himself or any firm of persons of which he is a member in the same manner and upon the same terms as those upon which such contracts are ordinarily made by the Trust with the general public.
- (3) No person shall cease to be a Trustee by reason of being beneficially interested in any newspaper in which the Trust inserts advertisements, and no person being a shareholder or member of any incorporated company consisting of more than twenty persons shall cease to be a Trustee or liable to any penalty by reason of any contract entered into between such company and the Trust or of any work done by such company.
- (4) No Trustee shall take part in the consideration of any question relating to any contract or to the execution of any contract by any company of which he is a shareholder or member or of any question in which he has a direct pecuniary interest.
- J. No person being an uncertificated insolvent or whose affairs are under liquidation by arrangement under Part IX. of the *Insolvency Act* 1890 and who has not received a certificate of discharge under such Part shall be capable of being appointed a Trustee; and any appointed Trustee who becomes insolvent, or whose affairs are placed in liquidation as aforesaid, or who makes a composition with his creditors under Part X. of the said Act, or who applies to take the benefit of any Act now or hereafter to be in force for the relief of insolvent debtors, or who by any deed or other writing compounds with his creditors or makes an assignment for their benefit, or who is convicted of felony or any infamous offence, shall be deemed to have forfeited his office as Trustee.
- K. If any appointed Trustee be absent from his duty for four consecutive meetings of the Trust except on leave granted by the Trust with the approval of the Governor in Council or become incapable of performing his duties as Trustee or resign he shall thereby vacate his office as Trustee.
- L. No proceeding of the Trust shall be invalidated or illegal in consequence only of there being any vacancy in the number of the Trustees at the time of such proceeding.
- M. (1) The Trustees shall hold a meeting for the despatch of business once at least in every week.
- (2) At any meeting three Trustees shall form a quorum and shall have and may exercise all the rights powers and authorities which by this Act or by any Act for the time being in force are or shall be vested in the Trustees.
- N. (1) The Trustee presiding at a meeting of the Trust shall in the event of an equal division of votes at such meeting have a second or casting vote.
- (2) If the Minister is not present at any meeting of the Trust, the Trustees who are present shall appoint one of themselves to take the chair and preside at such meeting.
- O. If the Minister differs from the opinion of the majority of the Trustees with respect to any matter before the Trustees for their decision and determination, such matter shall be deferred by the Minister if he thinks fit for not more than seven days, when it shall be again brought forward at a meeting of the Trust; and in such event whether the Minister does or does not differ in opinion from the majority of the Trustees such matter of difference shall be determined according to the decision of the majority of the Trustees.

First Meeting of Trustees.

- P. The Trustees shall hold their first meeting on such day and at such time and place as the Governor in Council by notice in the *Government Gazette* shall appoint in that behalf; and on and after the day so appointed whether the whole number of members shall or shall not have been appointed the Trust shall be deemed to be duly and legally constituted.

Transfer of Rights Powers Duties Liabilities and Property to Trust.

- Q. Subject to the provisions of this Act, the several rights powers duties and liabilities at the commencement of this Act vested in and imposed upon the Commissioners by any Act shall on and after such date be vested in imposed upon and executed by the Trust, and the several powers duties and liabilities so vested in or imposed upon a single Commissioner shall on and after such date be vested in imposed upon and executed by a single Trustee.
- R. All railways vested in the Commissioners at the commencement of this Act and the piers wharfs jetties stations yards and buildings connected or used therewith respectively, or forming or reputed to be part or parcel thereof respectively, together with the land over or upon which the said railways piers wharfs jetties stations yards and buildings have been or may hereafter be constructed or erected and the land included within the boundary fences of any of the said railways, and all land outside of such fences vested in the Commissioners at the commencement of this Act, and the inheritance thereof in fee simple and all personal property whatsoever belonging to the said Commissioners at the time of such commencement, shall be and the same are hereby vested in the Trust for the purposes of this Act.

- S. Any lands which at the commencement of this Act are vested in the Commissioners and any lands (including Crown lands) which after such commencement are taken by the Trust under the authority of any Act and the inheritance thereof in fee simple shall be and the same are hereby vested in the Trust for the purposes of this Act.
- T. All telegraph posts erected on any lands vested in the Trust and all wires instruments and other telegraphic or telephonic apparatus used in connexion with any of the railways shall be and the same are hereby vested in the Trust for the purposes of this Act.
- U. (1) All purchases sales conveyances grants assurances deeds securities contracts bonds and agreements entered into made or given before the commencement of this Act by or to the Commissioners in connexion with the railways vested in the Commissioners or with the piers wharfs jetties stations yards buildings lands or personal property by this Act vested in the Trust shall be as binding and of as full force and effect in every respect against or in favour of the Trust and may be enforced as fully and effectually as if instead of the Commissioners the Trust had been a party thereto.
- (2) All powers conferred upon the Commissioners and all matters or things had or done or to be done and all rights and privileges accrued or accruing shall be exercised enforced enjoyed and used by the Trust in the same way that the Commissioners might have exercised enforced enjoyed or used the same but for the passing of this Act, and with respect thereto the Trust shall be substituted for the said Commissioners.
- (3) Any penalty forfeiture or other punishment incurred or to be incurred in respect of any offence committed against the Commissioners in respect of the railways or in respect of any such piers wharfs jetties stations yards buildings lands or personal property before the commencement of this Act may be enforced and recovered by or on behalf of the Trust in the same way as the Commissioners might have enforced and recovered the same but for the passing of this Act.
- V. (1) If at the date of the commencement of this Act any action or proceeding whether for a penalty or otherwise or any cause of action or proceeding is pending or existing by or against the Commissioners, the same shall not be in anywise prejudicially affected by this Act but may be continued prosecuted and enforced by or against the Trust as successor to the Commissioners.
- (2) All contracts deeds bonds agreements and other instruments entered into or made and subsisting at such date and to which the Commissioners are a party may be enforced by or against the Trust as fully and effectually as if instead of the Commissioners the Trust had been a party thereto.

Interpretation of Acts Orders and Documents.

- W. The following words and expressions having reference to the Victorian Railways Commissioners and words and expressions of a like meaning or referring thereto respectively wherever they occur in any Act Order in Council by-law regulation deed contract or document shall if not inconsistent with the context have the respective meanings hereby attached to them (that is to say) :—

“Victorian Railways Commissioners” or “Commissioners” shall refer to the Trust.

“Commissioner” shall refer to a Trustee.

“Officer” or “employé” or “servant” of the Victorian Railways Commissioners or the Commissioners shall mean officer or employé or servant of the Trust.

Transfer of Officers and Employés of Commissioners to the Trust.

- X. All officers and employés employed on the day of the commencement of this Act by the Commissioners shall without further or other authority than this Act be and are hereby transferred to the employment of the Trust, and shall become on that day officers and employés of the Trust; and with regard to the officers and employés so transferred and all officers or employés hereafter employed by the Trust and all candidates for appointment as officers or employés under the Trust, the Trust shall subject to this Act thenceforward have and exercise all or any of the powers duties and liabilities conferred or imposed on the Commissioners by the Railways Acts.
- Y. (1) The rights and privileges of officers and employés of the Commissioners shall not be prejudicially affected by the transfer to the Trust of such officers and employés.
- (2) Every officer or employé who is by the operation of this Act transferred from the service of the Commissioners to the service of the Trust shall nevertheless continue to be an “officer or employé” within the meaning of the Railways Acts and to be subject to such Acts accordingly; but instead of being under the control of the Commissioners every officer or employé so transferred shall be under the control of the Trust.
- (3) So far only as relates to officers or employés so transferred and officers or employés hereafter appointed or employed by the Trust for the purposes of the Railways Acts, all provisions of the *Railways Act 1890* relating to officers and employés shall subject to this Act be read and construed as if instead of the Commissioners the Trust were specified or referred to in such provisions.

- (4) Where in the Railways Acts powers and duties with regard to officers or employés are imposed or conferred on the Commissioners or on the Board or Commissioners or on any one or two Commissioners, such powers and duties shall with regard to officers and employés under the Trust be exercised only by the Trust or any one or two Trustees, as the case may be.
- (5) Notwithstanding anything in this Act contained it shall not be lawful for the Trust to alter or in any way diminish the rights and privileges of any officers and employés so transferred with regard to compensation for loss of office or superannuation or retiring allowances or, unless so authorized by regulations made pursuant to this Act, to lower the status or reduce the rank position grade or pay of any officers or employés so transferred. This sub-section shall not prevent any officer or employé being dealt with by the Trust for any charge made against him pursuant to the Railways Acts.

Railway Officers and Employés.

- Z. With the approval of the Governor in Council and subject to such arrangement as he may think fit for paying the salary or wages of any officer or employé, the services of any officer or employé under the control of the Board may be in part made use of by the Trust, and the services of any officer or employé under the control of the Trust may be in part made use of by the Board.
- AA. Notwithstanding anything contained in section seventy-seven of the *Railways Act* 1890 the powers conferred on the Governor in Council therein shall be exercised by the Trustees so far only as regards candidates for employment under the Trust.
- BB. In section ninety-two of the *Railways Act* 1890 the following words, namely, "And such regulations when confirmed by the Governor in Council shall have the same force and effect as if they had been contained in this Act," shall not apply to any regulations made by the Trust.

General Manager.

- CC. (1) The Governor in Council on the recommendation of the Trust may from time to time appoint some fit and proper person as General Manager of Railways for any period not exceeding seven years provided however that the Governor in Council on the recommendation of the Trust may at any time suspend or remove such General Manager for inability inefficiency mismanagement or misbehaviour or refusal or neglect or failure to carry out any of the provisions of the Railways Acts or any of his duties as General Manager.
- (2) The General Manager shall be responsible to the Trust for—
- (a) the efficiency and proper maintenance of the railway lines, rolling-stock, equipment, workshops, stations, buildings, and works;
 - (b) the regulation and proper working of the train service;
 - (c) the control and efficiency of all officers and employés of the railways; and
 - (d) generally for carrying out all other functions and duties in connexion with the management of the railways which may be intrusted to him from time to time by the Trustees.
- (3) During the pleasure of the Trust the General Manager shall, subject to such directions as he may from time to time receive from the Trust, exercise all or any of the powers authorities privileges and duties by law conferred on the Trust, and which may be by the Trust delegated to him, except the power of appointing and removing officers and employés and that of making altering or repealing rules regulations or by-laws.
12. Clause 14, line 31, omit "Commissioner" and insert "Trust."
13. " line 34, omit "Commissioner" and insert "Trust."
14. " line 36, omit "Commissioner" and insert "Trust."
15. " line 39, omit "Commissioner" and insert "Trustees."
16. " page 5, line 1, omit "Commissioner" and insert "Trust."
17. " page 5, line 3, omit "Commissioner" and insert "Trust."
18. Clause 15, line 4, omit "Commissioner" and insert "Trust."
19. Before clause 16 insert head line "*Railways Auditor.*"
20. Clause 16, line 14, omit "Commissioner" and insert "Trust."
21. " lines 16-17, omit "Commissioner" and insert "Trust."
22. " lines 21-2, omit "Commissioner" and insert "Trust."
23. Clause 17, line 9, omit "Second" and insert "Third."
24. Clause 18, line 31, omit "Commissioner" and insert "Trust."
25. " line 36, omit "Commissioner" and insert "Trust."
26. " line 37, omit "Commissioner" and insert "Trust."
27. " line 41, omit "Commissioner" and insert "Trust."
28. " page 6, line 2, omit "Commissioner" and insert "Trust."
29. " page 6, line 3, omit "Commissioner" and insert "Trust."
30. " page 6, line 7, omit "Commissioner" and insert "Trust."
31. Before clause 20 insert head line "*Railways Stores Suspense Account.*"
32. Clause 20, lines 12-13, omit "Commissioner" and insert "Trust."
33. " sub-clauses 2 and 3, transpose these sub-clauses.
34. " line 22, omit "Commissioner" and insert "Trust."
35. " line 34, omit "Commissioner" and insert "Trust."

36. After clause 20 insert the following head line and new clauses :—

Rules Regulations and By-laws.

- DD. (1) All rules regulations or by-laws made by the Trust shall be published in the *Government Gazette* and shall be laid before both Houses of Parliament within fourteen days after the making thereof if Parliament be then sitting, and if Parliament be not sitting then within fourteen days after the commencement of the next session of Parliament.
- (2) If an address be presented to the Governor by either House within the next subsequent thirty days praying that the whole or any part of any such rule regulation or by-law may be annulled the Governor in Council may thereupon by order published in the *Government Gazette* annul such rule regulation by-law or part.
- (3) If at any time when Parliament is not sitting any rule regulation or by-law is made by the Trust, then at any time within thirty days after the publication thereof in the *Government Gazette*, the Governor in Council may by order published in the *Government Gazette* temporarily suspend the operation of the whole or any part of any rule regulation or by-law for any time not extending beyond six months from the date of such publication, but without prejudice to the validity of any proceedings which have previously to such suspension been taken under the same or part thereof.
- (4) Any rule regulation or by-law or part so annulled shall thereupon become void and of no effect, but without prejudice to the validity of any proceedings which may in the meantime have been taken under the same ; and any rule regulation or by-law so temporarily suspended shall during the time of such suspension have no force or effect.
- (5) It shall be the duty of the Secretary for Railways to personally submit to the Minister a copy of the *Government Gazette* containing any rule regulation or by-law published pursuant to this section and to direct the Minister's attention to such rule regulation or by-law within one week after the same is so published.
- EE. The rules regulations and by-laws with regard to railways in force at the time of the commencement of this Act with regard to railways vested in the Commissioners or to any officers or employés of the Commissioners, whether within the powers conferred upon the authority which made the same or in excess of them, shall be deemed to have been made under and pursuant to the provisions of this Act, and shall be and continue to be in full force and effect until altered or repealed by rules regulations or by-laws made in pursuance of the Railways Acts.

37. Before clause 21 insert head line "*Miscellaneous.*"

38. Clause 21, line 41, omit "Commissioner" and insert "Trust."

39. " lines 41-2, omit "whatever may be the amount value or damages sought to be recovered."

40. " lines 43-4, omit "a county court, unless otherwise ordered by the Supreme Court or a Judge thereof" and insert "any court of competent jurisdiction."

41. " line 45, omit "arbitration" and insert "the decision of a police magistrate, and on such reference he shall be guided by the real justice of the case without regard to legal forms or decisions."

42. Clause 22, line 2, omit "Commissioner" and insert "Trust."

43. " line 12, omit "Commissioner" and insert "Trust."

44. Clause 23, line 25, before "All" insert "No rates taxes or assessments shall be made calculated or charged upon any income of or upon any railway pier wharf jetty station yard building works or property vested in the Trust. Provided that."

45. " line 27, omit "Commissioner" and insert "Trust."

46. " line 29, omit "Commissioner" and insert "Trust."

47. After the First Schedule insert new Schedule :—

SECOND SCHEDULE.

I of do solemnly and sincerely promise and declare that according to the best of my skill and ability I will faithfully impartially and truly execute the office and perform the duties of Railways Trustee.

48. In the head line of the Second Schedule omit "Second" and insert "Third."

The Honorable W. McCulloch moved, That the Council do not insist on their amendments.

Debate ensued.

Question—put and negatived.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council insist on their amendments for the following reasons :—

1. That the amendments are in accordance with the unanimous report of the Railway Inquiry Board.
2. That such report was in accordance with the evidence of a large number of expert and commercial witnesses.

3. That the Ministry after due consideration adopted the said report, and framed their Bill in accordance therewith, providing for—
 - (a) A Railway Trust consisting of the Minister and four others appointed by the Governor in Council.
 - (b) A General Manager responsible to the Trust.
4. That the Council are of opinion that the Bill so drawn will insure the management of the Railways upon a sound commercial basis.
5. On the other hand the Legislative Council are strongly of opinion that the Bill as sent to the Council will result—
 - (a) In the country being unable to secure the services of a competent man ;
 - (b) In placing the General Manager under the full control of the Minister for the time being, and
 - (c) In re-establishing the system of political influence which in the past has been so fatal to the successful working of the Railways.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council insist on their amendments disagreed with by the Legislative Assembly for the reasons above set forth.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act relating to Disease affecting Vegetation,*” and acquaint the Legislative Council that the Legislative Assembly insist on disagreeing with the amendments in such Bill insisted on by the Legislative Council.

Legislative Assembly,
Melbourne, 18th February, 1896.

GRAHAM BERRY,
Speaker.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to suppress Betting in Streets and for other purposes,*” and acquaint the Legislative Council that the Legislative Assembly insist on their amendment in this Bill with which the Legislative Council have disagreed.

Legislative Assembly,
Melbourne, 18th February, 1896.

GRAHAM BERRY,
Speaker.

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

17. 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 Act 1890 Amendment Bill—Consideration of Report.

Seed Bill—Second reading.

Sugar Beet Bill—Message from Legislative Assembly—To be taken into consideration.

Advances to Municipalities (Wire Netting) Bill—Second reading.

Post Office Act 1890 Amendment Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

Land Acts Amendment Bill—Second reading.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 57.

WEDNESDAY, 19TH FEBRUARY, 1896.

General Business.

ORDER OF THE DAY :—

1. LAND ACTS AMENDMENT BILL—Second reading.

Government Business.

ORDERS OF THE DAY :—

1. VEGETATION DISEASES BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
2. STREET BETTING SUPPRESSION BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
3. SUGAR BEET BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
4. SEED BILL—Second reading.
5. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Consideration of Report.
6. RAILWAY LOAN APPLICATION BILL—Second reading.
7. ADVANCES TO MUNICIPALITIES (WIRE NETTING) BILL—Second reading.
8. POST OFFICE ACT 1890 AMENDMENT BILL—Second reading.
9. FEDERATION OF AUSTRALASIA REPRESENTATIVES BILL—Second reading.
10. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
11. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 14TH FEBRUARY, 1896.

Notices of Motion and Orders of the Day. No. 57.

Factories and Shops Bill—[1]. (To Members of Council only.)

Railway Loan Application Bill—[25]. (To Members of Council only.)

Federal Representatives Bill—[124]. (To Members of Council only.)

Seed Advances Bill—[125]. (To Members of Council only.)

Federation of Australasia Enabling Bill.—Copy of Standing Order No. 273 of Legislative Assembly, &c.
(To Members of Council only.)

Factories and Shops Act 1890 Amendment Bill—

Amendments to be proposed by the Hon. H. Cuthbert. (To Members of Council only.)

New sub-clause. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 107, 108, 109, and 110.

Notices of Motion and Orders of the Day. No. 111.

Divisions in Committee of the Whole. No. 27.

Width of Tires Bill—[9]. (To Members only.)

VICTORIA.

No. 58.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 19TH FEBRUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITION.—The Honorable Lieut.-Col. Sir F. T. Sargood presented a Petition from certain laundry proprietors of Melbourne, praying that all charitable institutions which compete with them in the open market might be placed on the same footing under the Factories Acts as the petitioners. Ordered to lie on the Table, and to be referred to the Committee of the whole on the Factories and Shops Act 1890 Amendment Bill.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to regulate the Weights to be carried on certain Vehicles and for other purposes*," 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.

GRAHAM BERRY,
Speaker.Legislative Assembly,
Melbourne, 19th February, 1896.

Ordered—That the foregoing Message be taken into consideration this day.

6. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable H. Cuthbert the following Order of the Day was read and discharged :—

Factories and Shops Act 1890 Amendment Bill—Consideration of Report.

(200 copies.)

7. **FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL.**—The Honorable H. Cuthbert moved, That this Bill be recommitted to a Committee of the whole for reconsideration.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill, and agreed to the same with amendments.

The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“*An Act to amend the ‘Factories and Shops Act 1890’ and for other purposes.*”

Question—put and resolved in the affirmative.

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

8. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced the receipt of the following Message from the Legislative 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 further amend the Law relating to the Victorian Railways,*” and that they have appointed nine Members of the Legislative Assembly to be Managers of the said Conference.

GRAHAM BERRY,

Legislative Assembly,
Melbourne, 19th February, 1896.

Speaker.

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

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

Land Acts Amendment Bill—Second reading.

Vegetation Diseases Bill—Message from Legislative Assembly—To be taken into consideration.

Street Betting Suppression Bill—Message from Legislative Assembly—To be taken into consideration.

Sugar Beet Bill—Message from Legislative Assembly—To be taken into consideration.

Seed Bill—Second reading.

Railway Loan Application Bill—Second reading.

Advances to Municipalities (Wire Netting) Bill—Second reading.

Post Office Act 1890 Amendment Bill—Second reading.

Federation of Australasia Representatives Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

Width of Tires Bill—Message from Legislative Assembly—To be taken into consideration.

And then the Council, at eleven o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 58.

THURSDAY, 20TH FEBRUARY, 1896.

Questions.

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD : To ask the Honorable the Solicitor-General—
 1. What is the total amount of the advances made from time to time to municipalities for the purchase of wire netting.
 2. What is the total amount repaid of such advances.
 3. What is the total amount, including interest thereon, now owing on such advances.
2. The Hon. Lieut.-Col. Sir F. T. SARGOOD : To ask the Honorable the Minister of Defence—
 1. If the works mentioned in the Schedule to the Railway Loan Application Bill now before this House, which will cost more than £20,000, have been referred to the Parliamentary Standing Committee on Railways as provided for in sections 12 and 13 of the *Railways Standing Committee Act 1890*.
 2. If not, will the Minister of Defence inform this House why the provisions of the Railways Standing Committee Act have not been carried out by the Government.

Government Business.

ORDERS OF THE DAY:—

1. RAILWAYS BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY DESIRING FREE CONFERENCE—To be taken into consideration.
2. WIDTH OF TIRES BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
3. VEGETATION DISEASES BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
4. STREET BETTING SUPPRESSION BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
5. SUGAR BEET BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
6. SEED BILL—Second reading.
7. RAILWAY LOAN APPLICATION BILL—Second reading.
8. ADVANCES TO MUNICIPALITIES (WIRE NETTING) BILL—Second reading.
9. POST OFFICE ACT 1890 AMENDMENT BILL—Second reading.
10. FEDERATION OF AUSTRALASIA REPRESENTATIVES BILL—Second reading.
11. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate*.
12. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDER OF THE DAY:—

1. LAND ACTS AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 19TH FEBRUARY, 1896.

Notices of Motion and Orders of the Day. No. 58.

Vegetation Diseases Bill.—Amendments made by the Legislative Council—How dealt with. (To Members of Council only)

Street Betting Suppression Bill.—Amendment made by the Legislative Assembly—How dealt with. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 112.

Federation of Australasia Enabling Bill.—Amendments of the Legislative Council disagreed with by the Legislative Assembly, and insisted on by the Legislative Council. (To Members only.)

VICTORIA.

No. 59.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 20TH FEBRUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPERS.—The following Papers, pursuant to the directions of an Act of Parliament, were laid upon the Table by the Clerk:—
Defences and Discipline Act 1890—
Victorian Military Forces.—Alteration of Dress Regulations (X. Army Service Corps, &c.).
Victorian Naval and Military Forces.—Alteration of Financial and Store Regulations (Parts II. and VII.).

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to enable Victoria to take part in the framing acceptance and enactment of a Federal Constitution for Australasia*," with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 20th February, 1896.

6. FEDERATION OF AUSTRALASIA ENABLING BILL (No. 2).—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to enable Victoria to take part in the framing acceptance and enactment of a Federal Constitution for Australasia*," 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 this day.
7. RAILWAYS BILL.—The Order of the Day for the consideration of the Message from the Legislative Assembly desiring a Free Conference on the subject-matter of the amendments made and insisted on by the Council in this Bill having been read—
The Honorable H. Cuthbert moved, That the desire of the Legislative Assembly for a Free Conference on the Bill intituled "*An Act to further amend the Law relating to the Victorian Railways*" be complied with, and that the following Members be appointed Managers of the Conference:—The Honorables J. H. Abbott, J. Bell, E. J. Croke, N. FitzGerald, D. Ham, Lieut.-Col. Sir F. T. Sargood, J. Service, N. Thornley, and J. A. Wallace.
Question—put and resolved in the affirmative.
The Honorable H. Cuthbert moved, That the Conference meet in the South Library this day at half-past seven o'clock.
Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have appointed nine Members to confer with a like number of Members of the Legislative Assembly on the Bill intituled "*An Act to further amend the Law relating to the Victorian Railways*," and have appointed the South Library as the place of meeting and half-past Seven o'clock this day as the time of meeting of such Conference.

8. **WIDTH OF TIRES BILL.**—The Order of the Day for the consideration of the amendments made by the Legislative Assembly in this Bill having been read—the said amendments were read, and are as follow :—

1. Clause 1, line 5, omit "1895" and insert "1896."
2. Clause 4, line 8, omit "four" and insert "five."
3. Clause 9, omit this clause.

On the motion of the Honorable W. McCulloch the Council agreed to amendments 1 and 2.

The Honorable W. McCulloch moved, That the Council agree to amendment 3.

Debate ensued.

Question—put and negatived.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to some of the amendments made by the Legislative Assembly in this Bill, and have disagreed with one of the said amendments.

9. **VEGETATION DISEASES BILL.**—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill with which the Legislative Assembly have insisted on disagreeing having been read—the said amendments were read, and are as follow :—

Amendments made by the Legislative Council.	How dealt with.
1. Clause 8, line 30, omit "eradicate all" and insert "take reasonable means for the eradication of."	Disagreed with } by Assembly } and insisted on } by Council. } Disagreement } insisted on by } Assembly.
2. " same line, omit "from."	
3. " same line, omit "all" after "destroy" and insert "the."	
4. Clause 9, line 39, omit "eradicate all" and insert "take reasonable means for the eradication of."	
5. " same line, omit "destroy all" and insert "the destruction of."	
6. " page 4, line 1, omit "eradicate all" and insert "take reasonable means for the eradication of."	
7. " same page, line 2, omit "to destroy all" and insert "the destruction of."	

The Honorable H. Cuthbert moved, That the Council do not now insist on their amendments.

Debate ensued:

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council do not now insist on their amendments in this Bill with which the Legislative Assembly have insisted on disagreeing.

10. **STREET BETTING SUPPRESSION BILL.**—The Order of the Day for the consideration of the amendment made and insisted on by the Legislative Assembly in this Bill and disagreed with by the Legislative Council having been read—the said amendment was read, and is as follows:—

Amendment made by the Legislative Assembly.	How dealt with.
Clause 5, line 25, after "houses" insert "and all race-courses registered by the Victoria Racing Club."	Disagreed with by } Council and insisted } on by Assembly.

The Honorable H. Cuthbert moved, That the Council do not now disagree with the said amendment.

Debate ensued.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, as an amendment, That the words "all" and "registered by the Victoria Racing Club" be omitted from the said amendment.

Debate ensued.

Question—That the words proposed to be omitted be so omitted—put and resolved in the affirmative.

Question—That the Council do not now disagree with the said amendment, but agree to the same with the omission of the words "all" and "registered by the Victoria Racing Club"—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council do not insist on disagreeing with the amendment made by the Legislative Assembly in this Bill, but have agreed to the same with amendments, with which they desire the concurrence of the Legislative Assembly.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize the Exchange of certain Land in the parish of Nunawading between the Board of Land and Works the Nunawading Shire Council and the Education Department and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 20th February, 1896.

GRAHAM BERRY,
Speaker.

12. **NUNAWADING LANDS EXCHANGE BILL.**—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to authorize the Exchange of certain Land in the parish of Nunawading between the Board of Land and Works the Nunawading Shire Council and the Education Department and for other purposes,*” 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 to-morrow.
13. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to revoke the Permanent Reservation of certain Crown Land in the parish of Boort,*” with which they desire the concurrence of the Legislative Council.
Legislative Assembly,
Melbourne, 20th February, 1896.
GRAHAM BERRY,
Speaker.
14. **BOORT LAND BILL.**—The Honorable D. Coutts moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to revoke the Permanent Reservation of certain Crown Land in the parish of Boort,*” 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 to-morrow.
15. **RAILWAYS BILL—CONFERENCE.**—The Managers then went to the Conference, and being returned—
16. **SESSIONAL ORDER SUSPENDED.**—The Honorable H. Cuthbert moved, by leave, That the Sessional Order appointing half-past Four o'clock as the hour of meeting on Fridays be suspended, and that the Council do meet to-morrow at half-past Ten o'clock.
Question—put and resolved in the affirmative.
17. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow :—
Sugar Beet Bill—Message from Legislative Assembly—To be taken into consideration.
Seed Bill—Second reading.
Railway Loan Application Bill—Second reading.
Advances to Municipalities (Wire Netting) Bill—Second reading.
Post Office Act 1890 Amendment Bill—Second reading.
Federation of Australasia Representatives Bill—Second reading.
Treasury Deposits Interest Bill—Second reading—Resumption of debate.
Local Government (Municipal Elections) Bill—To be further considered in Committee.
Land Acts Amendment Bill—Second reading.
Federation of Australasia Enabling Bill (No. 2)—Second reading.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 59.

FRIDAY, 21ST FEBRUARY, 1896.

Government Business.

ORDERS OF THE DAY:—

1. SUGAR BEET BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
2. SEED BILL—Second reading.
3. ADVANCES TO MUNICIPALITIES (WIRE NETTING) BILL—Second reading.
4. POST OFFICE ACT 1890 AMENDMENT BILL—Second reading.
5. FEDERATION OF AUSTRALASIA ENABLING BILL (No. 2)—Second reading.
6. NUNAWADING LANDS EXCHANGE BILL—Second reading.
7. BOORT LAND BILL—Second reading.
8. RAILWAY LOAN APPLICATION BILL—Second reading.
9. FEDERATION OF AUSTRALASIA REPRESENTATIVES BILL—Second reading.
10. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
11. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDER OF THE DAY:—

1. LAND ACTS AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 20TH FEBRUARY, 1896.

Notices of Motion and Orders of the Day. No. 59.
Boort Land Bill—[59]. (To Members of Council only.)
Nunawading Lands Exchange Bill—[100]. (To Members of Council only.)
Australasian Federation Enabling Bill—[126]. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 113.
Factories and Shops Act 1890 Amendment Bill.—Amendments of the Legislative Council. (To Members only.)

VICTORIA.

No. 60.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 21ST FEBRUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. RAILWAYS BILL—CONFERENCE.—The Managers again proceeded to the Conference, and being returned, the Honorable Lieut.-Col. Sir F. T. Sargood reported, on behalf of the Managers for the Legislative Council, that they had met the Managers for the Legislative Assembly on the subject-matter of the amendments made and insisted on by the Legislative Council in the Bill intituled "*An Act to further amend the Law relating to the Victorian Railways,*" and with which the Legislative Assembly had disagreed, and that, after discussion, the following resolutions had been agreed to :—
 1. That there shall be a General Manager, to be called a Commissioner, and that the Government are to have unlimited powers as to his selection.
 2. Clause 13 of the Bill to be struck out.
 3. An Advisory Board to be formed, that is, at least once in each month the Commissioner shall call together the following officers :—The Engineer-in-Chief, the Secretary for Railways, the Chief Mechanical Engineer, the Engineer for Existing Lines, and the Traffic Manager for the purpose of consultation, three to form a quorum, to discuss all matters brought forward by the Commissioner or by any of the officers present, records to be kept of all their meetings.
5. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to regulate the Weights to be carried on certain Vehicles and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly do not insist on their amendment in this Bill with which the Legislative Council have disagreed.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 21st February, 1896.
6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—

Sugar Beet Bill—Message from Legislative Assembly—To be taken into consideration.

Seed Bill—Second reading.

Advances to Municipalities (Wire Netting) Bill—Second reading.

Post Office Act 1890 Amendment Bill—Second reading.

Federation of Australasia Enabling Bill (No. 2)—Second reading.

Nunawading Lands Exchange Bill—Second reading.

Boort Land Bill—Second reading.

Railway Loan Application Bill—Second reading.

Federation of Australasia Representatives Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

Land Acts Amendment Bill—Second reading.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 60.

TUESDAY, 25TH FEBRUARY, 1896.

Government Business.

ORDERS OF THE DAY:—

1. SUGAR BEET BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
2. SEED BILL—Second reading.
3. ADVANCES TO MUNICIPALITIES (WIRE NETTING) BILL—Second reading.
4. POST OFFICE ACT 1890 AMENDMENT BILL—Second reading.
5. FEDERATION OF AUSTRALASIA ENABLING BILL (No. 2)—Second reading.
6. NUNAWADING LANDS EXCHANGE BILL—Second reading.
7. BOORT LAND BILL—Second reading.
8. RAILWAY LOAN APPLICATION BILL—Second reading.
9. FEDERATION OF AUSTRALASIA REPRESENTATIVES BILL—Second reading.
10. TREASURY DEPOSITS INTEREST BILL—Second reading—*Resumption of debate.*
11. LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—To be further considered in Committee.

General Business.

ORDER OF THE DAY:—

1. LAND ACTS AMENDMENT BILL—Second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 21ST FEBRUARY, 1896.

Notices of Motion and Orders of the Day. No. 60.

Notices of Motion and Orders of the Day. No. 114.

Income Tax Act 1895.—Regulations.—Schedule amended.—Order in Council. No. 95.

Public Service Acts.—Regulations. No. 96.

VICTORIA.

No. 61.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 25TH FEBRUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—

BRASSEY,
Governor.

Message No. 15.

The Governor informs the Legislative Council that he has, on this day, at the Government House, 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 Trusts and Trustees.”
- “An Act for codifying the Law relating to the Sale of Goods.”
- “An Act to further amend the ‘Instruments Act 1890.’”
- “An Act relating to the assignment or transfer of Book Debts.”
- “An Act relating to the Making and Levying of Rates within an Urban District under the ‘Water Act 1890’ and for the abolition of Fees for Summonses to recover Rates and Charges under the said Act.”
- “An Act to further amend the ‘Marine Act 1890.’”
- “An Act to rectify the Boundaries of the Gippsland West and Mornington Electoral Districts and certain Divisions thereof.”
- “An Act relating to Mallee Lands.”

Government House,
Melbourne, 20th February, 1896.

5. PETITIONS.—The Honorable D. Melville presented a Petition from the Mayor and Councillors of the Town of Northcote, praying that the Council would oppose the proposed expenditure by the Government of £110,000 on the reconstruction of the Flinders-street Railway Station. Petitions were presented by the Honorable D. Melville, praying that the Council would oppose the proposed expenditure by the Government of £110,000 on the reconstruction of the Flinders-street Railway Station, and would lay aside the Railway Loan Application Bill—
From the President, Councillors, and Ratepayers of the Shire of Preston.
From the President, Councillors, and Ratepayers of the Shire of Heidelberg.
Severally ordered to lie on the Table, and to be referred to the Committee of the whole on the Railway Loan Application Bill.
6. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending an amendment in the Bill intituled “An Act relating to Disease affecting Vegetation,” and acquaint the Legislative Council that the Legislative Assembly have agreed to the said amendment recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 25th February, 1896.

GRAHAM BERRY,
Speaker.

BRASSEY,

Governor.

Message.

Pursuant to the provisions of section 36 of *The Constitution Act*, the Governor transmits to the Legislative Assembly, for their consideration, the following amendment which he desires to be made in the Bill intituled "*An Act relating to Disease affecting Vegetation*":—

In clause 13, page 5, fifth line of paragraph (e), omit first word "and," substitute "of meetings of and the."

Government Offices,
Melbourne, 24th February, 1896.

On the motion of the Honorable H. Cuthbert the Council agreed to the amendment recommended by His Excellency the Governor, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

7. SUGAR BEET BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill, disagreed with by the Legislative Assembly or agreed to with amendments, 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 4, line 44, omit "such period as he may determine" and insert "a period of five years from the date of the factory commencing to manufacture beet sugar."	} Agreed to with the following amendment:—Omit "five" and insert "three."
2. Clause 17, omit this clause and insert new clause:— A. The amount advanced to any company together with interest thereon at the rate of Four pounds per centum per annum shall be repaid by such company to the Treasurer by means of forty-six half-yearly repayments. Provided (a) That the first of such repayments shall be made two years from the date of the payment by the Treasurer of the first instalment of such advance; and (b) That such forty-six half-yearly repayments shall all be of equal amount except the last. (c) And further provided that the actual interest accruing from time to time upon the advances made prior to the date of the commencement of such half-yearly repayments shall be determined by the Treasurer and shall be paid by the company half-yearly.	} Disagreed with.
3. Clause 24, lines 38 and 39, omit "such fund" and insert "a separate reserve fund account provided nevertheless that."	
4. Clause 38, lines 21–2, omit "as are necessary to give effect thereto" and insert "for all or any of the following purposes:— (a) Generally for carrying into effect the provisions of this Act. (b) For defining the conditions under which the owners or occupiers of land who shall have entered into bonds for the growth of sugar beet under section three of this Act shall be entitled to claim and shall be paid such bonuses for the growth of the sugar beet as Parliament may from time to time authorize."	} Agreed to with the following amendment:—Omit sub-clause (b).

The Honorable W. McCulloch moved, That the Council agree to the amendment made by the Legislative Assembly in amendment 1.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable W. McCulloch moved, That the Council do not insist on amendment 2.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable W. McCulloch moved, That the Council do not insist on amendment 3.

Debate ensued.

Question—put and negatived.

The Honorable W. McCulloch moved, That the Council agree to the amendment made by the Legislative Assembly in amendment 4.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the amendments made by the Legislative Assembly on certain amendments of the Legislative Council, that they do not insist on one of their amendments, and that they do insist on another of the said amendments disagreed with by the Legislative Assembly.

8. SEED BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable D. Coutts moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable D. Coutts moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable D. Coutts, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable D. Coutts the Council, after debate, adopted the Report from the Committee of the whole on this Bill.

The Honorable D. Coutts moved, That this Bill be now read a third time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a third time.

The Honorable D. Coutts moved, That this Bill do pass.

Question—put and resolved in the affirmative.

The Honorable D. Coutts moved, That the following be the title of the Bill :—

“ An Act to enable Seed to be advanced on certain terms to Cultivators of Land.”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

9. ADVANCES TO MUNICIPALITIES (WIRE NETTING) BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

The Honorable H. Cuthbert moved, That this Bill be now read a third time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a third time.

The Honorable H. Cuthbert moved, That this Bill do pass.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“ An Act to authorize Advances to Municipalities for the purchase of Wire Netting.”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

10. NUNAWADING LANDS EXCHANGE BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“ An Act to authorize the Exchange of certain Land in the Parish of Nunawading between the Board of Land and Works the Nunawading Shire Council and the Education Department and for other purposes.”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

11. BOORT LAND BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable D. Coutts moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable D. Coutts moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable D. Coutts, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair ; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable D. Coutts the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable D. Coutts, the Bill was read a third time and passed. The Honorable D. Coutts moved, That the following be the title of the Bill :—

“ *An Act to revoke the Permanent Reservation of certain Crown Land in the parish of Boort.*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

12. **POST OFFICE ACT 1890 AMENDMENT BILL.**—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time. Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown 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.

13. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced the receipt of the following Message from the Legislative 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 insist on disagreeing with some of the amendments in this Bill insisted on by the Legislative Council, that they do not insist on disagreeing with the omission of clause 13, that they insist on disagreeing with proposed new clauses A to CC inclusive, but have inserted a new clause (AAA) in place thereof, and have made certain consequential amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 25th February, 1896.

GRAHAM BERRY,
Speaker.

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

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

Federation of Australasia Enabling Bill (No. 2)—Second reading.

15. **RAILWAY LOAN APPLICATION BILL.**—The Order of the Day for the second reading of this Bill having been read—the Honorable W. McCulloch moved, That this Bill be now read a second time.

The Honorable Lieut.-Col. Sir F. T. Sargood 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.

16. **DISCHARGE OF ORDERS OF THE DAY.**—On the motion of the Honorable H. Cuthbert the following Orders of the Day were read and discharged :—

Federation of Australasia Representatives Bill—Second reading.

Treasury Deposits Interest Bill—Second reading—Resumption of debate.

Local Government (Municipal Elections) Bill—To be further considered in Committee.

Ordered—That the said Bills be withdrawn.

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

Land Acts Amendment Bill—Second reading.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 61.

WEDNESDAY, 26TH FEBRUARY, 1896.

Questions.

1. The Hon. J. SERVICE : To ask the Honorable the Minister of Defence whether, in accordance with promise, convenience for discharging goods at Outtrim North has been furnished ; if not, is it the intention to proceed with the work and, if so, when.
2. The Hon. G. GODFREY : To ask the Honorable the Solicitor-General whether his attention has been called to a statement in the *Argus* and *Age* that the Commissioner of Taxes, in view of the decision of the Supreme Court exempting legacies and share of corpus of an estate from Income Tax, intends to require "Gifts" to be included in the returns of taxpayers ; and, if so, will he explain the difference between a legacy from a deceased person and a gift from a living person.
3. The Hon. Lieut.-Col. Sir F. T. SARGOOD : To ask the Honorable the Minister of Defence—
 1. What is the entire length of the Maffra to Briagolong Railway.
 2. What is the length of the railway between the Avon River and the terminus of the line.
 3. What has been the loss upon the line in each year since its opening.
 4. What will be the total cost of the proposed bridge.
 5. What is the tonnage expected to be accommodated by such bridge.
 6. How many trains per day will pass over the said bridge.

General Business.

ORDER OF THE DAY:—

1. LAND ACTS AMENDMENT BILL—Second reading.

Government Business.

ORDERS OF THE DAY:—

1. RAILWAYS BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY.—To be taken into consideration.
2. FEDERATION OF AUSTRALASIA ENABLING BILL (No. 2)—Second reading.
3. POST OFFICE ACT 1890 AMENDMENT BILL—To be further considered in Committee.
4. RAILWAY LOAN APPLICATION BILL—Second reading—*Resumption of debate.*

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 21ST FEBRUARY, 1896

Notices of Motion and Orders of the Day. No. 61.

Votes and Proceedings of the Legislative Assembly. Nos. 111, 112, 113, and 114.

Notices of Motion and Orders of the Day. No. 115.

Divisions in Committee of the Whole. No. 28.

Factories and Shops Bill—[1]. (To Members of Assembly only.)

Companies Act 1890.—Summary of Statements for the year 1892 made by Companies transacting Life Assurance business in Victoria. A.—No. 2.

VICTORIA.

No. 62.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 26TH FEBRUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. ADJOURNMENT.—The Honorable G. Davis having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed. The Honorable G. Davis then said that he proposed to speak on the subject of the Outtrim Railway Station, and moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.
5. LAND ACTS AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.
Debate ensued.
Question—put.
The Council divided.

Ayes, 25.
The Hon. S. Austin
J. Bell
T. Brunton
J. H. Connor
S. W. Cooke
D. Coutts
H. Cuthbert
T. Dowling
Dr. W. H. Embling
G. Godfrey
N. Levi
W. McCulloch
E. Miller
E. Morey
J. M. Pratt
Lieut.-Col. Sir F. T. Sargood
J. Service
G. Simmie
Sir A. Snowden
N. Thornley
J. A. Wallace
T. D. Wanliss
W. I. Winter-Irving.

Tellers.
J. Balfour
D. E. McBryde.

Noes, 14.
The Hon. J. H. Abbott
F. Brown
Sir W. J. Clarke, Bart.
E. J. Crooke
N. FitzGerald
S. Fraser
F. S. Grimwade
C. J. Ham
W. Pitt
C. Sargeant
J. Sternberg
S. Williamson.

Tellers.
G. Davis
D. Melville.

And so it was resolved in the affirmative.—Bill read a second time.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown 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. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to Suppress Betting in Streets and for other purposes,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made by the Legislative Council on an amendment of the Legislative Assembly in clause 5 of such Bill.

Legislative Assembly,
Melbourne, 26th February, 1896.

GRAHAM BERRY,
Speaker.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to encourage the Establishment of the Sugar Beet Industry in Victoria,*” and acquaint the Legislative Council that the Legislative Assembly do not insist on disagreeing with the amendment in such Bill insisted on by the Legislative Council.

Legislative Assembly,
Melbourne, 26th February, 1896.

GRAHAM BERRY,
Speaker.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to amend the ‘Factories and Shops Act 1890’ and for other purposes,*” 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, and have agreed to some of the said amendments with amendments, and have made certain consequential amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 26th February, 1896.

GRAHAM BERRY,
Speaker.

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

9. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative 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 eight hundred and ninety-six and to appropriate the Supplies granted in this Session of Parliament,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 26th February, 1896.

GRAHAM BERRY,
Speaker.

10. APPROPRIATION BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, 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 eight hundred and ninety-six and to appropriate the Supplies granted in this Session of Parliament,*” 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 to-morrow.

11. RAILWAYS BILL.—The Order of the Day for the consideration of the amendments made and insisted on by the Legislative Council in this Bill and disagreed with by the Legislative Assembly, or agreed to with amendments, having been read—the said amendments were read, and are as follow:—

Amendments made by the Legislative Council.

How dealt with.

1. Title, omit the Title and insert new Title:—

“ A Bill intituled An Act to create a Victorian Railways Trust and to further amend the Law relating to the Victorian Railways.”

2. Clause 2, lines 13 and 14, omit “ Provided however that section four shall come into operation on the passing of this Act ” and insert “ for the holding of the first meeting of the Victorian Railways Trust as hereinafter provided.”

Disagreed with
by Assembly
and insisted on
by Council. } Disagreement
insisted on by
Assembly.

3. Clause 5, omit this clause.

Disagreed with
by Assembly
and insisted on
by Council. } Disagreement
insisted on by
Assembly
with the fol-
lowing con-
sequential
amendment:
—Omit “ who
shall be a
resident of
any one of
the Austral-
asian colonies
at the date of
the passing
of this Act.”

Amendments made by the Legislative Council.

How dealt with.

4. Clause 6, omit this clause.	{ Disagreed with by Assembly and insisted on by Council. }	Disagreement insisted on by Assembly.
5. Clause 7, omit this clause.	{ Disagreed with by Assembly and insisted on by Council. }	Disagreement insisted on by Assembly, with the following consequential amendment : Omit "Two thousand" and insert "Three thousand five hundred."
6. Clause 8, omit this clause. 7. Clause 9, omit this clause. 8. Clause 10, omit this clause. 9. Clause 11, omit this clause. 10. Clause 12, omit this clause.	{ Disagreed with by Assembly and insisted on by Council. }	Disagreement insisted on by Assembly.
11. Insert the following head lines and new clauses :— <i>Abolition of Victorian Railways Commissioners.</i> A. On and after the day appointed for the first meeting of the Victorian Railways Trust as hereinafter provided the body corporate styled "The Victorian Railways Commissioners" as constituted under the Railways Acts shall be abolished. <i>Constitution of Victorian Railways Trust.</i> B. (1) For the purposes of carrying out and enforcing the provisions of this Act and such provisions of the Railways Acts, the Railways Standing Committee Acts, and any other Acts as have immediately before the commencement of this Act been carried out or enforced by the Commissioners, a Victorian Railways Trust (hereinafter called the Trust) shall be constituted. (2) Such Trust shall consist of the Minister, who shall by virtue of his office be the Chairman of the Trust, and also of four other members who shall be appointed by the Governor in Council, and are hereinafter specially referred to as "appointed Trustees." (3) Every appointed Trustee before entering upon the duties or exercising the powers vested in him by this Act shall make and subscribe before the Executive Council a declaration in the form contained in the Second Schedule to this Act ; and every such declaration shall be kept among the records of the said Council. C. (1) The Trust shall be a body corporate by the name "The Victorian Railways Trust," and by that name shall have perpetual succession and a common seal and be capable in law of suing and being sued, and shall have power to take purchase sell lease and hold lands tenements and hereditaments goods chattels and other property for any of the purposes of the Railways Acts subject to the restrictions therein contained. (2) All courts judges and persons acting judicially shall take judicial notice of the common seal of the Victorian Railways Trust affixed to any deed and shall presume that such seal was properly affixed thereto.	Disagreed with by Assembly and insisted on by Council.	{ Disagreement to insert new clauses A to CC inclusive insisted on, and the following new clause (AAA) inserted in place thereof :— AAA. (1) The Railways Secretary for Railways, the Accountant, the Chief Mechanical Engineer, the Engineer for Existing Lines, and the Traffic Manager shall be and are hereby constituted a Board to be called the Railways Board of Advice. (2) Any three of such officers shall form a quorum of such Board. Such Board shall be convened by the Commissioner to meet him at least once a month. (3) It shall be the duty of each member of such Board to attend every such meeting so convened, and if unable to be present to furnish the Commissioner with the reason for his absence. (4) The Commissioner and every member may at any such meeting submit for the consideration any matter whatever connected with the railways. The Commissioner and Board shall thereupon consider and consult as to such matter. (5) The Secretary for Railways or some person acting for him shall keep a record in such form as the Governor in Council may prescribe of all matters so submitted for consideration, and shall submit to the Minister on the day after each meeting a copy of the record kept as to such meeting. }

Amendments made by the Legislative Council.

How dealt
with.

- D. (1) Of the four persons who are first appointed Trustees two shall hold office for a period of three years and two for four years as shall be specified in the Order in Council appointing such Trustees ; but such persons shall at the expiration of the period for which they are respectively appointed be eligible for re-appointment.
- (2) Where a vacancy occurs in the office of Trustee before the expiration of the full period for which such Trustee was appointed, his successor shall be appointed only for the unexpired portion of such period, but shall be eligible for re-appointment.
- (3) Where a vacancy occurs in the office of Trustee at the expiration of the full period for which such Trustee was appointed his successor shall be appointed for a period of two years.
- (4) The office of an appointed Trustee shall by virtue of this Act be an office or place of profit under the Crown within the meaning of Part II. of *The Constitution Act Amendment Act 1890*.
- E. (1) Subject to this Act every appointed Trustee shall hold his office during good behaviour for the term for which he may be appointed pursuant to this Act.
- (2) It shall be lawful for the Governor in Council to remove any such Trustee from his office on an address praying for such removal being presented to the Governor by the Legislative Council and the Legislative Assembly respectively in the same session of Parliament or by the Legislative Assembly alone in two consecutive sessions thereof, provided that not less than six weeks shall intervene between such addresses when made by the Legislative Assembly alone as aforesaid.
- (3) At any time when Parliament is not sitting it shall be lawful for the Governor in Council to suspend any appointed Trustee from [executing the powers and duties of] his office [but not from receiving the salary attached thereto] for inability inefficiency mismanagement or misbehaviour or refusal or neglect or failure to carry out any of the provisions of the Railways Acts [or any of his duties as a Trustee], and when and so often as the same happens a full statement of the cause of such suspension shall be laid before both Houses of Parliament within seven days after the commencement of the next session thereof ; and if an address shall at any time [within two months from the laying of such statement before Parliament] be presented to the Governor by the Legislative Council or the Legislative Assembly praying for the restoration of such Trustee to his office such Trustee shall be restored accordingly ; but if no such address be so presented it shall be lawful for the Governor in Council to confirm such suspension and to declare the office of such Trustee to be and the same shall thereupon become and be vacant as if such Trustee were naturally dead.
- F. (1) In the event at any time of the office of any appointed Trustee becoming vacant the Governor in Council may appoint some person to be an acting Trustee.
- (2) No such vacancy shall be so filled for any period exceeding six months in the whole ; and in making any appointment pursuant to this section the period for which any Acting Trustee is appointed shall be specified by the Governor in Council.
- (3) Every Acting Trustee shall during the time for which he is appointed hold office during good behaviour and shall have all the powers and perform all the duties of a Trustee, and shall be liable to be suspended or removed from or restored to office by the Governor in Council in such manner and upon such grounds as the appointed Trustees are liable to be suspended or removed from or restored to office.
- G. In the case of the illness suspension or absence of any appointed Trustee it shall be lawful for the Governor in Council to appoint some other person to act as the deputy of such Trustee during such illness suspension or absence, and every such person shall during the time for which he acts as such deputy have all the rights powers duties and liabilities and perform all the duties of such Trustee and shall be liable to be suspended or removed from or restored to office by the Governor in Council in such manner and upon such grounds as appointed Trustees are liable to be suspended or removed from or restored to office.
- H. (1) *Every appointed Trustee shall during his continuance in such office be entitled to receive by way of remuneration for his services a salary at the rate of Seven hundred and fifty pounds per annum payable monthly.*
- (2) *In addition to the salary by this Act payable every appointed Trustee shall be entitled to a further sum not exceeding One pound per diem for the personal expenses incurred by him in the performance of his duties as a Trustee in travelling whether by land or water, and also any charges of railway steam-boat coach or other conveyance paid by him when so travelling.*
- (3) *The amount to which any Trustee is entitled pursuant to this Act for salary or travelling expenses and charges shall when approved by the Minister be payable out of the consolidated revenue of Victoria which is hereby appropriated for that purpose accordingly.*

Disagreed with by Assembly and insisted on by Council.

Disagreement insisted on by Assembly.

Amendments made by the Legislative Council.

How dealt with.

- I. (1) If any appointed Trustee be in anywise concerned or interested in any bargain or contract made by or on behalf of the Trust or in anywise participate or claim to be entitled to participate in the profit thereof or in any benefit or emolument arising from the same, he shall thereby vacate his office as Trustee, and shall also be guilty of a misdemeanour, and on conviction thereof shall be liable in the discretion of the court to a penalty not exceeding Five hundred pounds or to imprisonment for any term not exceeding three years or to both of these punishments.
- (2) Nothing in this section shall be construed to prevent any person who is a Trustee from entering into any contracts for the carriage of passengers or of goods belonging to himself or any firm of persons of which he is a member in the same manner and upon the same terms as those upon which such contracts are ordinarily made by the Trust with the general public.
- (3) No person shall cease to be a Trustee by reason of being beneficially interested in any newspaper in which the Trust inserts advertisements, and no person being a shareholder or member of any incorporated company consisting of more than twenty persons shall cease to be a Trustee or be liable to any penalty by reason of any contract entered into between such company and the Trust or of any work done by such company.
- (4) No Trustee shall take part in the consideration of any question relating to any contract or to the execution of any contract by any company of which he is a shareholder or member or of any question in which he has a direct pecuniary interest.
- J. No person being an uncertificated insolvent or whose affairs are under liquidation by arrangement under Part IX. of the *Insolvency Act* 1890 and who has not received a certificate of discharge under such Part shall be capable of being appointed a Trustee; and any appointed Trustee who becomes insolvent, or whose affairs are placed in liquidation as aforesaid, or who makes a composition with his creditors under Part X. of the said Act, or who applies to take the benefit of any Act now or hereafter to be in force for the relief of insolvent debtors, or who by any deed or other writing compounds with his creditors or makes an assignment for their benefit, or who is convicted of felony or any infamous offence, shall be deemed to have forfeited his office as Trustee.
- K. If any appointed Trustee be absent from his duty for four consecutive meetings of the Trust except on leave granted by the Trust with the approval of the Governor in Council or become incapable of performing his duties as Trustee or resign he shall thereby vacate his office as Trustee.
- L. No proceeding of the Trust shall be invalidated or illegal in consequence only of there being any vacancy in the number of the Trustees at the time of such proceeding.
- M. (1) The Trustees shall hold a meeting for the despatch of business once at least in every week.
- (2) At any meeting three Trustees shall form a quorum and shall have and may exercise all the rights powers and authorities which by this Act or by any Act for the time being in force are or shall be vested in the Trustees.
- N. (1) The Trustee presiding at a meeting of the Trust shall in the event of an equal division of votes at such meeting have a second or casting vote.
- (2) If the Minister is not present at any meeting of the Trust, the Trustees who are present shall appoint one of themselves to take the chair and preside at such meeting.
- O. If the Minister differs from the opinion of the majority of the Trustees with respect to any matter before the Trustees for their decision and determination, such matter shall be deferred by the Minister if he thinks fit for not more than seven days, when it shall be again brought forward at a meeting of the Trust; and in such event whether the Minister does or does not differ in opinion from the majority of the Trustees such matter of difference shall be determined according to the decision of the majority of the Trustees.

Disagreed with by Assembly and insisted on by Council.

Disagreement insisted on by Assembly.

First Meeting of Trustees.

- P. The Trustees shall hold their first meeting on such day and at such time and place as the Governor in Council by notice in the *Government Gazette* shall appoint in that behalf; and on and after the day so appointed whether the whole number of members shall or shall not have been appointed the Trust shall be deemed to be duly and legally constituted.

Transfer of Rights Powers Duties Liabilities and Property to Trust.

- Q. Subject to the provisions of this Act, the several rights powers duties and liabilities at the commencement of this Act vested in and imposed upon the Commissioners by any Act shall on and after such date be vested in imposed upon and executed by the Trust, and the several powers

- duties and liabilities so vested in or imposed upon a single Commissioner shall on and after such date be vested in imposed upon and executed by a single Trustee.
- R. All railways vested in the Commissioners at the commencement of this Act and the piers wharfs jetties stations yards and buildings connected or used therewith respectively, or forming or reputed to be part or parcel thereof respectively, together with the land over or upon which the said railways piers wharfs jetties stations yards and buildings have been or may hereafter be constructed or erected and the land included within the boundary fences of any of the said railways, and all land outside of such fences vested in the Commissioners at the commencement of this Act, and the inheritance thereof in fee simple and all personal property whatsoever belonging to the said Commissioners at the time of such commencement, shall be and the same are hereby vested in the Trust for the purposes of this Act.
- S. Any lands which at the commencement of this Act are vested in the Commissioners and any lands (including Crown lands) which after such commencement are taken by the Trust under the authority of any Act and the inheritance thereof in fee simple shall be and the same are hereby vested in the Trust for the purposes of this Act.
- T. All telegraph posts erected on any lands vested in the Trust and all wires instruments and other telegraphic or telephonic apparatus used in connexion with any of the railways shall be and the same are hereby vested in the Trust for the purposes of this Act.
- U. (1) All purchases sales conveyances grants assurances deeds securities contracts bonds and agreements entered into made or given before the commencement of this Act by or to the Commissioners in connexion with the railways vested in the Commissioners or with the piers wharfs jetties stations yards buildings lands or personal property by this Act vested in the Trust shall be as binding and of as full force and effect in every respect against or in favour of the Trust and may be enforced as fully and effectually as if instead of the Commissioners the Trust had been a party thereto.
- (2) All powers conferred upon the Commissioners and all matters or things had or done or to be done and all rights and privileges accrued or accruing shall be exercised enforced enjoyed and used by the Trust in the same way that the Commissioners might have exercised enforced enjoyed or used the same but for the passing of this Act, and with respect thereto the Trust shall be substituted for the said Commissioners.
- (3) Any penalty forfeiture or other punishment incurred or to be incurred in respect of any offence committed against the Commissioners in respect of the railways or in respect of any such piers wharfs jetties stations yards buildings lands or personal property before the commencement of this Act may be enforced and recovered by or on behalf of the Trust in the same way as the Commissioners might have enforced and recovered the same but for the passing of this Act.
- V. (1) If at the date of the commencement of this Act any action or proceeding whether for a penalty or otherwise or any cause of action or proceeding is pending or existing by or against the Commissioners, the same shall not be in anywise prejudicially affected by this Act but may be continued prosecuted and enforced by or against the Trust as successor to the Commissioners.
- (2) All contracts deeds bonds agreements and other instruments entered into or made and subsisting at such date and to which the Commissioners are a party may be enforced by or against the Trust as fully and effectually as if instead of the Commissioners the Trust had been a party thereto.

Disagreed with by Assembly and insisted on by Council.

Disagreement insisted on by Assembly.

Interpretation of Acts Orders and Documents.

- W. The following words and expressions having reference to the Victorian Railways Commissioners and words and expressions of a like meaning or referring thereto respectively wherever they occur in any Act Order in Council by-law regulation deed contract or document shall if not inconsistent with the context have the respective meanings hereby attached to them (that is to say) :—

“Victorian Railways Commissioners” or “Commissioners” shall refer to the Trust.

“Commissioner” shall refer to a Trustee.

“Officer” or “employé” or “servant” of the Victorian Railways Commissioners or the Commissioners shall mean officer or employé or servant of the Trust.

Transfer of Officers and Employés of Commissioners to the Trust.

- X. All officers and employés employed on the day of the commencement of this Act by the Commissioners shall without further or other authority than this Act be and are hereby transferred to the employment of the Trust,

Amendments made by the Legislative Council.

How dealt with.

- and shall become on that day officers and employés of the Trust; and with regard to the officers and employés so transferred and all officers or employés hereafter employed by the Trust and all candidates for appointment as officers or employés under the Trust, the Trust shall subject to this Act thenceforward have and exercise all or any of the powers duties and liabilities conferred or imposed on the Commissioners by the Railways Acts.
- Y. (1) The rights and privileges of officers and employés of the Commissioners shall not be prejudicially affected by the transfer to the Trust of such officers and employés.
- (2) Every officer or employé who is by the operation of this Act transferred from the service of the Commissioners to the service of the Trust shall nevertheless continue to be an "officer or employé" within the meaning of the Railways Acts and to be subject to such Acts accordingly; but instead of being under the control of the Commissioners every officer or employé so transferred shall be under the control of the Trust.
- (3) So far only as relates to officers or employés so transferred and officers or employés hereafter appointed or employed by the Trust for the purposes of the Railways Acts, all provisions of the *Railways Act* 1890 relating to officers and employés shall subject to this Act be read and construed as if instead of the Commissioners the Trust were specified or referred to in such provisions.
- (4) Where in the Railways Acts powers and duties with regard to officers or employés are imposed or conferred on the Commissioners or on the Board or Commissioners or on any one or two Commissioners, such powers and duties shall with regard to officers and employés under the Trust be exercised only by the Trust or any one or two Trustees, as the case may be.
- (5) Notwithstanding anything in this Act contained it shall not be lawful for the Trust to alter or in any way diminish the rights and privileges of any officers and employés so transferred with regard to compensation for loss of office or superannuation or retiring allowances or, unless so authorized by regulations made pursuant to this Act, to lower the status or reduce the rank position grade or pay of any officers or employés so transferred. This sub-section shall not prevent any officer or employé being dealt with by the Trust for any charge made against him pursuant to the Railways Acts.

Railway Officers and Employés.

- Z. With the approval of the Governor in Council and subject to such arrangement as he may think fit for paying the salary or wages of any officer or employé, the services of any officer or employé under the control of the Board may be in part made use of by the Trust, and the services of any officer or employé under the control of the Trust may be in part made use of by the Board.
- AA. Notwithstanding anything contained in section seventy-seven of the *Railways Act* 1890 the powers conferred on the Governor in Council therein shall be exercised by the Trustees so far only as regards candidates for employment under the Trust.
- BB. In section ninety-two of the *Railways Act* 1890 the following words, namely, "And such regulations when confirmed by the Governor in Council shall have the same force and effect as if they had been contained in this Act" shall not apply to any regulations made by the Trust.

General Manager.

- CC. (1) The Governor in Council on the recommendation of the Trust may from time to time appoint some fit and proper person as General Manager of Railways for any period not exceeding seven years provided however that the Governor in Council on the recommendation of the Trust may at any time suspend or remove such General Manager for inability inefficiency mismanagement or misbehaviour or refusal or neglect or failure to carry out any of the provisions of the Railways Acts or any of his duties as General Manager.
- (2) The General Manager shall be responsible to the Trust for—
- (a) the efficiency and proper maintenance of the railway lines, rolling-stock, equipment, workshops, stations, buildings, and works;
 - (b) the regulation and proper working of the train service;
 - (c) the control and efficiency of all officers and employés of the railways; and
 - (d) generally for carrying out all other functions and duties in connexion with the management of the railways which may be intrusted to him from time to time by the Trustees.

Disagreed with by Assembly and insisted on by Council.

Disagreement insisted on by Assembly.

- (3) During the pleasure of the Trust the General Manager shall, subject to such directions as he may from time to time receive from the Trust, exercise all or any of the powers authorities privileges and duties by law conferred on the Trust, and which may be by the Trust delegated to him, except the power of appointing and removing officers and employes and that of making altering or repealing rules regulations or by-laws.
12. Clause 14, line 31, omit "Commissioner" and insert "Trust."
 13. " line 34, omit "Commissioner" and insert "Trust."
 14. " line 36, omit "Commissioner" and insert "Trust."
 15. " line 39, omit "Commissioner" and insert "Trustees."
 16. " page 5, line 1, omit "Commissioner" and insert "Trust."
 17. " page 5, line 3, omit "Commissioner" and insert "Trust."
 18. Clause 15, line 4, omit "Commissioner" and insert "Trust."
 19. Before clause 16 insert head line "*Railways Auditor*."
 20. Clause 16, line 14, omit "Commissioner" and insert "Trust."
 21. " lines 16-17, omit "Commissioner" and insert "Trust."
 22. " lines 21-2, omit "Commissioner" and insert "Trust."
 23. Clause 17, line 9, omit "Second" and insert "Third."
 24. Clause 18, line 31, omit "Commissioner" and insert "Trust."
 25. " line 36, omit "Commissioner" and insert "Trust."
 26. " line 37, omit "Commissioner" and insert "Trust."
 27. " line 41, omit "Commissioner" and insert "Trust."
 28. " page 6, line 2, omit "Commissioner" and insert "Trust."
 29. " page 6, line 3, omit "Commissioner" and insert "Trust."
 30. " page 6, line 7, omit "Commissioner" and insert "Trust."
 31. Before clause 20 insert head line "*Railways Stores Suspense Account*."
 32. Clause 20, lines 12-13, omit "Commissioner" and insert "Trust."
 33. " sub-clauses 2 and 3, transpose these sub-clauses.
 34. " line 22, omit "Commissioner" and insert "Trust."
 35. " line 34, omit "Commissioner" and insert "Trust."
 36. After clause 20 insert the following head line and new clauses :—

Rules Regulations and By-laws.

- DD. (1) All rules regulations or by-laws made by the Trust shall be published in the *Government Gazette* and shall be laid before both Houses of Parliament within fourteen days after the making thereof if Parliament be then sitting, and if Parliament be not sitting then within fourteen days after the commencement of the next session of Parliament.
- (2) If an address be presented to the Governor by either House within the next subsequent thirty days praying that the whole or any part of any such rule regulation or by-law may be annulled the Governor in Council may thereupon by order published in the *Government Gazette* annul such rule regulation by-law or part.
- (3) If at any time when Parliament is not sitting any rule regulation or by-law is made by the Trust, then at any time within thirty days after the publication thereof in the *Government Gazette*, the Governor in Council may by order published in the *Government Gazette* temporarily suspend the operation of the whole or any part of any rule regulation or by-law for any time not extending beyond six months from the date of such publication, but without prejudice to the validity of any proceedings which have previously to such suspension been taken under the same or part thereof.
- (4) Any rule regulation or by-law or part so annulled shall thereupon become void and of no effect, but without prejudice to the validity of any proceedings which may in the meantime have been taken under the same; and any rule regulation or by-law so temporarily suspended shall during the time of such suspension have no force or effect.
- (5) It shall be the duty of the Secretary for Railways to personally submit to the Minister a copy of the *Government Gazette* containing any rule regulation or by-law published pursuant to this section and to direct the Minister's attention to such rule regulation or by-law within one week after the same is so published.

EE. The rules regulations and by-laws with regard to railways in force at the time of the commencement of this Act with regard to railways vested in the Commissioners or to any officers or employes of the Commissioners, whether within the powers conferred upon the authority which made the same or in excess of them, shall be deemed to have been made under and pursuant to the provisions of this Act, and shall be and continue to be in full force and effect until altered or repealed by rules regulations or by-laws made in pursuance of the Railways Acts.

37. Before clause 21 insert head line "*Miscellaneous*."
38. Clause 21, line 41, omit "Commissioner" and insert "Trust."
39. " lines 41-2, omit "whatever may be the amount value or damages sought to be recovered."
40. " lines 43-4, omit "a county court, unless otherwise ordered by the Supreme Court or a Judge thereof" and insert "any court of competent jurisdiction."

Disagreed with by Assembly and insisted on by Council.

Disagreement insisted on by Assembly.

Amendments made by the Legislative Council.

41. Clause 21, line 45, omit "arbitration" and insert "the decision of a police magistrate and on such reference he shall be guided by the real justice of the case without regard to legal forms or decisions."
 42. Clause 22, line 2, omit "Commissioner" and insert "Trust."
 43. " line 12, omit "Commissioner" and insert "Trust."
 44. Clause 23, line 25, before "All" insert "No rates taxes or assessments shall be made calculated or charged upon any income of or upon any railway pier wharf jetty station yard building works or property vested in the Trust. Provided that."
 45. " line 27, omit "Commissioner" and insert "Trust."
 46. " line 29, omit "Commissioner" and insert "Trust."
 47. After the First Schedule insert new Schedule :—

How dealt with.

SECOND SCHEDULE.

I of do solemnly and sincerely promise and declare that according to the best of my skill and ability I will faithfully impartially and truly execute the office and perform the duties of Railways Trustee.

48. In the head line of the Second Schedule omit "Second" and insert "Third."

The Honorable H. Cuthbert moved, That the Council do not insist on amendments 1 and 2.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Council do not now insist on amendment 3, and agree to the consequential amendment made by the Legislative Assembly.

Question—put and resolved in the affirmative.

Amendment 4 not now insisted on.

The Honorable H. Cuthbert moved, That the Council do not now insist on amendment 5, and agree to the consequential amendment made by the Legislative Assembly.

Question—put and resolved in the affirmative.

Amendments 6, 7, and 8 not now insisted on.

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council, after debate, agreed not to insist on amendment 9, but to amend clause 11 by omitting, in line 22, the words "Engineer-in-Chief," and inserting the words "the Accountant" after the word "Railways."

Amendment 10 not now insisted on.

The Honorable H. Cuthbert moved, That the Council do not now insist on amendment 11, and agree to new clause AAA of the Legislative Assembly.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, as an amendment, That the words "Chief Mechanical Engineer," in the proposed new clause, be omitted with a view to insert in place thereof the words "Goods Superintendent."

Debate ensued.

Amendment, by leave, withdrawn.

Question—That the Council do not now insist on amendment 11, and agree to new clause AAA of the Legislative Assembly—put and resolved in the affirmative.

Amendments 12 to 48 inclusive not now insisted on.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council do not now insist on some of their amendments disagreed with by the Legislative Assembly, that they have agreed to the insertion of new clause AAA and certain consequential amendments made by the Legislative Assembly, and have made an amendment in clause 11, and desiring their concurrence therein.

12. FEDERATION OF AUSTRALASIA ENABLING BILL (No. 2).—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.

The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed. The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“ An Act to enable Victoria to take part in the framing acceptance and enactment of a Federal Constitution for Australasia.”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to amend the ‘ Companies Act Amendment Act 1892,’*” 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.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 26th February, 1896.

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

14. SESSIONAL ORDER SUSPENDED.—The Honorable H. Cuthbert moved, by leave, That the Sessional Order appointing half-past Four o'clock as the hour of meeting for Thursday next be suspended, and that the Council do meet to-morrow at Three o'clock.

Question—put and resolved in the affirmative.

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

Post Office Act 1890 Amendment Bill—To be further considered in Committee.
Railway Loan Application Bill—Second reading—Resumption of debate.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 62.

THURSDAY, 27TH FEBRUARY, 1896.

Questions.

1. The Hon. C. SARGEANT : To call the attention of the Honorable the Solicitor-General to the heading "Details and deductions from gross income" in the Income Tax Schedules, where a taxpayer is required to state how much rent or interest he has paid to certain persons, and how much he has not paid to certain persons ; and to ask if he approves of one taxpayer being constituted a detective over another taxpayer ; and whether, in his opinion, the declaration made by the taxpayer, that the statements are true and correct in every particular, is not sufficient.
2. The Hon. T. D. WANLISS : To ask the Honorable the Solicitor-General if he is aware—
 1. That the declaration required of Income Tax payers by the Commissioner of Taxes is to the following effect :—"I do hereby declare that the several matters and things above stated, and also those in the balance-sheet, document, and lists herewith, and the appendices hereto, are true and correct in every particular, and disclose, without any reservation or exception, a true and accurate account of all income earned, derived, or received by me during the year ending the 31st December, 1895."
 2. That the Commissioner of Taxes claims to have the power to prosecute for perjury any one furnishing a wrong return.
 3. That as some portions of a taxpayer's returns have often necessarily to be furnished to him by an agent or agents, for the correctness of which he cannot personally vouch, why should the taxpayer be compelled to sign such a declaration as the foregoing.
 4. That if he signs such form with the necessary reservation, in the case of a return furnished by an agent, that he believes such to be true, what step will the Commissioner take in such cases.
3. The Hon. Lieut.-Col. Sir F. T. SARGOOD : To ask the Honorable the Minister of Defence—
 1. What is the entire length of the Maffra to Briagolong Railway.
 2. What is the length of the railway between the Avon River and the terminus of the line.
 3. What has been the loss upon the line in each year since its opening.
 4. What will be the total cost of the proposed bridge.
 5. What is the tonnage expected to be accommodated by such bridge.
 6. How many trains per day will pass over the said bridge.

Government Business.

ORDERS OF THE DAY :—

1. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.
2. RAILWAY LOAN APPLICATION BILL—Second reading—*Resumption of debate.*
3. POST OFFICE ACT 1890 AMENDMENT BILL—To be further considered in Committee.
4. APPROPRIATION BILL—Second reading.

General Business.

ORDERS OF THE DAY :—

1. LAND ACTS AMENDMENT BILL—To be further considered in Committee.
2. COMPANIES ACT AMENDMENT BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 26TH FEBRUARY, 1896.

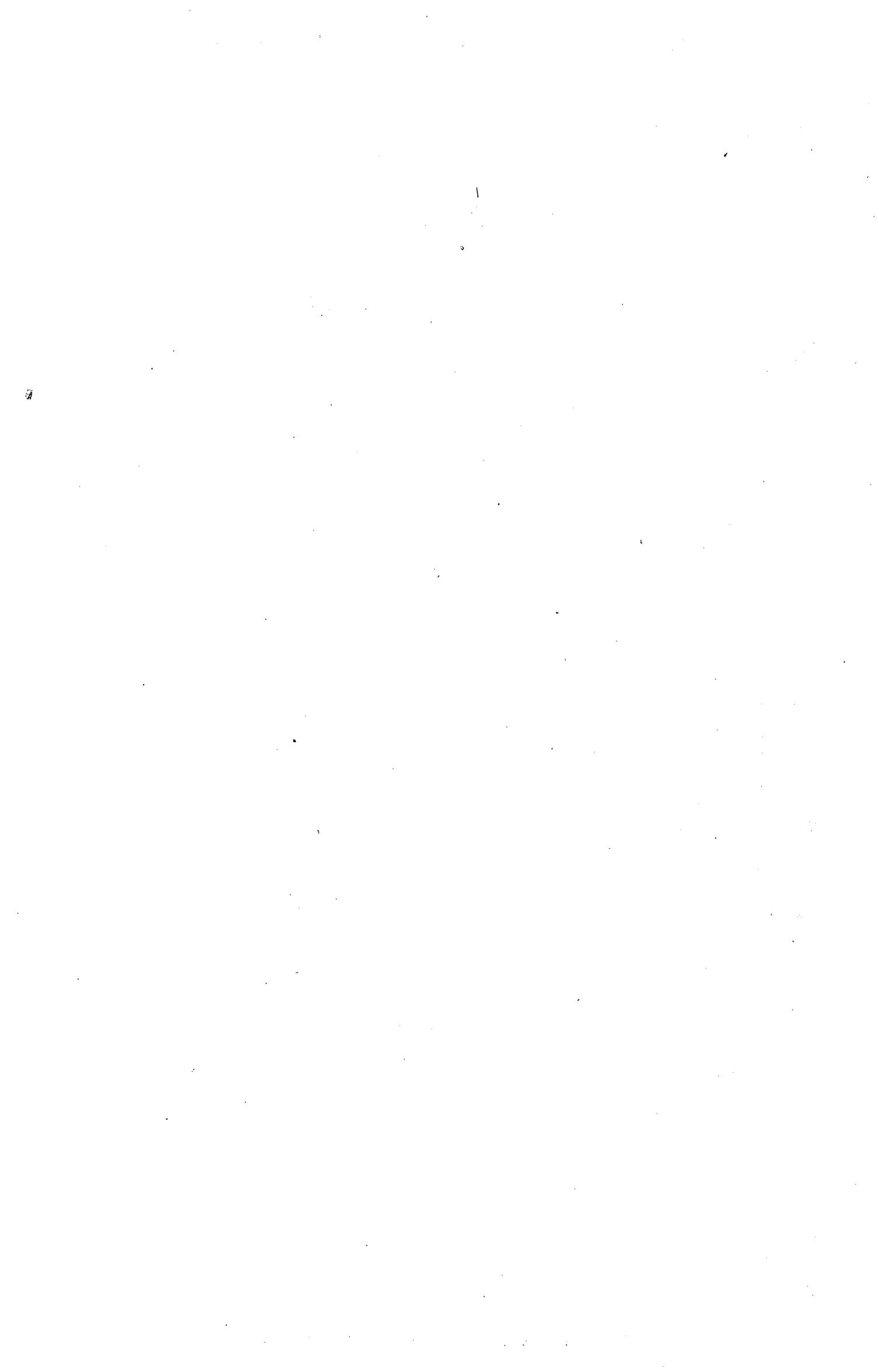
Notices of Motion and Orders of the Day. No. 62.

Factories and Shops Act 1890 Amendment Bill.—Amendments made by the Legislative Council—How dealt with by Legislative Assembly. (To Members of Council only.)

Companies Act Amendment Bill.—Amendments made by the Legislative Assembly. (To Members of Council only.)

Railway Loan Application Bill.—Amendment to be proposed by the Hon. C. Sargeant and the Hon. Dr. W. H. Embling. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 116.



VICTORIA.

No. 63.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 27TH FEBRUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. ADJOURNMENT.—The Honorable G. Godfrey having stated his desire to move, That the House do now adjourn, six Members rose in their places and required the motion to be proposed.
The Honorable G. Godfrey then said that he proposed to speak on the subject of the reply given yesterday by the Honorable the Solicitor-General to a question as to Income Tax on Gifts, and moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.
5. RAILWAY 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 having been read—
Debate resumed.
Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time.
The Honorable W. McCulloch moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable W. McCulloch, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
On the motion of the Honorable W. McCulloch the Council adopted the Report from the Committee of the whole on this Bill.
The Honorable W. McCulloch moved, That this Bill be now read a third time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a third time.
The Honorable W. McCulloch moved, That this Bill do pass.
Question—put and resolved in the affirmative.
The Honorable W. McCulloch moved, That the following be the title of the Bill :—

“ An Act to sanction the expenditure of Moneys available under Loan Acts for Railways and other purposes and to prevent the further issue of Moneys under the authority of certain Railway Loan Application Acts.”

Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.
6. APPROPRIATION BILL.—The Order of the Day for the second reading of this Bill having been read—
the Honorable H. Cuthbert moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.
And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

“ 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 eight hundred and ninety-six and to appropriate the Supplies granted in this Session of Parliament.”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending an amendment in the Bill intituled “ *An Act to revoke the Permanent Reservation of certain Crown Land in the parish of Boort,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the said amendment recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 27th February, 1896.

BRASSEY,
Governor.

Message.

Pursuant to the provisions of section 36 of *The Constitution Act*, the Governor transmits to the Legislative Assembly, for their consideration, the following amendment which he desires to be made in the Bill intituled “ *An Act to revoke the Permanent Reservation of certain Crown Land in the parish of Boort* ” :—

Clause 2, fourth line of clause, after “ farms ” insert “ shall.”

Government Offices,
Melbourne, 27th February, 1896.

On the motion of the Honorable H. Cuthbert the Council agreed to the amendment recommended by His Excellency the Governor, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative 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 by the Legislative Council in clause 11 of such Bill.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 27th February, 1896.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to further amend the ‘ Companies Act 1890,’*” with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 27th February, 1896.

10. COMPANIES ACT 1890 FURTHER AMENDMENT BILL (No. 2).—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled “ *An Act to further amend the ‘ Companies Act 1890,’*” 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 to-morrow.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to enable Victoria to take part in the framing acceptance and enactment of a Federal Constitution for Australasia,*” and acquaint the Legislative Council that the Legislative Assembly have disagreed with the amendments made in such Bill by the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 27th February, 1896.

And the said amendments were read, and are as follow :—

Clause 12, line 13, after “ The ” insert “ voting for the.”

„ line 14, omit “ on ” and insert “ before.”

Clause 13, line 17, after “ taken ” insert “ by means of voting-papers transmitted by post to every elector and shall be taken.”

Clause 33, line 32, after "taken" insert "by means of voting-papers in accordance with the Schedule hereto transmitted by post to every elector and shall be taken."

Clause 34, omit this clause, and insert new clause:—

A. Each voter shall vote "Yes" or "No" on the question in accordance with the direction on the voting-paper transmitted by post and every such voting-paper shall be posted before such day as may be prescribed.

Clause 39, omit sub-clauses (1) and (2).

In the Schedule, omit "Ballot-paper" and insert "Voting-paper."

The Honorable H. Cuthbert moved, That the Council do not insist on their amendments.
Debate ensued.

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

13. ROYAL ASSENT TO BILL.—His Excellency the Governor came into the Council Chamber, and commanded the Usher to desire the attendance of the Legislative Assembly, who, being come with their Speaker, he, after a short speech to His Excellency, delivered the Appropriation Bill to the Clerk of the Parliaments, who brought it to the Table.

His Excellency was then pleased to assent to the following Bill:—

"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 eight hundred and ninety-six and to appropriate the Supplies granted in this Session of Parliament."

To this Bill the Royal Assent was pronounced by the Clerk of the Parliaments in these words:—

"In the name and on behalf of Her Majesty I assent to this Act."

The Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

14. FEDERATION OF AUSTRALASIA ENABLING BILL (No. 2).—Debate resumed on the question, That the Council do not insist on their amendments.

Question—put.

The Council divided.

Ayes, 21.

The Hon. J. H. Abbott
T. Brunton
Sir W. J. Clarke, Bart.
J. H. Connor
S. W. Cooke
H. Cuthbert
G. Davis
T. Dowling
N. FitzGerald
S. Fraser
G. Godfrey
N. Levi
W. McCulloch
E. Miller
W. Pitt
Sir A. Snowden
J. Sternberg
S. Williamson
W. I. Winter-Irving.

Tellers.

J. Balfour
C. J. Ham.

Noes, 17.

The Hon. J. Bell
F. Brown
J. C. Campbell
E. J. Crooke
D. Ham
D. Melville
E. Morey
J. M. Pratt
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
J. Service
G. Simmie
N. Thornley
J. A. Wallace
T. D. Wanliiss.

Tellers.

D. E. McBryde
A. O. Sachse.

And so it was resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council do not insist on their amendments in this Bill with which the Legislative Assembly have disagreed.

15. 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 Act 1890 Amendment Bill—Message from Legislative Assembly—To be taken into consideration.

Post Office Act 1890 Amendment Bill—To be further considered in Committee.

Land Acts Amendment Bill—To be further considered in Committee.

Companies Act Amendment Bill—Message from Legislative Assembly.—To be taken into consideration.

16. ADJOURNMENT.—The Honorable H. Cuthbert moved, That the Council do now adjourn.
Debate ensued.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 63.

FRIDAY, 28TH FEBRUARY, 1896.

Government Business.

ORDERS OF THE DAY:—

1. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—
To be taken into consideration.
2. COMPANIES ACT 1890 FURTHER AMENDMENT BILL (No. 2)—Second reading.
3. POST OFFICE ACT 1890 AMENDMENT BILL—To be further considered in Committee.

General Business.

ORDERS OF THE DAY:—

1. LAND ACTS AMENDMENT BILL—To be further considered in Committee.
2. COMPANIES ACT AMENDMENT BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 27TH FEBRUARY, 1896.

Notices of Motion and Orders of the Day. No. 63.

Companies Bill—[115]. (To Members of Council only.)

Companies Act 1890 further Amendment Bill.—Amendments to be proposed by the Hon. Lieut.-Col. Sir F. T. Sargood. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 117.



VICTORIA.

No. 64.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 28TH FEBRUARY, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL.**—The Order of the Day for the consideration of the amendments made in this Bill by the Legislative Council, disagreed with by the Legislative Assembly or agreed to with amendments, 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, lines 7-9, omit "other than a Chinese or in which any one or more Chinese persons is or."	} Disagreed with.
2. " line 13, omit "or other mechanical" and insert "water gas or electric."	} Agreed to with the following amendment:—After "gas" insert "oil."
3. " line 13, after "used" insert "solely in preparing or manufacturing articles for trade or sale or in which furniture is prepared or manufactured or in which any bread is made or baked for sale."	} Agreed to with the following amendment:—Omit "solely."
4. " line 30, omit "laundry or."	} Disagreed with.
5. Clause 4, omit this clause."	} Disagreed with.
6. Clause 14, line 28, after "prescribed" insert "as to the work and wages of the persons employed therein and the age of every such person who is under sixteen years of age,"	} Agreed to with the following amendments:—Line 2, before "work" insert "names"; line 3, before "age" insert "name and."
7. Clause 16, omit this clause.	} Disagreed with.
8. Clause 17, line 18, before "Every" insert "So far as regards any article or articles in respect to which any special Board is appointed."	} Agreed to with the following amendment:—Omit "article or."

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

- 9 Clause 19, omit this clause.
10. Clause 24, line 3, before "No" insert "Except as in this section provided."
11. " line 6, omit "ten" and insert "eleven."
12. " line 6, after sub-clause (1) insert new sub-clause:—
- (1a) In order to meet an unforeseen press of work any occupier of a factory may employ any boy under sixteen years of age or any girl over sixteen years of age or any woman for not more than fifty-four hours in one week subject to the following conditions:—
- (a) The ordinary daily hours of work shall not be exceeded on more than two days in any one week.
- (b) The ordinary daily hours of work shall not be exceeded on more than thirty days in any twelve months.
- (c) Notice of having availed himself of the provisions of this sub-section shall be given to the Chief Inspector within twenty-four hours and a copy thereof be affixed in the factory or work-room.
- (d) The occupier of the factory or work-room shall keep a record of every day and week in which he avails himself of the provisions of this sub-section and a copy of such record for twelve months back shall be kept constantly affixed in legible characters in some conspicuous place where it may be easily read by the persons employed in the factory.
- (e) Payment for overtime and tea money shall be made for each day on which the occupier of a factory avails himself of the provisions of this sub-section at the rate prescribed in the Schedule to this Act.
13. Clause 24, line 12, omit "Minister" and insert "Chief Inspector."
14. " line 19, after "shall" insert "apply to any girl under sixteen years of age or."
15. " line 21, omit "Minister" and insert "Chief Inspector."
16. Clause 26, line 27, omit "Minister" and insert "Chief Inspector."
17. Clause 27, line 33, omit "Chinese."
18. " line 34, after "employed" insert "in preparing or manufacturing or partly preparing or manufacturing any article of furniture."
19. " line 39, omit "five" and insert "six."
20. " after sub-clause (3) insert new sub-clause:—
- (3a) In order to meet the exigencies of trade the Chief Inspector may subject to the conditions and restrictions imposed in section thirty of the Principal Act as amended by the Act suspend the operation of this section in any one or more factories or work-rooms for any period not exceeding two months.
21. Clause 32, omit this clause.
22. Clause 33, omit this clause.
23. Clause 44, omit this clause.
24. Clause 45, omit this clause.
25. Clause 46, line 15, before "or" insert "bread."

Disagreed with.

Agreed to with the following amendment:— Before "in" insert "and in any factory or work-room where any person whosoever is employed"; and with the following consequential amendment:— Lines 34 and 35, omit "(whether in working on his own account or behalf or in working for hire or reward either directly or indirectly)."

Disagreed with.

Agreed to with the following amendments:—Line 2, omit "Chief Inspector" and insert "Minister"; line 5, omit "the Act" and insert "this Act."

Disagreed with.

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

26. Clause 49, line 38, omit "eleven" and insert "one."
27. " line 39, omit "forenoon" and insert "afternoon."
28. " line 39, omit "cries or."
29. " line 42, omit "cried."
30. Clause 51, line 14, omit "from" and insert "after."
31. " line 22, after "accordingly" add "Nothing in this section shall apply to carters or porters."
32. After clause 51 insert new clauses :—
- A. If any person be employed in the ordinary course of his business in any shop later than half-an-hour after the time of closing for a half-holiday, the employer shall be liable to a penalty not exceeding Two pounds for each offence in respect of each person so employed.
- D. The Minister may suspend the provisions of section forty-eight of the Principal Act in any shop to such extent and subject to such conditions as may appear requisite, and such suspension may be revoked by the Minister by a notification under his hand posted to the occupier of the shop affected thereby.
33. Clause 52, line 37, after "work-room" insert "bread or."
34. " line 39, after "work-room" insert "bread or."
35. Clause 55, line 29, before "bakehouses" insert "bread or."
36. " line 34, omit "determining the" and insert "requiring occupiers of factories to furnish all information necessary for preparing lists and rolls of electors for special Boards, and for determining the mode of preparing such lists and rolls, and the mode of electing members thereof, the appointment and duties of returning officers and the."
37. Clause 55, line 35, after "procedure" add "and for providing for the election of one member of such special Boards by persons working outside a factory or work-room."
38. Clause 58, line 27, omit "an" and insert "such."
39. " line 27, omit "of such furniture."
40. " line 30, omit "an" and insert "such."
41. " line 30, omit "of such furniture."
42. " line 34, omit "an" and insert "such."
43. " line 34, omit "of such furniture."
44. " line 41, omit "includes" and insert "means."
45. After clause 59 insert new clause :—
- E. The occupier of every building or place where on the coming into operation of this Act any laundry work is carried on for gain shall forward annually to the Chief Inspector at such time and in such form as may be prescribed a notice giving his full name and address, and the occupier of any building or place where for the first time after the coming into operation of this Act any laundry work is carried on for gain shall within fourteen days after such work has first been carried on give such notice as aforesaid and shall forward such notice annually at the prescribed time.
- Any person convicted of a contravention of this section shall be liable to a penalty not exceeding Two pounds.
- The Chief Inspector shall keep a register of all laundries of which he has received notice as provided in this section.

Agreed to with the following amendment :—Insert "twelve" instead of "one," and with the following consequential amendment—Line 39, after "o'clock" omit "in the" and insert "noon."

Omission of "forenoon" agreed to, and insertion of "afternoon" disagreed with.

Disagreed with.

Agreed to with the following amendment:—After "to" insert "persons employed exclusively as."

Agreed to with the following amendment :—Insert ["A"] after clause "38" instead of after clause "51."

Agreed to with the following amendment :—At end of clause add the following proviso—"Provided that no such suspension shall authorize the sale or offering for sale or exposure for sale of any goods the dealing in which would under the provisions of such section necessitate the closing of such shop."

Disagreed with.

Agreed to with the following amendment :— Line 7, omit "thereof" and insert "of such Boards."

Disagreed with.

46. Schedule, omit Schedule and insert new Schedule:—

SCHEDULE.

Factories and Shops Acts.

In compliance with an application in writing under the provisions of the Factories and Shops Acts, and after due inquiry, I, the Chief Inspector, do hereby suspend the operation of the first clause of section thirty of the Principal Act and of section twenty-four of the *Factories and Shops Act* 1896 in the

WORK-ROOMS OF

for a period of _____ weeks from the _____
upon the following express conditions, that is to say:—

1. That no person or persons shall employ in the said factory or work-rooms more than _____ females and _____ boys under the age of sixteen years for more than forty-eight hours in any one week, and that the said _____ females and _____ boys under the age of sixteen years shall not be employed for more than fifty-four hours in any one week, nor for more than three hours beyond the ordinary working hours in any one day, in preparing or manufacturing articles for trade or sale.
2. That every boy under the age of sixteen years and every female (if any) so employed shall receive not less than _____ per week for each week during which she or he works overtime and, in addition, each wage-worker shall be paid for such overtime at the rate of time and a half, and each piece-worker shall be paid Threepence per hour for overtime in addition to ordinary earnings by piece-work.
3. That every boy under the age of sixteen years and every female shall receive Sixpence tea money each evening he or she works overtime.
4. That none of such females or boys shall be so employed for more than forty-eight hours in any one week without their consent.
5. That a copy of this Order be kept conspicuously and continually posted in such factory or work-room for the information of all concerned.

Given under my hand, at Melbourne, the _____ day of _____, 189 .

Chief Inspector.

Agreed to with the following amendments:— Line 5, omit "Chief Inspector" and insert "Chief Secretary of Victoria, being the responsible Minister for the time being administering the Act"; line 9, before "Work-rooms" insert "Factory or"; line 18, omit "fifty-four"; line 19, omit "three"; line 23, omit "(if any)"; line 25, omit "she or," and after "he" insert "or she"; in the last line omit "Chief Inspector" and insert "Chief Secretary."

Amendment 1, after debate, insisted on.

Amendments made by Legislative Assembly in amendments 2 and 3 agreed to.

The Honorable H. Cuthbert moved, That the words "where two or more persons are working" be inserted after the word "laundry" in amendment 4.

Debate ensued.

Question—put and negatived.

The Honorable H. Cuthbert moved, That the Council do not insist on amendment 4.

Question—put.

The Council divided.

Ayes, 13.
The Hon. Sir W. J. Clarke, Bart.
H. Cuthbert
G. Davis
S. Fraser
G. Godfrey
C. J. Ham
W. McCulloch
J. M. Pratt
Lieut.-Col. Sir F. T. Sargood
J. A. Wallace
W. I. Winter-Irving.

Tellers.

E. J. Croke
T. D. Wanliss.

Noes, 15.
The Hon. J. Balfour
J. Bell
F. Brown
J. C. Campbell
S. W. Cooke
N. FitzGerald
F. S. Grimwade
D. E. McBryde
D. Melville
W. Pitt
J. Service
Sir A. Snowden
N. Thornley.

Tellers.

The Hon. J. H. Abbott
J. H. Connor.

And so it passed in the negative.

Amendment 5, after debate, insisted on.
 Amendments made by Legislative Assembly in amendment 6 agreed to.
 Amendment 7, after debate, insisted on.
 Amendment made by Legislative Assembly in amendment 8 agreed to.
 Amendment 9, after debate, insisted on.
 Amendment 10 insisted on.
 Amendment 11 not insisted on.
 Amendment 12, after debate, insisted on.
 Amendments 13 to 16 inclusive, after debate, not insisted on.
 Amendment 17 insisted on.
 Amendment made by Legislative Assembly to insert "and in any factory or work-room where any person whosever is employed" before "in," in amendment 18, disagreed with, but consequential amendment agreed to.
 Amendment 19 not insisted on.
 Amendments made by Legislative Assembly in amendment 20 agreed to.
 The Honorable H. Cuthbert moved, That the Council do not insist on amendments 21 and 22.
 Debate ensued.
 Question—put.
 The Council divided.

Ayes, 11.

The Hon. H. Cuthbert
 S. Fraser
 G. Godfrey
 F. S. Grimwade
 C. J. Ham
 W. McCulloch
 Lieut.-Col. Sir F. T. Sargood
 S. Williamson
 W. I. Winter-Irving.

Tellers.

J. Balfour
 E. J. Crooke.

Noes, 16.

The Hon. J. Bell
 F. Brown
 J. C. Campbell
 N. FitzGerald
 D. Ham
 N. Levi
 D. Melville
 E. Miller
 J. M. Pratt
 J. Service
 Sir A. Snowden
 N. Thornley
 J. A. Wallace
 T. D. Wanliss.

Tellers.

D. E. McBryde
 W. Pitt.

And so it passed in the negative.
 Amendment 23, after debate, not insisted on.
 Amendment 24, after debate, insisted on.
 Amendment 25, after debate, not insisted on.
 Amendments made by Legislative Assembly in amendments 26 and 27 agreed to.
 Amendments 28 to 30 inclusive not insisted on.
 The Honorable H. Cuthbert moved, That the Council agree to the amendment made by the Legislative Assembly in amendment 31.
 The Honorable Lieut.-Col. Sir F. T. Sargood moved, as an amendment, That the word "exclusively" be omitted from the amendment made by the Legislative Assembly.
 Question—That the word proposed to be omitted stand part of the amendment—put and negatived.
 Amendment made by the Legislative Assembly, as so amended, agreed to.
 Amendments made by Legislative Assembly in amendment 32 agreed to.
 Amendments 33, 34, and 35, after debate, not insisted on.
 Amendment made by Legislative Assembly in amendment 36 agreed to.
 Amendment 37, after debate, insisted on.
 Amendments 38 to 44 inclusive not insisted on.
 Amendment 45 insisted on.
 Amendments made by Legislative Assembly in amendment 46 agreed to.
 Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council do not insist on some of their amendments disagreed with by the Legislative Assembly, do insist on other of the said amendments, have agreed to some of the amendments made by the Legislative Assembly on amendments of the Legislative Council, have disagreed with one of such amendments, and have agreed to one amendment with an amendment, and requesting their concurrence therein.

5. COMPANIES ACT 1890 FURTHER AMENDMENT BILL (No. 2).—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.

Ordered—That the Bill, as amended, be printed, and taken into consideration on Tuesday next.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the ‘Factories and Shops Act 1890’ and for other purposes,*” and acquaint the Legislative Council that the Legislative Assembly insist on disagreeing with some of the amendments in such Bill insisted on by the Legislative Council, that they do not insist on disagreeing with one of such amendments, and have made certain consequential amendments, with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 28th February, 1896.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending an amendment in 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 said amendment recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 28th February, 1896.

BRASSEY,
Governor.

Message.

Pursuant to the provisions of section 36 of *The Constitution Act*, the Governor transmits to the Legislative Assembly, for their consideration, the following amendment which he desires to be made in the Bill intituled “*An Act to further amend the Law relating to the Victorian Railways*” :—

In clause 13, second line of sub-clause (4), after “for” omit “the.”

Government House,
Melbourne, 28th February, 1896.

On the motion of the Honorable H. Cuthbert the Council agreed to the amendment recommended by His Excellency the Governor, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

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

Post Office Act 1890 Amendment Bill—To be further considered in Committee.

Land Acts Amendment Bill—To be further considered in Committee.

Companies Act Amendment Bill—Message from Legislative Assembly—To be taken into consideration.

9. SESSIONAL ORDER SUSPENDED.—The Honorable H. Cuthbert moved, by leave, That the Sessional Order appointing half-past Four o'clock as the hour of meeting for Tuesday be suspended, and that the Council do meet on Tuesday next at Three o'clock.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 64.

TUESDAY, 3RD MARCH, 1896.

Government Business.

ORDERS OF THE DAY:—

1. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—
To be taken into consideration.
2. COMPANIES ACT 1890 FURTHER AMENDMENT BILL (No. 2)—Consideration of Report.
3. POST OFFICE ACT 1890 AMENDMENT BILL—To be further considered in Committee.

General Business.

ORDERS OF THE DAY:—

1. LAND ACTS AMENDMENT BILL—To be further considered in Committee.
2. COMPANIES ACT AMENDMENT BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into
consideration.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPER ISSUED 28TH FEBRUARY, 1896.

Notices of Motion and Orders of the Day. No. 64.

VICTORIA.

No. 65.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 3RD MARCH, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPER.—The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk :—
Income Tax Act 1895.—Regulations.—Schedules amended.
5. PETITION.—The Honorable Lieut.-Col. Sir F. T. Sargood presented a Petition from F. W. Poolman, styling himself President of the Victorian Chamber of Manufactures, praying that the Council would insist on their amendments in clauses 16, 19, and 24 of the Factories and Shops Act 1890 Amendment Bill.
Petition read, and ordered to lie on the Table.
6. DISTINGUISHED VISITOR.—The Honorable H. Cuthbert moved, That a chair be provided on the floor of the Council Chamber for the Honorable Sir Edward Braddon, K.C.M.G., Premier of the Colony of Tasmania.
Question—put and resolved in the affirmative.
7. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL.—The Order of the Day for the consideration of the amendments made and insisted on by the Legislative Council in this Bill, and disagreed with by the Legislative Assembly or agreed to with amendments, having been read—the said amendments were read, and are as follow:—

Amendments made by the Legislative Council.

How dealt with.

- | | | |
|--|---|---|
| 1. Clause 3, lines 7-9, omit "other than a Chinese or in which any one or more Chinese persons is or." | } Disagreed with by Assembly, insisted on by Council. | } Disagreement insisted on by Assembly. |
|--|---|---|

- | | | |
|--|---|---|
| 2. Clause 3, line 30, omit "laundry or." | } Disagreed with by Assembly, insisted on by Council. | } Disagreement insisted on by Assembly with the following consequential amendment:—At the end of the clause add—"Provided that the word 'laundry' shall not be deemed to include any institution or place in which the only persons employed are— |
|--|---|---|

Disagreement insisted on by Assembly with the following consequential amendment:—At the end of the clause add—"Provided that the word 'laundry' shall not be deemed to include any institution or place in which the only persons employed are—

- (a) Inmates of any prison reformatory or industrial school, or other institution for the time being subject to inspection under any Act other than the Factories Act; or
- (b) Inmates of an institution conducted in good faith for religious or charitable purposes."

- | | | |
|--------------------------------|---|---|
| 3. Clause 4, omit this clause. | } Disagreed with by Assembly, insisted on by Council. | } Disagreement insisted on by Assembly. |
|--------------------------------|---|---|

4. Clause 16, omit this clause. { Disagreed with by
Assembly, insisted
on by Council.

5. Clause 19, omit this clause.
6. Clause 24, line 3, before "No"
insert "Except as in
this section provided."
7. " line 6, after sub-
clause (1) insert new
sub-clause:—

(1a) In order to meet an unforeseen press of work any occupier of a factory may employ any boy under sixteen years of

Disagreed with by
Assembly, in-
sisted on by
Council.

Disagreement insisted on by Assembly, with the following consequential amendments:—Lines 19-23, omit "a written permit to work, during such period as is specified therein, outside a factory or work-room in wholly or partly preparing or manufacturing articles for trade or sale, and unless such permit is in force at the time of such preparing or manufacturing," and insert "Certificate that the situation of the premises in which such material is to be wholly or partly prepared or manufactured has been registered by the Chief Inspector"; omit sub-section (2) and insert:—"(2) No such certificate of registration shall be given to any male applicant unless and until proof be furnished to the satisfaction of the Chief Inspector that such male applicant is prevented by domestic duties or bodily affliction from working inside a factory or work-room. The Chief Inspector shall give such certificate of registration to every female applicant who furnishes him such applicant's full name and address and such particulars as may be prescribed. The holder of any such certificate of registration shall for the purposes of section eleven of the Principal Act and section nineteen of the Principal Act as amended by this Act be deemed to be the occupier of a factory or work-room. Provided that any certificate of registration shall only continue in force during such time as the person named therein resides on the premises described in such certificate"; sub-section (3), line 31, omit "permit" and insert "certificate"; sub-section (4), lines 38-9, omit "either directly or indirectly"; line 42, omit "or who receives or has in his possession custody or control for the purposes of trade or sale or who sells or exposes or offers for sale any articles prepared in contravention of such provisions"; line 46, omit "Twenty" and insert "Five"; line 46, after "second" insert "or subsequent"; page 7, lines 1-5, omit "and for a third or any subsequent offence to imprisonment for any period not exceeding three months; and the registration of the factory or work-room of any occupier who is convicted under this section of a third offence shall be forthwith cancelled by the Chief Inspector"; sub-section (6), line 14, omit "directly or indirectly."

Disagreement insisted on by
Assembly.

Amendments made by the Legislative Council.

How dealt with.

age or any girl over sixteen years of age or any woman for not more than fifty-four hours in one week subject to the following conditions:—

- (a) The ordinary daily hours of work shall not be exceeded on more than two days in any one week.
- (b) The ordinary daily hours of work shall not be exceeded on more than thirty days in any twelve months.
- (c) Notice of having availed himself of the provisions of this sub-section shall be given to the Chief Inspector within twenty-four hours and a copy thereof be affixed in the factory or work-room.
- (d) The occupier of the factory or work-room shall keep a record of every day and week in which he avails himself of the provisions of this sub-section and a copy of such record for twelve months back shall be kept constantly affixed in legible characters in some conspicuous place where it may be easily read by the persons employed in the factory.
- (e) Payment for overtime and tea money shall be made for each day on which the occupier of a factory avails himself of the provisions of this sub-section at the rate prescribed in the Schedule to this Act.

Disagreed with by }
 Assembly, in- } Disagreement insisted on by
 sisted on by } Assembly.
 Council. }

8. Clause 27, line 33, omit "Chinese."

9. Clause 27, line 34, after "employed" insert "in preparing or manufacturing or partly preparing or manufacturing any article of furniture."

Agreed to by Assembly with the following amendment:—Before "in" insert "and in any factory or work-room where any person whosoever is employed"; and with the following consequential amendment:— Lines 34 and 35, omit "(whether in working on his own account or behalf or in working for hire or reward either directly or indirectly)."
 Consequential amendment agreed to, but amendment to insert "and in any factory or work-room where any person whosoever is employed" before "in" disagreed with by Council.

[Not dealt with by Assembly on the 28th February.]

Amendments made by the Legislative Council.

How dealt with.

10. Clause 32, omit this clause.
11. Clause 33, omit this clause.

{ Disagreed with by
Assembly, insisted
on by Council. }

{ Disagreement insisted on by
Assembly. }

12. Clause 51, line 22, after
"accordingly" add "Nothing
in this section shall apply
to carters or porters."

{ Agreed to by Assem-
bly with the follow-
ing amendment:—
After "to" insert
"persons employed
exclusively as,"
agreed to by Council
with the omission
of "exclusively." }

{ Omission of "exclusively" agreed
to by Assembly, and "prin-
cipally" inserted. }

13. Clause 55, line 35, after
"procedure" add "and for
providing for the election of
one member of such special
Boards by persons working
outside a factory or work-
room."

14. After clause 59 insert new
clause:—

E. The occupier of every build-
ing or place where on the coming
into operation of this Act any laun-
dry work is carried on for gain
shall forward annually to the Chief
Inspector at such time and in
such form as may be prescribed
a notice giving his full name and
address, and the occupier of any
building or place where for the
first time after the coming into
operation of this Act any laundry
work is carried on for gain shall
within fourteen days after such
work has first been carried on
give such notice as aforesaid
and shall forward such notice
annually at the prescribed time.

Any person convicted of a con-
travention of this section shall be
liable to a penalty not exceeding
Two pounds.

The Chief Inspector shall keep
a register of all laundries of which
he has received notice as pro-
vided in this section.

{ Disagreed with by
Assembly, insisted
on by Council. }

{ Disagreement insisted on by
Assembly. }

The Honorable H. Cuthbert moved, That the Council do not now insist on amendment 1.
Debate ensued.

Question—put.

The Council divided.

Ayes, 22.

The Hon. J. Balfour
J. Bell
T. Brunton
J. C. Campbell
Sir W. J. Clarke, Bart.
J. H. Connor
S. W. Cooke
H. Cuthbert
Dr. W. H. Embling
N. FitzGerald
F. S. Grimwade
C. J. Ham
D. E. McBryde
W. McCulloch
W. Pitt
J. M. Pratt
Lieut.-Col. Sir F. T. Sargood
J. Service
Sir A. Snowden
W. I. Winter-Irving.

Tellers.

S. Austin
T. D. Wanliss.

Noes, 11.

The Hon. J. H. Abbott
F. Brown
T. Dowling
S. Fraser
G. Godfrey
D. Ham
N. Levi
E. Morey
J. A. Wallace.

Tellers.

E. J. Crooke
D. Melville.

And so it was resolved in the affirmative.

The Honorable H. Cuthbert moved, That the word "Act" after "Factories," in the amendment of the Legislative Assembly in amendment 2, be omitted with a view to insert in place thereof the words "and Shops Acts."

Question—That the word proposed to be omitted stand part of the amendment—put and negatived.

Question—That the words proposed to be inserted in place of the word omitted be so inserted—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Council do not now insist on amendment 2, and agree to the consequential amendment made by the Legislative Assembly as so amended.

Question—put and resolved in the affirmative.

Amendment 3, after debate, still insisted on.

The Honorable H. Cuthbert moved, That the Council do not now insist on amendment 4, and agree to the consequential amendments made by the Legislative Assembly.

Debate ensued.

Question—put.

The Council divided.

Ayes, 8.

The Hon. E. J. Crooke
H. Cuthbert
Dr. W. H. Embling
S. Fraser
C. J. Ham
W. McCulloch.

Tellers.

T. Brunton
G. Godfrey.

Noes, 25.

The Hon. J. H. Abbott
S. Austin
J. Balfour
J. Bell
F. Brown
Sir W. J. Clarke, Bart.
J. H. Connor
S. W. Cooke
T. Dowling
N. FitzGerald
F. S. Grimwade
D. Ham
N. Levi
D. E. McBryde
D. Melville
E. Morey
J. M. Pratt
Lieut.-Col. Sir F. T. Sargood
J. Service
Sir. A. Snowden
J. A. Wallace
T. D. Wanliss
W. I. Winter-Irving.

Tellers.

J. C. Campbell
W. Pitt.

And so it passed in the negative.

Amendments 5, 6, and 7, after debate, still insisted on.

Amendment 8 not now insisted on.

The Honorable H. Cuthbert moved, That a Message be sent to the Legislative Assembly calling their attention to the fact that amendment 9 had not yet been dealt with by them.

Question—put and resolved in the affirmative.

Amendments 10 and 11, after debate, still insisted on.

On the motion of the Honorable H. Cuthbert the Council agreed to the amendment made by the Legislative Assembly in amendment 12.

Amendment 13, after debate, still insisted on.

Amendment 14, after debate, not now insisted on.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council do not now insist on some of their amendments disagreed with by the Legislative Assembly, that they still insist on other of the said amendments, have agreed to the consequential amendments made by the Legislative Assembly with an amendment, and desiring their concurrence therein, and calling attention to one amendment not dealt with by the Legislative Assembly.

8. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable H. Cuthbert, and the same was read by the Honorable the President :—

VICTORIA.

BRASSEY,

Governor.

Message No. 16.

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 'Theatres Act 1890.'"

"An Act to regulate the Weights to be carried on certain Vehicles and for other purposes."

"An Act relating to Disease affecting Vegetation."

Government Offices,
Melbourne, 2nd March, 1896.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending an amendment in the Bill intituled "*An Act to enable Victoria to take part in the framing acceptance and enactment of a Federal Constitution for Australasia*," and acquaint the Legislative Council that the Legislative Assembly have agreed to the said amendment recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 3rd March, 1896.

GRAHAM BERRY,
Speaker.

BRASSEY,

Governor.

Message.

Pursuant to the provisions of section 36 of *The Constitution Act*, the Governor transmits to the Legislative Assembly, for their consideration, the following amendment, which he desires to be made in the Bill intituled "*An Act to enable Victoria to take part in the framing acceptance and enactment of a Federal Constitution for Australasia*":—

Clause 42, in third line of clause, omit "and," substitute "of receiving and recording the vote of any person who attends at the place of polling on the day appointed for the election, and who through no default on his part has been unable to record his vote during the hours fixed for such purpose and of."

Government Offices,
28th February, 1896.

On the motion of the Honorable H. Cuthbert the Council, after debate, agreed to the amendment recommended by His Excellency the Governor, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending amendments in the Bill intituled "*An Act to encourage the Establishment of the Sugar Beet Industry in Victoria*," and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 3rd March, 1896.

GRAHAM BERRY,
Speaker.

BRASSEY,

Governor.

Message.

Pursuant to the provisions of section 36 of *The Constitution Act*, the Governor transmits to the Legislative Assembly, for their consideration, the following amendments which he desires to be made in the Bill intituled "*An Act to encourage the Establishment of the Sugar Beet Industry in Victoria*":—

In clause 38, lines 2-4, omit "for all or any of the following purposes :—(a) Generally," substitute "as are necessary."

In the First Schedule, omit "1895," substitute "1896."

Government Offices,
28th February, 1896.

On the motion of the Honorable W. McCulloch the Council agreed to the several amendments recommended by His Excellency the Governor, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

11. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable H. Cuthbert the following Order of the Day was read and discharged :—

Companies Act 1890 further Amendment Bill (No. 2)—Consideration of Report.

12. COMPANIES ACT 1890 FURTHER AMENDMENT BILL (No. 2).—The Honorable H. Cuthbert moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clauses 48, 49, 51, 56, and proposed new clauses.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had reconsidered clauses 48, 49, 51, 56, and proposed new clauses, and agreed to the same with amendments.

The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill:—

“An Act to further amend the ‘Companies Act 1890.’”

Question—put and resolved in the affirmative.

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

13. POST OFFICE 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, and the Council resolved itself into Committee.

The President resumed the Chair; and the Honorable F. Brown reported that the Committee had gone through the Bill and agreed to the same with amendments.

The Honorable H. Cuthbert moved, by leave, That the Report from the Committee of the whole be taken into consideration this day.

Question—put and resolved in the affirmative.

The Honorable J. C. Campbell moved, That this Bill be recommitted to a Committee of the whole for the reconsideration of clause 8.

Debate ensued.

Motion, by leave, withdrawn.

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

And, on the further motion of the Honorable H. Cuthbert, the Bill was read a third time and passed.

The Honorable H. Cuthbert moved, That the following be the title of the Bill:—

“An Act to amend the ‘Post Office Act 1890’ and for other purposes.”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the ‘Factories and Shops Act 1890’ and for other purposes,*” and acquaint the Legislative Council that the Legislative Assembly do not now insist on disagreeing with some of the amendments in such Bill still insisted on by the Legislative Council, that they have agreed to the consequential amendment made by the Legislative Council in clause 3, that they do not now insist on disagreeing with another of such amendments, but have made a consequential amendment, and do still insist on disagreeing with other amendments still insisted on by the Legislative Council, but have made consequential amendments in one of such amendments, with which they desire the concurrence of the Legislative Council. The Legislative Assembly also acquaint the Legislative Council that they insist on their amendment in clause 27, disagreed with by the Legislative Council, and with which disagreement the Legislative Assembly omitted to deal in considering the Message of the Legislative Council of the 28th ultimo.

GRAHAM BERRY,
Speaker.

Legislative Assembly,
Melbourne, 3rd March, 1896.

And the said amendments were read, and are as follow :—

Amendments made by the Legislative Council.

How dealt with.

1. Clause 16, omit this clause.

{ Disagreed
with by As-
sembly, in-
sisted on by
Council.

Disagreement insisted on by Assembly, with the following consequential amendments :—Lines 19-23, omit “a written permit to work, during such period as is specified therein, outside a factory or work-room in wholly or partly preparing or manufacturing articles for trade or sale, and unless such permit is in force at the time of such preparing or manufacturing,” and insert “Certificate that the situation of the premises in which such material is to be wholly or partly prepared or manufactured has been registered by the Chief Inspector”; omit sub-section (2) and insert:—“(2) No such certificate of registration shall be given to any male applicant unless and until proof be furnished to the satisfaction of the Chief Inspector that such male applicant is prevented by domestic duties or bodily affliction from working inside a factory or work-room. The Chief Inspector shall give such certificate of registration to every female applicant who furnishes him such applicant’s full name and address and such particulars as may be prescribed. The holder of any such certificate of registration shall for the purposes of section eleven of the Principal Act and section nineteen of the Principal Act as amended by this Act be deemed to be the occupier of a factory or work-room. Provided that any certificate of registration shall only continue in force during such time as the person named therein resides on the premises described in such certificate”; sub-section (3), line 31, omit “permit” and insert “certificate”; sub-section (4), lines 38-9, omit “either directly or indirectly”; line 42, omit “or who receives or has in his possession custody or control for the purposes of trade or sale or who sells or exposes or offers for sale any articles prepared in contravention of such provisions”; line 46, omit “Twenty” and insert “Five”; line 46, after “second” insert “or subsequent”; page 7, lines 1-5, omit “and for a third or any subsequent offence to imprisonment for any period not exceeding three months; and the registration of the factory or work-room of any occupier who is convicted under this section of a third offence shall be forthwith cancelled by the Chief Inspector”; sub-section (6), line 14, omit “directly or indirectly.”

Still insisted on by Council, and consequential amendments disagreed with. Disagreement still insisted on by Assembly, and consequential amendments insisted on.

Amendments made by the Legislative Council.

How dealt with

2. Clause 24, line 3, before "No" insert "Except as in this section provided."

3. Clause 24, line 6, after sub-clause (1) insert new sub-clause :—

(1a) In order to meet an unforeseen press of work any occupier of a factory may employ any boy under sixteen years of age or any girl over sixteen years of age or any woman for not more than fifty-four hours in one week subject to the following conditions :—

(a) The ordinary daily hours of work shall not be exceeded on more than two days in any one week.

(b) The ordinary daily hours of work shall not be exceeded on more than thirty days in any twelve months.

(c) Notice of having availed himself of the provisions of this sub-section shall be given to the Chief Inspector within twenty-four hours and a copy thereof be affixed in the factory or work-room.

(d) The occupier of the factory or work-room shall keep a record of every day and week in which he avails himself of the provisions of this sub-section and a copy of such record for twelve months back shall be kept constantly affixed in legible characters in some conspicuous place where it may be easily read by the persons employed in the factory.

(e) Payment for overtime and tea money shall be made for each day on which the occupier of a factory avails himself of the provisions of this sub-section at the rate prescribed in the Schedule to this Act.

Disagreed with Assembly, insisted on Council. by in- by { Disagreement insisted on by Assembly. Still insisted on by Council. } Disagreement still insisted on by Assembly.

Amendments made by the Legislative Council.

How dealt with.

4. Clause 27, line 34, after "employed" insert "in preparing or manufacturing or partly preparing or manufacturing any article of furniture."

Agreed to by Assembly with the following amendment: — Before "in" insert "and in any factory or work-room where any person whosoever is employed"; and with a consequential amendment in lines 34 and 35.
Consequential amendment agreed to, but amendment to insert "and in any factory or work-room where any person whosoever is employed" before "in" disagreed with by Council.

Amendment to insert "and in any factory or work-room where any person whosoever is employed" insisted on by Assembly.

5. Clause 32, omit this clause.

Disagreed with by Assembly, insisted on by Council.

Disagreement insisted on by Assembly. Still insisted on by Council.

Disagreement still insisted on by Assembly with the following consequential amendments: —Page 14, line 43, after "steam" omit "-engine or"; line 44, after "steam" omit "- engine "; page 15, line 1, before "boiler" omit "or"; line 8, after "steam" omit "-engine or"; line 12, after "steam" omit "engines or"; line 13, after "steam" omit "engines"; line 14, after "steam" omit "- engines"; line 15, omit "or"; line 33, after "or" insert "steam"; after "boiler" insert "(as the case maybe)"; line 35, after "vineyards" insert "gardens"; line 36, after "creameries" add "or butter factories."

6. Clause 33, omit this clause.

Disagreed with by Assembly, insisted on by Council.

Disagreement insisted on by Assembly. Still insisted on by Council.

Disagreement still insisted on by Assembly.

Amendments made by the Legislative Council.

How dealt with.

7. Clause 55, line 35, after "procedure" add "and for providing for the election of one member of such special Boards by persons working outside a factory or work-room."

Disagreed with by Assembly, insisted on by Council.

Disagreement insisted on by Assembly. Still insisted on by Council.

Disagreement not now insisted on by Assembly with the following consequential amendment:— After "work-room" add— "If the number of such outside workers is greater than one-fifth of all the persons employed in the particular trade."

The Honorable H. Cuthbert moved, That the Council do not now insist on amendment 1, and agree to the consequential amendments made by the Legislative Assembly.

Debate ensued.

Question—put and negatived.

Amendments 2 and 3 still insisted on.

Amendment 4, disagreement with amendment made by the Legislative Assembly not insisted on.

Amendment 5 not now insisted on, and the consequential amendments made by the Legislative Assembly agreed to.

Amendment 6 not now insisted on.

Amendment 7 not now insisted on, and the consequential amendment made by the Legislative Assembly agreed to.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council still insist on some of their amendments in this Bill with which the Legislative Assembly still insist on disagreeing, that they do not now insist on other of such amendments, that they do not insist on disagreeing with an amendment of the Legislative Assembly on one of the amendments of the Legislative Council, and have agreed to consequential amendments made by the Legislative Assembly on certain amendments of the Legislative Council.

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

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LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 65.

WEDNESDAY, 4TH MARCH, 1896.

General Business.

ORDERS OF THE DAY:—

1. LAND ACTS AMENDMENT BILL—To be further considered in Committee.
2. COMPANIES ACT AMENDMENT BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 28TH FEBRUARY, 1896.

Notices of Motion and Orders of the Day. No. 65.

Companies Bill—[115]. (To Members of Council only.)

Factories and Shops Act 1890 Amendment Bill.—Amendments made by the Legislative Council—How dealt with. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 119.

Second Report of the Printing Committee. D.—No. 6.

VICTORIA.

No. 66.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 4TH MARCH, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. LAND ACTS 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, and the Council resolved itself into Committee.
The President resumed the Chair; and the Honorable F. Brown having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood the Council adopted the Report from the Committee of the whole on this Bill.
And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Bill was read a third time and passed.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—
“ *An Act to extend the provisions of the Land Acts with regard to the granting of Leases and Licences.*”
Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.
5. COMPANIES ACT AMENDMENT BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Assembly in this Bill having been read—the said amendments were read, and are as follow :—
Clause 1, line 6, omit “ 1895 ” and insert “ 1896.”
Insert the following new clause :—
3. For the purposes of section three of the *Companies Act Amendment Act 1892*, a company shall be deemed to be in course of being wound up when a petition for the winding up of the company has been presented, and the powers of that section shall apply not only as between the company and the creditors or any class thereof, but as between the company and the members or any class thereof.
On the motion of the Honorable H. Cuthbert the Council agreed to the several amendments made by the Legislative Assembly in this Bill, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Factories and Shops Act 1890' and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly still insist on disagreeing with the omission of clause 16, and on their consequential amendments in the said clause, and that they still insist on disagreeing with the amendments insisted on by the Legislative Council in clause 24.

Legislative Assembly,
Melbourne, 4th March, 1896.

F. C. MASON,
Deputy Speaker.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the 'Companies Act 1890,'*" 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, and have disagreed with others of the said amendments with certain consequential amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 4th March, 1896.

F. C. MASON,
Deputy Speaker.

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

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

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 66.

THURSDAY, 5TH MARCH, 1896.

Question.

1. The Hon. A. O. SACHSE : To ask the Honorable the Solicitor-General if he has seen the newspaper paragraphs and correspondence referring to the alleged unsafe condition of the railways and rolling-stock on the North-Eastern line ; and, if so, will the Government forthwith consider the advisability of referring the question to the Standing Committee on Railways for inquiry and report.

Government Business.

ORDERS OF THE DAY:—

1. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—MESSAGE FROM LEGISLATIVE ASSEMBLY—
To be taken into consideration.
2. COMPANIES ACT 1890 FURTHER AMENDMENT BILL (No. 2)—MESSAGE FROM LEGISLATIVE ASSEMBLY—To be taken into consideration.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 4TH MARCH, 1896.

Notices of Motion and Orders of the Day. No. 66.

Companies Act 1890 further Amendment Bill.—Amendments of the Legislative Council—How dealt with by the Legislative Assembly. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 120.

Factories and Shops Bill 1896.—New clause and amended clause. (To Members only.)

VICTORIA.

No. 67.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 5TH MARCH, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPERS.—The following Papers, pursuant to the directions of an Act of Parliament, were laid upon the Table by the Clerk :—
Water Act 1890—
Benjeroop and Murrabit Irrigation and Water Supply Trust.—Rating Regulation.
Cohuna Irrigation and Water Supply Trust.—Regulation No. 12.
East Boort Irrigation and Water Supply Trust.—Rating Regulation.
Myall Irrigation and Water Supply Trust.—Rating Regulation.
5. RAILWAYS BILL—CONFERENCE.—The Honorable Lieut.-Col. Sir F. T. Sargood presented the Government Shorthand Writer's notes of the Conference held between the Managers for the Legislative Council and for the Legislative Assembly on this Bill.
Ordered to lie on the Table, and to be printed.
6. FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL.—The Order of the Day for the consideration of the amendments made and insisted on by the Legislative Council in this Bill, and disagreed with by the Legislative Assembly, having been read—
The Honorable H. Cuthbert moved, That the Council do still insist on their amendment to omit clause 16, but agree to the following new clause in place thereof :—
T. (1) Every person who outside a factory or work-room wholly or partly prepares or manufactures for trade or sale any articles of clothing or wearing apparel shall register with the Chief Inspector his full name and address and also from time to time register with the Chief Inspector any change in such address.
(2) Every such person shall answer all questions put to him by an inspector as to the person for whom the articles are being prepared or manufactured and the price or rate to be paid to him therefor.
(3) In this section the expression "clothing or wearing apparel" includes boots and shoes.
(4) Every person guilty of a contravention of this section shall be liable to a penalty not exceeding Ten shillings.
Debate ensued.
The Honorable G. Davis moved, as an amendment, That all the words after the word "apparel," in line 2, to the word "person," in the first line of sub-clause (2), inclusive, be omitted.
Debate continued.
Question—That the words proposed to be omitted stand part of the proposed new clause—put and negatived.
Ordered—That the proposed new clause be further amended by the omission from sub-clause (2) of the words "all questions" and the insertion of the words "the two following questions which may be."
Question—That the Council do still insist on their amendment to omit clause 16, but agree to the proposed new clause, as so amended, in place thereof—put and resolved in the affirmative.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not now insist on their amendments in clause 24, disagreed with by the Legislative Assembly, but agree to the following new clause in place of clause 24 :—

V. For section thirty of the Principal Act there shall be substituted the following section, namely :—

30. (1) Except as in this section provided no person shall employ or authorize or permit to be employed in any factory or work-room any person under the age of sixteen years or any woman or girl for more than forty-eight hours in any one week or for more than ten hours in any one day or later than nine o'clock in the evening.

(2) In order to meet an unforeseen press of work any occupier of a factory or work-room may employ any boy under sixteen years of age or any girl over sixteen years of age or any woman for not more than fifty-four hours in one week subject to the following conditions :—

(a) The ordinary daily hours of work shall not be exceeded on more than one day in any one week.

(b) The ordinary daily hours of work shall not be exceeded on more than ten days in any period of twelve calendar months.

(c) Notice of having availed himself of the provisions of this sub-section shall be given by the occupier of such factory or work-room to the Chief Inspector within twenty-four hours after the commencement of such extra working and a copy thereof shall be affixed in the factory or work-room within such period. The notice to the Chief Inspector shall be accompanied by a full statement signed by such occupier of the facts on which the occupier relies that such working was *bonâ fide* for the purpose of meeting an unforeseen press of work.

(d) The occupier of the factory or work-room shall keep a record of every day and week in which he avails himself of the provisions of this sub-section and a copy of such record for twelve months back shall be kept constantly affixed in legible characters in some conspicuous place where it may be easily read by the persons employed in the factory or work-room.

(e) Payment for overtime and tea money shall be made for each day on which the occupier of a factory or work-room avails himself of the provisions of this sub-section at the rate prescribed in the Schedule to this Act.

(f) No such boy girl or woman shall be so employed without his or her consent.

(g) If the Chief Secretary is not satisfied that such working was *bonâ fide* for the purpose of meeting an unforeseen press of work he shall give notice in writing of such dissatisfaction to such occupier, and unless the occupier of such factory or work-room within one month from such notice proves to the satisfaction of the Chief Secretary that such working was *bonâ fide* for such purpose the Chief Secretary shall direct the Chief Inspector to make a record that such working was not *bonâ fide* for such purpose.

(h) If the Chief Secretary directs such record to be made in regard to any occupier of a factory or work-room three times within any period of twelve calendar months such occupier shall not thereafter at any time be entitled to avail himself of the provisions of this sub-section.

(3) If any person offends against the provisions of this section he shall for each and every contravention of this section be liable on conviction to a penalty for the first offence of not more than Five pounds and for any subsequent offence of not less than Two pounds or more than Twenty pounds.

(4) In order to meet the exigencies of trade the Minister after due inquiry and on payment of the prescribed fee may, if he thinks fit from time to time by a notification under his hand published in the *Government Gazette*, suspend the operation of this section in any one or more factories or work-rooms or in all factories or work-rooms of a particular description or for any particular trade or for any particular purpose of any particular trade. No such suspension shall have any force or effect for more than two months from the date of such notification, and in the event of any breach of the conditions of such suspension the same may at any time be revoked by the Minister by a notification under his hand posted to the occupier of the factory or work-room affected thereby and also published in the *Government Gazette*.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council do still insist on their amendment to omit clause 16, but have agreed to a new clause in place thereof, and do not now insist on certain amendments in clause 24, disagreed with by the Legislative Assembly, but have proposed further amendments in the said clause, and desiring their concurrence therein.

7. COMPANIES ACT 1890 FURTHER AMENDMENT BILL (No. 2).—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill, and disagreed with by the Legislative Assembly or disagreed with with certain consequential amendments, 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 30, line 19,
after “wound-
up” insert
“within one year
after the date of
the registration
of such order and
minute.”

Disagreed with.

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

- | | | |
|------------------------------------|---|--|
| 2. Clause 48, omit this clause. | } | Disagreed with, with the following consequential amendments:—
Line 18, omit “has” and insert “shall”; omit “negligently” and insert “with gross negligence”; line 19, omit “signed” and insert “sign,” omit “issued” and insert “issue,” omit “caused” and insert “cause”; line 20, omit “or”; line 21, omit “or oral”; line 22, after the first word “which” insert “in the opinion of the court is calculated to induce any person (whether ascertained or not) to rely upon the truth thereof and which”; line 23, after “such” insert “first-mentioned”; line 26, after “of” insert “relying upon,” and after “false” omit “or misleading.” |
| 3. Clause 49, omit this clause. | } | Disagreed with, with the following consequential amendments:—
Line 32, after “shall” insert “after the passing of this Act”; line 34, omit “or promoters”; line 41, omit “a misdemeanour” and insert “an offence”; line 42, after “conviction” insert “to a penalty not exceeding double the amount which the company has paid or is liable to pay for the property, and in default of payment of such penalty.” Add the following new sub-section:—
(4) This section shall not apply to any sale or disposition in writing by any person of a business and the assets thereof of which he is the proprietor wholly or in part to any company hereafter formed for the purpose of purchasing or acquiring the same provided—
(a) If there be a prospectus that full particulars of such sale or disposition be disclosed in such prospectus; or
(b) If there be no prospectus then that such sale or disposition shall be mentioned in the memorandum of association and full particulars thereof shall be disclosed in an instrument in writing consenting thereto and signed by every shareholder of the company at the time the contract for such sale or disposition is entered into by the company.

This section shall not apply to any sale or disposition where the purchase or acquisition by the company has been authorized by a special resolution of the company prior thereto, and where the notice of the meeting at which such resolution is passed contains full particulars of such proposed sale and disposition.

Full particulars in this sub-section mean such particulars of the nature and effect of such sale or disposition and also all facts known to such person as are material to be made known to enable every shareholder to form a judgment as to the expediency of the company entering into a contract for such sale or disposition. |
| 4. Clause 51, omit sub-clause (2). | } | Disagreed with, with the following consequential amendments in sub-clause (2):—Line 2, after “use” insert “in the exercise of his powers and duties,” after “and” insert “such”; lines 2 and 3, omit “in the exercise of his powers and duties,” and insert “as in the same circumstances he would exercise on his own behalf”; line 4, before “neglect” insert “gross.” |
| 5. Clause 52, omit this clause. | } | Disagreed with. |
| 6. Clause 61, omit this clause. | } | Disagreed with. |

Amendment 1 insisted on.

Amendments 2 to 6, after debate, insisted on.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council insist on their amendments disagreed with by the Legislative Assembly.

8. ADJOURNMENT.—The Honorable H. Cuthbert moved, by leave, That the Council, at its rising, adjourn until Saturday next, at half-past ten o'clock.

Debate ensued.

Question—put and resolved in the affirmative.

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

GEORGE H. JENKINS,

Clerk of the Legislative Council.

VICTORIA.

No. 68.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

SATURDAY, 7TH MARCH, 1896.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPER.—The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk :—

Seventeenth Annual Report of the Proceedings of the Government Statist in connexion with Friendly Societies.—Report for the year 1894, to which are appended Valuations of Friendly Societies, Statistics of Friendly Societies, &c.

5. APPROACH OF HIS EXCELLENCY THE GOVERNOR.—The approach of His Excellency the Governor was announced by the Usher.
6. ROYAL ASSENT TO BILLS.—His Excellency the Governor came into the Council Chamber, and commanded the Usher to desire the attendance of the Legislative Assembly, who, being come with their Deputy Speaker—

His Excellency was pleased to assent to the following Bills :—

“An Act to extend the provisions of the Land Acts with regard to the granting of Leases and Licences.”

“An Act to amend the ‘Companies Act Amendment Act 1892.’”

“An Act to enable Victoria to take part in the framing acceptance and enactment of a Federal Constitution for Australasia.”

To these Bills the Royal Assent was pronounced severally by the Clerk of the Parliaments in these words :—

“In the name and on behalf of Her Majesty I assent to this Act.”

7. His Excellency was then pleased to speak as follows :—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I have much pleasure in relieving you of your parliamentary duties after a Session which has not been equalled in recent years for duration or continuous labour.

It is deeply gratifying to be able to state that the Federation of the colonies of Australia, which has been for many years the hope of the great majority of Australians, is at last within a measurable distance of realization, the colonies of New South Wales, South Australia, Tasmania, and Victoria having each passed an Enabling Bill for the election of Members of a Convention, to which is remitted the task of framing an Australian Federal Constitution to be submitted to the people of those colonies for their acceptance. It is to be regretted that Queensland and West Australia have not yet had the opportunity of passing similar Bills, but there is every reason to believe that those colonies will do so when their Parliaments re-assemble. As it is desirable that the elections of Members of the Convention should be held by all the colonies at the same time, my Advisers will consult with the Governments of the other colonies with a view to the elections being held at the earliest practicable date.

A great portion of the Session has been occupied in a revision of the Tariff, and it will be some return for the onerous and unpleasant task so persistently carried out to know that your work has resulted, not only in the abolition of some imposts and the lightening of many others, but also in doing away with numerous anomalies and uncertainties connected with the collection of duties, and so placing the Tariff on a stable basis, to the great benefit of commerce, and the gain of the whole community.

The Bill for the management of the Railways to which you have agreed, will, I trust, assist in placing the Victorian Railway system on a satisfactory basis. From whatever stand-point this measure may be regarded, it must be considered as of supreme importance to the community.

My Advisers have not lost sight of the necessity of providing work for those likely to be out of employment during the winter months, and, though the Standing Committee on Railways has not been able to report favorably on the construction of any new line of railway, the Bill which you have agreed to in that behalf will enable employment to be given in connexion with work on the existing lines which will be remunerative to the State.

It is pleasant to be able to announce that although many miners have left our shores for Western Australia the yield of gold in Victoria has steadily increased, being larger last year than for a number of years past. The systematic and successful efforts of the Mining Department to open up the outlying parts of the country by cutting tracks and organizing prospecting parties have not only been productive of immediate benefit by contributing largely to this result, but have also encouraged future endeavours by establishing the auriferous wealth of the colony in localities hitherto unproved.

The encouragement of production in other directions has also been promoted, my Advisers having made satisfactory arrangements in connexion with frozen produce, which will provide for regular shipments to British ports at a cheaper rate than hitherto.

The question of the settlement of the Mallee country has received your earnest attention, and the legislation you have passed to meet the requirements of that exceptionally situated district is of such a nature that it may reasonably be expected settlement will be extended and production increased in a portion of the colony which until recently was regarded as entirely profitless.

The Bill which you have passed for the establishing of manufactories of Sugar from Beet-root will add a new industry to those already existing in Victoria, and be of especial advantage to the country districts.

My Advisers recognise that an almost unprecedented drought has deeply affected the growers of cereals through a great part of the northern districts, and they will take care by the distribution of seed-wheat and other means to mitigate the calamity as far as possible. Vigorous measures will also be adopted to deal with the rabbit pest, and the Bill you have passed providing for the loan to Municipal Councils of funds for the purchase of Wire Netting will materially assist in so doing.

The Commission appointed to inquire into the question of the establishment of a State Bank has presented a valuable report which has been laid before you. One of the earliest measures to be submitted next Session will be a Bill providing for advances to be made at low rates of interest and under simple and favorable conditions to those engaged in tilling the soil, this being one of the most legitimate and advantageous ways in which a country can aid its producers.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I thank you in the name of Her Majesty for the provision you have made for the service of the year, which whilst ample for the public requirements shows that the necessity of administering the finances with strict economy has not been overlooked.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

Amongst the important measures that you have passed may be enumerated the Bill for the arrangement of the differences existing at Mildura, which is intended to place matters on a satisfactory footing in that settlement and aid in its returning prosperity ; a Bill whereby the law relating to the Sale and purchase of Goods has been codified to the great convenience of buyers and sellers ; a measure to make the law relating to Trusts and Trustees conform with modern requirements ; a Bill by which the question of the management and control of Electric Lighting has been dealt with in a manner that must be satisfactory to the important interests concerned ; a Bill to suppress the pernicious custom of Street Betting ; a Bill for the eradication of Diseases in Vegetation ; and many other useful Bills, including several to facilitate the ordinary transactions of commerce and afford protection against fraud.

It is to be regretted that several most important measures failed to pass both Houses this Session, including the Bill for the reform of the Constitution, the Factories and Workshops Bill dealing with the sweating evil which has unfortunately become so prevalent as to shock the public conscience, and the Bill to amend the law relating to Companies so as to afford relief and greater security to the public. The Standing Order recently adopted by the Legislative Assembly will, however, enable these measures to be taken up at an advanced stage next Session, and your attention will be invited to them at an early period when it is to be hoped that they will become law.

In releasing you from your duties I thank you for the important work that you have done, which I trust will conduce to the progress and welfare of Victoria.

I now in the name of Her Majesty declare this Parliament to be prorogued to the 30th day of March, 1896.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

SELECT COMMITTEES.

PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS
(JOINT).

APPOINTED (UNDER ACT No. 1350) 31st OCTOBER, 1894.

The Hon. J. Buchanan
D. Melville

The Hon. E. Morey.*

* Re-appointed, after re-election, 10th September, 1895.

APPOINTED DURING THE SESSION 1895-6.

No. 1.—ADDRESS IN REPLY TO THE OPENING SPEECH OF HIS EXCELLENCY
THE ADMINISTRATOR OF THE GOVERNMENT.

Appointed 29th May, 1895.

The Hon. J. Balfour
T. Brunton
S. W. Cooke

The Hon. E. J. Crooke
F. S. Grimwade
C. Sargeant.

No. 2.—STANDING ORDERS.

Appointed 30th May, 1895.

The Hon. The President
S. Austin
J. Balfour
S. W. Cooke
J. M. Davies
N. FitzGerald

The Hon. Lieut.-Col. Sir F. T. Sargood
J. Service
N. Thornley
W. I. Winter-Irving*
A. Wynne.

* Appointed 17th September, 1895, in place of Hon. J. M. Davies.

No. 3.—PARLIAMENT BUILDINGS (JOINT).

Appointed 30th May, 1895.

The Hon. The President
J. Bell
G. Davis

The Hon. D. E. McBryde
W. Pitt.

No. 4.—LIBRARY (JOINT).

Appointed 30th May, 1895.

The Hon. The President
F. Brown
F. S. Grimwade

The Hon. C. J. Ham
D. Melville.

No. 5.—REFRESHMENT ROOMS (JOINT).

Appointed 30th May, 1895.

The Hon. Dr. W. H. Embling
E. Morey*
A. O. Sachse

The Hon. J. A. Wallace
W. I. Winter-Irving.

* Re-appointed after re-election, 17th September, 1895.

No. 6.—PRINTING.

Appointed 30th May, 1895.

The Hon. The President
J. H. Abbott
T. Brunton
J. Buchanan
J. H. Connor
G. S. Coppin

The Hon. S. Fraser
D. Ham
C. Sargeant*
J. Sternberg
T. D. Wanliss.†

* Re-appointed after re-election, 17th September, 1895.

† Appointed 17th September, 1895, in place of Hon. G. S. Coppin

No. 7.—ELECTIONS AND QUALIFICATIONS.

Appointed (by President's Warrant) 19th June, 1895.

The Hon. J. H. Abbott
E. J. Crooke
H. Cuthbert
S. Fraser

The Hon. E. Miller
D. Melville
Lieut.-Col. Sir F. T. Sargood.

No. 8.—ELECTRIC LIGHT AND POWER BILL.

Appointed 27th August, 1895.

The Hon. J. H. Abbott
J. Balfour
J. Bell
S. Fraser
J. H. Grey
F. S. Grimwade*

The Hon. D. E. McBryde†
W. McCulloch
A. O. Sachse
Lieut.-Col. Sir F. T. Sargood
N. Thornley
H. Cuthbert.

* Appointed 27th August, 1895, in place of Hon. W. McCulloch, discharged from attendance.

† Appointed 3rd September, 1895, in place of Hon. S. Fraser, discharged from attendance.

No. 9.—USURIOUS MONEY-LENDERS.

Appointed 17th September, 1895.

The Hon. J. Bell
Dr. W. H. Embling
S. Fraser
D. E. McBryde
E. Miller

The Hon. A. O. Sachse
N. Thornley
S. Williamson
D. Melville.

No. 10.—FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL.

Appointed 19th December, 1895.

The Hon. S. Austin
J. Balfour
S. W. Cooke
H. Cuthbert
F. S. Grimwade
J. M. Pratt

The Hon. J. Sternberg
N. Thornley
J. A. Wallace
T. D. Wanliss
W. I. Winter-Irving
Lieut.-Col. Sir F. T. Sargood.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1895.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 1.

Extracted from the Minutes.

TUESDAY, 16TH JULY, 1895.

No. 1.—SALE OF GOODS BILL—Clause 35 (on recommittal):—

(1) Where the seller delivers to the buyer a quantity of goods less than he contracted to sell the buyer may reject them, but if the buyer accepts the goods so delivered he must pay for them at the contract rate.

(2) Where the seller delivers to the buyer a quantity of goods larger than he contracted to sell the buyer may accept the goods included in the contract and reject the rest, "or he may reject the whole." If the buyer accepts the whole of the goods so delivered he must pay for them at the contract rate.

(3) Where the seller delivers to the buyer the goods he contracted to sell mixed with goods of a different description not included in the contract, the buyer may accept the goods which are in accordance with the contract and reject the rest, or he may reject the whole.

(4) The provisions of this section are subject to any usage of trade, special agreement, or course of dealing between the parties.—(*Hon. H. Cuthbert.*)

Amendment proposed—That the words "or he may reject the whole," in lines 5 and 6, be omitted.—(*Hon. C. J. Ham.*)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 12.

The Hon. J. Buchanan
S. W. Cooke
D. Coutts
E. J. Crooke
H. Cuthbert
J. M. Davies
W. McCulloch
E. Morey
Lieut.-Col. Sir F. T. Sargood
J. A. Wallace.

Tellers.

F. S. Grimwade
N. Levi.

Noes, 10.

The Hon. J. H. Abbott
T. Dowling
Dr. W. H. Embling
C. J. Ham
D. Melville
W. Pitt
T. D. Wanliss
W. I. Winter-Irving.

Tellers.

J. M. Pratt
J. Sternberg.

And so it was resolved in the affirmative.

VICTORIA.
 LEGISLATIVE COUNCIL.

SESSION 1895.

WEEKLY REPORT OF DIVISIONS
 IN
 COMMITTEE OF THE WHOLE COUNCIL.

No. 2.

Extracted from the Minutes.

TUESDAY, 20TH AUGUST, 1895.

No. 1.—LOCAL GOVERNMENT (MUNICIPAL ELECTIONS) BILL—Proposed new clause A in place of clause 2 omitted :—

On receipt by the Governor in Council of a petition from the council of any borough or shire praying that the time for closing the poll as provided by section one hundred and eighteen of the *Local Government Act 1890* be extended, the Governor in Council by order published in the *Government Gazette* may extend the time for closing the poll in such borough or shire until such time not later than seven o'clock in the afternoon as the Governor in Council by such order shall direct.—(*Hon. J. Bell.*)

Amendment proposed—That at the end of the clause the words “and may from time to time on the petition of any such borough or shire vary or revoke any such order” be added.—(*Hon. J. M. Davies.*)

Motion made and question put—That the Chairman do report progress and ask leave to sit again.—(*Hon. J. A. Wallace.*)

Committee divided.

Ayes, 6.

The Hon. J. Buchanan
 N. FitzGerald
 J. A. Wallace
 W. I. Winter-Irving.

Tellers.

A. O. Sachse
 J. Sternberg.

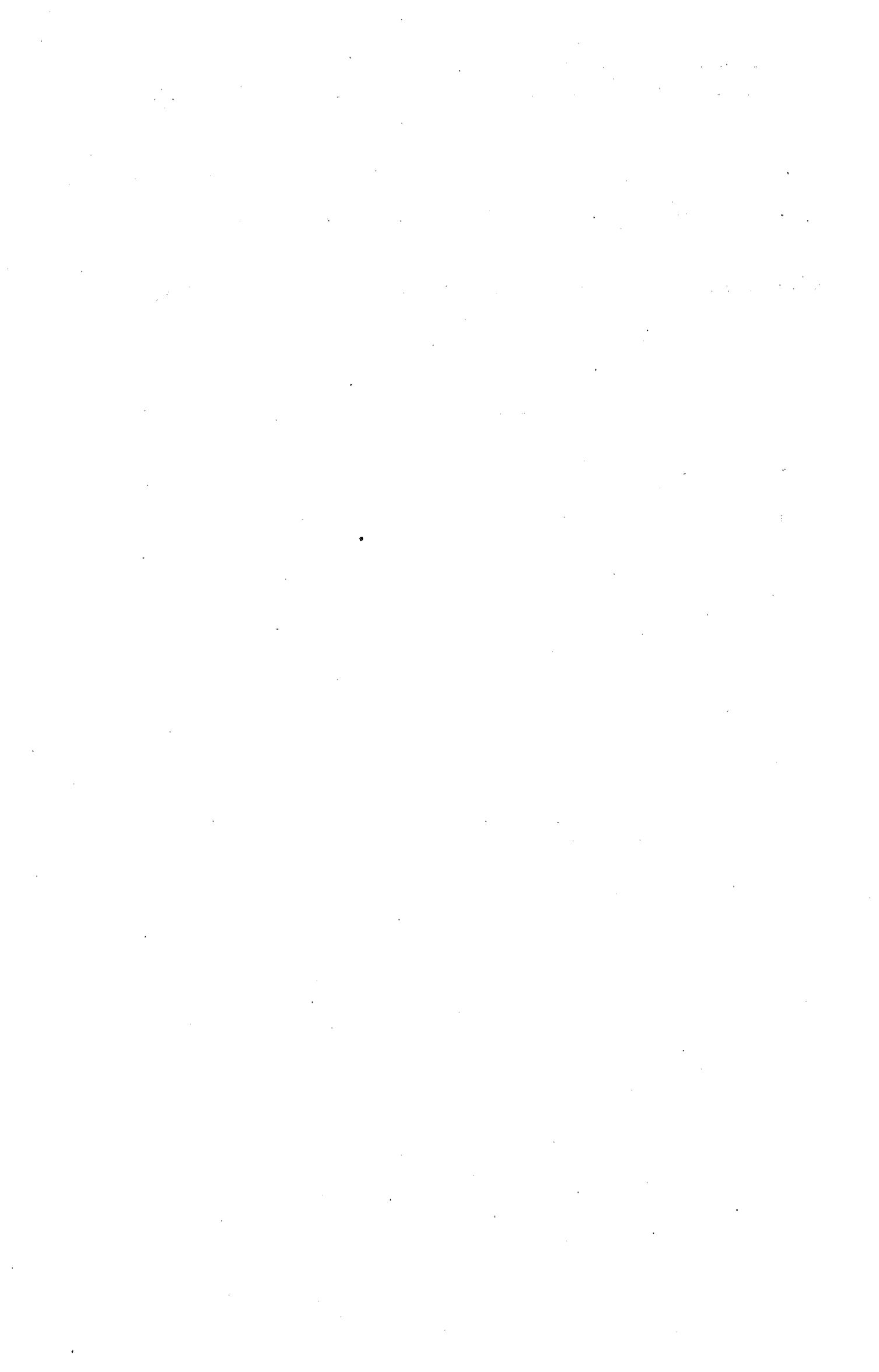
Noes, 33.

The Hon. J. H. Abbott
 J. Balfour
 J. Bell
 T. Brunton
 J. C. Campbell
 J. H. Connor
 S. W. Cooke
 D. Coutts
 E. J. Crooke
 H. Cuthbert
 J. M. Davies
 T. Dowling
 Dr. W. H. Embling
 S. Fraser
 F. S. Grimwade
 C. J. Ham
 D. Ham
 N. Levi
 W. McCulloch
 D. Melville
 E. Miller
 E. Morey
 W. Pitt
 J. M. Pratt
 R. Reid
 C. Sargeant
 J. Service
 G. Simmie
 N. Thornley
 T. D. Wanliss
 A. Wynne.

Tellers.

S. Austin
 D. E. McBryde.

And so it passed in the negative.



VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1895.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 3.

Extracted from the Minutes.

TUESDAY, 17TH SEPTEMBER, 1895.

No. 1.—LICENSING ACT 1890 AMENDMENT BILL—Proposed new clause I:—

For section one hundred and thirty of the Principal Act the following section shall be substituted, namely:—

“130. Any licensed person who allows in his licensed house or premises any person apparently under the age of sixteen years to be supplied with liquor by purchase or otherwise, or who allows in his licensed house or premises any person apparently under the age of eighteen years to be supplied with liquor by purchase or otherwise for consumption on the premises, shall as well as the person who actually gives or supplies the liquor be liable to a penalty of not less than Two pounds nor more than Ten pounds.”—(*Hon. A. Wynne.*)

Question—That new clause I stand part of the Bill—put.

Committee divided.

Ayes, 10.

The Hon. J. H. Connor
S. W. Cooke
S. Fraser
D. Ham
D. Melville
E. Morey
C. Sargeant
T. D. Wanliss.

Tellers.

C. J. Ham
A. Wynne.

Noes, 21.

The Hon. J. H. Abbott
J. Buchanan
J. C. Campbell
H. Cuthbert
G. Davis
T. Dowling
Dr. W. H. Embling
N. FitzGerald
G. Godfrey
F. S. Grimwade
W. McCulloch
W. Pitt
A. O. Sachse
Lieut.-Col. Sir F. T. Sargood
Sir A. Snowden
J. Sternberg
N. Thornley
S. Williamson
W. I. Winter-Irving.

Tellers.

N. Levi
R. Reid.

And so it passed in the negative.

No. 2.—

Motion made and question put—That the Chairman do report progress and ask leave to sit again.—
(*Hon. D. Melville.*)

Committee divided.

Ayes, 6.

The Hon. C. J. Ham
D. Ham
C. Sargeant
T. D. Wanliss.

Tellers.

D. Melville
J. Sternberg.

Noes, 24.

The Hon. J. H. Abbott
J. Buchanan
J. C. Campbell
J. H. Connor
S. W. Cooke
H. Cuthbert
G. Davis
T. Dowling
Dr. W. H. Embling
N. FitzGerald
S. Fraser
G. Godfrey
F. S. Grimwade
W. McCulloch
E. Morey
W. Pitt
A. O. Sachse
Lieut.-Col. Sir F. T. Sargood
Sir A. Snowden
S. Williamson
W. I. Winter-Irving
A. Wynne.

Tellers.

N. Levi
R. Reid.

And so it passed in the negative.

No. 3.—Proposed new clause U :—

No licence shall be removed under the provisions of this Act to any existing coffee palace or to any building which was created or established for the purpose of being used as a coffee palace.—
(*Hon. T. D. Wanliss.*)

Question—That new clause U stand part of the Bill—put.

Committee divided.

Ayes, 5.

The Hon. Dr. W. H. Embling
N. FitzGerald
D. Ham.

Tellers.

D. Melville
T. D. Wanliss.

Noes, 24.

The Hon. J. H. Abbott
J. Buchanan
J. C. Campbell
J. H. Connor
S. W. Cooke
H. Cuthbert
G. Davis
T. Dowling
S. Fraser
G. Godfrey
F. S. Grimwade
C. J. Ham
W. McCulloch
E. Morey
W. Pitt
R. Reid
Lieut.-Col. Sir F. T. Sargood
Sir A. Snowden
J. Sternberg
S. Williamson
W. I. Winter-Irving
A. Wynne.

Tellers.

N. Levi
A. O. Sachse.

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1895.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 4.

Extracted from the Minutes.

WEDNESDAY, 23RD OCTOBER, 1895.

No. 1.—CONSOLIDATED REVENUE BILL (No. 2):—

Motion made and question put—That the Chairman do report progress and ask leave to sit again.—
(*Hon. F. S. Grimwade.*)

Committee divided.

Ayes, 16.

The Hon. J. H. Abbott
J. C. Campbell
Dr. W. H. Embling
N. FitzGerald
F. S. Grimwade
D. Ham
N. Levi
D. E. McBryde
D. Melville
E. Morey
A. O. Sachse
Lieut.-Col. Sir F. T. Sargood
J. A. Wallace
W. I. Winter-Irving.

Tellers.

S. Fraser
Sir A. Snowden.

Noes, 7.

The Hon. Sir W. J. Clarke, Bart.
H. Cuthbert
W. McCulloch
E. Miller
S. Williamson.

Tellers.

J. Bell
G. Godfrey.

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1895.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.

No. 5.

Extracted from the Minutes.

THURSDAY, 28TH NOVEMBER, 1895.

No. 1.—ELECTRIC LIGHT AND POWER BILL—Proposed new clause K in place of clause 39 omitted (on recommittal):—

* * * * *

(3) Where any undertakers consist of a company or person, which or who shall have obtained an order by virtue of the provisions of this Act entitling such company or person to an order in respect of electric lines or works erected within any area before the commencement of this Act, then any council either alone or in conjunction with any other council within whose municipal district such area or any part thereof is situated may, within two years from the date of the said order, or within six months before the expiration of twelve years from the date of the said order, or within six months before the expiration of twenty-five years from the said date, by notice in writing require such undertakers to sell, and thereupon such undertakers shall sell to such council or councils the whole of their undertaking wheresoever situate, upon terms of paying the then value of all lands buildings materials plant and works of such undertakers suitable to and used by them for the purposes of their undertaking, such value to be in case of difference determined by arbitration in the manner aforesaid. "Where such sale is made within two years as aforesaid, the undertakers shall in addition to the amount of the said value be entitled also to receive from such council or councils a further sum of Ten pounds per centum on such value, or where such sale is made within twelve years as aforesaid the undertakers shall in like manner be entitled also to receive a further sum of Five pounds per centum on such value."

* * * * *

—(*Hon. H. Cuthbert.*)Amendment proposed—That all the words after "manner aforesaid," in line 12, to the end of sub-clause (3) be omitted.—(*Hon. Sir A. Snowden.*)Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

Ayes, 21.

The Hon. S. Austin
T. Brunton
S. W. Cooke
D. Coutts
H. Cuthbert
Dr. W. H. Embling
N. FitzGerald
N. Levi
D. E. McBryde
W. McCulloch
E. Miller
E. Morey
W. Pitt
R. Reid
Lieut.-Col. Sir F. T. Sargood
J. Service
J. A. Wallace
S. Williamson
W. I. Winter-Irving.

*Tellers.*J. Bell
S. Fraser.

Noes, 5.

The Hon. C. J. Ham
J. M. Pratt
Sir A. Snowden.

*Tellers.*G. Godfrey
D. Melville.

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1895.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.

No. 6.

Extracted from the Minutes.

WEDNESDAY, 4TH DECEMBER, 1895.

No. 1.—MALLEE LANDS BILL—Clause 5 (amended):—

Notwithstanding anything contained in the *Land Act* 1890 the Governor in Council, by notice published once in each week for at least four consecutive weeks in the *Government Gazette* in at least two Melbourne weekly newspapers and in at least one newspaper generally circulating in the part of Victoria to which such notice applies, may declare that any part of the Mallee Country or Mallee Border except the site of any lake or part thereof described in such notice which is not held under lease or occupied as a mallee block or mallee allotment and which in the opinion of the Governor in Council is not required for the purposes of water conservation and supply irrigation works races reservoirs dams and ditches timber reserves railways roads canals or mining or any public purpose whatsoever shall be available for occupation as agricultural allotments "either" under licence or perpetual lease as hereinafter provided.—(*Hon. H. Cuthbert.*)

Amendment proposed—That the word "either," in line 9, be omitted.—(*Hon. D. Melville.*)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 27.

The Hon. J. H. Abbott
S. Austin
J. Balfour
J. Bell
T. Brunton
J. Buchanan
J. C. Campbell
Sir W. J. Clarke, Bart.
J. H. Connor
S. W. Cooke
D. Coutts
E. J. Crooke
H. Cuthbert
G. Godfrey
D. E. McBryde
W. McCulloch
E. Morey
W. H. S. Osmand
J. M. Pratt
J. Service
G. Simmie
Sir A. Snowden
J. Sternberg
N. Thornley
A. Wynne.

Tellers.

F. S. Grimwade
N. Levi.

Noes, 8.

The Hon. Dr. W. H. Embling
C. J. Ham
D. Ham
D. Melville
Lieut.-Col. Sir F. T. Sargood
J. A. Wallace.

Tellers.

W. Pitt
A. O. Sachse.

And so it was resolved in the affirmative.

No. 2.—MALLEE LANDS BILL—Clause 11 :—

If any rent under a perpetual leasehold shall be in arrear for one year interest thereon at such rate not exceeding Four pounds per centum per annum as the Board may fix commencing from the time when such rent became due, and for two years interest thereon at such rate not exceeding Five pounds per centum per annum as the Board may fix commencing from the time when such rent became due, and for three years at such rate not exceeding Six pounds per centum per annum as the Board may fix commencing from the time when such rent became due shall be paid, and if any rent remains unpaid at the expiration of "four" years from the time when the same became due the perpetual leasehold shall *ipso facto* become and be absolutely forfeited to Her Majesty and the perpetual lease shall be cancelled.—(*Hon. H. Cuthbert.*)

Amendment proposed—That the word "four," in line 7, be omitted, with a view to insert in place thereof the word "two."—(*Hon. A. Wynne.*)

Question—That the word proposed to be omitted stand part of the clause—put.
Committee divided.

Ayes, 21.

The Hon. J. H. Abbott
S. Austin
J. Bell
J. Buchanan
Sir W. J. Clarke, Bart.
J. H. Connor
D. Coutts
H. Cuthbert
T. Dowling
G. Godfrey
C. J. Ham
N. Levi
W. McCulloch
E. Miller
E. Morey
J. M. Pratt
G. Simmie
J. Sternberg
W. I. Winter-Irving.
Tellers.
F. S. Grimwade
D. E. McBryde.

Noes, 13.

The Hon. J. Balfour
J. C. Campbell
S. W. Cooke
E. J. Crooke
D. Ham
D. Melville
W. Pitt
A. O. Sachse
Lieut.-Col. Sir F. T. Sargood
Sir A. Snowden
J. A. Wallace.

Tellers.

Dr. W. H. Embling
A. Wynne.

And so it was resolved in the affirmative.

THURSDAY, 5TH DECEMBER, 1895.

No. 3.—MALLEE LANDS BILL—Clause 27 :—

(3) After not more than "four" crops in succession have been taken from or off any land there shall be an interval of at least one year during which no seed shall be sown or planted in or on and no crop shall be taken from or off such land; after such interval and until the end of the lessee's term, only one crop shall be taken from or off any such land during any two years, and after a crop has been taken from or off any such land there shall be an interval of at least one year during which no seed shall be sown or planted in or on and no crop shall be taken from or off such land. This sub-section shall not operate to prevent grass seed being sown in or on any land, with the object of such land being used for grazing only.

—(*Hon. H. Cuthbert.*)

Amendment proposed—That the word "four," in line 1, be omitted, with a view to insert in place thereof the word "six."—(*Hon. J. M. Pratt.*)

Question—That the word proposed to be omitted stand part of the clause—put.
Committee divided.

Ayes, 11.

The Hon. T. Brunton
D. Coutts
H. Cuthbert
Dr. W. H. Embling
G. Godfrey
W. McCulloch
G. Simmie
J. A. Wallace
S. Williamson.

Tellers.

S. W. Cooke
E. J. Crooke.

Noes, 21.

The Hon. J. H. Abbott
J. Balfour
J. Bell
J. C. Campbell
Sir W. J. Clarke, Bart.
J. H. Connor
C. J. Ham
D. E. McBryde
D. Melville
E. Miller
E. Morey
W. Pitt
J. M. Pratt
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
J. Service
Sir A. Snowden
N. Thornley
W. I. Winter-Irving.

Tellers.

S. Austin
F. S. Grimwade.

And so it passed in the negative.

No. 4.—MALLEE LANDS BILL—Clause 50 :—

(1) From and after the commencement of this Act no person shall hold as beneficial owner either in his own name or the name or names of any other person or persons more than "one thousand nine hundred and twenty" acres of the lands comprised in the Mallee Country and Mallee Border.

* * * * *

—(*Hon. H. Cuthbert.*)

Amendment proposed—That the words "one thousand nine hundred and twenty" be omitted with a view to insert in place thereof the words "six hundred and forty."—(*Hon. D. Melville.*)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 25.

The Hon. S. Austin
J. Balfour
J. C. Campbell
Sir W. J. Clarke, Bart.
J. H. Connor
S. W. Cooke
D. Coutts
E. J. Crooke
H. Cuthbert
G. Godfrey
F. S. Grimwade
C. J. Ham
N. Levi
D. E. McBryde
W. McCulloch
E. Miller
Lieut.-Col. Sir F. T. Sargood
G. Simmie
Sir A. Snowden
N. Thornley
S. Williamson
W. I. Winter-Irving
A. Wynne.

Tellers.

J. Bell
J. M. Pratt.

Noes, 8.

The Hon. J. H. Abbott
T. Brunton
D. Ham
D. Melville
C. Sargeant
J. A. Wallace.

Tellers.

Dr. W. H. Embling
W. Pitt.

And so it was resolved in the affirmative.

No. 5.—MALLEE LANDS BILL—Proposed new clause :—

C. Every selector under this Act of six hundred and forty acres whether an ordinary selector or perpetual lessee shall leave a strip of land half-a-chain in width on all sides or boundaries thereof uncleared of mallee or scrub.—(*Hon. W. Pitt.*)

Question—That clause C stand part of the Bill—put.

Committee divided.

Ayes, 10.

The Hon. J. H. Connor
D. Ham
N. Levi
W. Pitt
C. Sargeant
Sir A. Snowden
J. A. Wallace
A. Wynne.

Tellers.

J. H. Abbott
D. Melville.

Noes, 15.

The Hon. S. Austin
J. Bell
J. C. Campbell
S. W. Cooke
D. Coutts
E. J. Crooke
H. Cuthbert
G. Godfrey
W. McCulloch
G. Simmie
N. Thornley
S. Williamson
W. I. Winter-Irving.

Tellers.

D. E. McBryde
J. M. Pratt.

And so it passed in the negative.



VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1895.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 7.

Extracted from the Minutes.

TUESDAY, 10TH DECEMBER, 1895.

No. 1.—MALLEE LANDS BILL—Clause 24 (on recommittal):—

(1) No person shall be qualified to select or to become the licensee or lessee or perpetual lessee of more than six hundred and forty acres of land as an agricultural allotment or agricultural allotments in the Mallee Country and Mallee Border.

(2) No portion of any agricultural allotment shall be situate within a distance of three miles from any part of the Murray "River."

* * * * *

—(Hon. H. Cuthbert.)

Amendment proposed—That the words "or within two miles of any railway station on any existing line of State railway" be added after the word "River," in line 5.—(Hon. D. Melville.)

Question—That the words proposed to be added be so added—put.

Committee divided.

Ayes, 11.

The Hon. J. H. Abbott
T. Brunton
J. Buchanan
E. J. Croke
Dr. W. H. Embling
D. Ham
C. Sargeant
Sir A. Snowden
J. A. Wallace.

Tellers.

D. Melville
A. O. Sachse.

Noes, 26.

The Hon. S. Austin
J. Bell
J. C. Campbell
Sir W. J. Clarke, Bart.
J. H. Connor
S. W. Cooke
H. Cuthbert
T. Dowling
S. Fraser
G. Godfrey
F. S. Grimwade
C. J. Ham
N. Levi
W. McCulloch
E. Miller
E. Morey
J. M. Pratt
Lieut.-Col. Sir F. T. Sargood
J. Service
G. Simmie
N. Thornley
T. D. Wanliss
W. I. Winter-Irving
A. Wynne.

Tellers.

D. E. McBryde
S. Williamson.

And so it passed in the negative.



VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1895.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 8.

Extracted from the Minutes.

TUESDAY, 17TH DECEMBER, 1895.

No. 1.—INSTRUMENTS ACT 1890 FURTHER AMENDMENT BILL—Clause 14 :—

No notice of intention to file a bill of sale shall be deemed insufficient or invalid by reason only that in such notice there is an omission or incorrect or insufficient description or misdescription in respect of the particulars required by law to be contained in such notice if the court, judge, or justice before whom the validity of such bill of sale comes into question shall be satisfied that such omission or incorrect or insufficient description or misdescription was accidental or due to inadvertence and was not of such a nature as to be liable to mislead or deceive any person to his prejudice or disadvantage.—(*Hon. H. Cuthbert.*)

Question—That clause 14 stand part of the Bill—put.
Committee divided.

Ayes, 8.

The Hon. H. Cuthbert
N. FitzGerald
W. McCulloch
E. Morey
G. Simmie
Sir A. Snowden.

Tellers.

E. J. Crooke
G. Davis.

Noes, 26.

The Hon. J. H. Abbott
J. Balfour
J. Bell
T. Brunton
J. C. Campbell
Sir W. J. Clarke, Bart.
J. H. Connor
S. W. Cooke
T. Dowling
Dr. W. H. Embling
S. Fraser
F. S. Grimwade
C. J. Ham
N. Levi
D. E. McBryde
D. Melville
E. Miller
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
J. Service
N. Thornley
J. A. Wallace
T. D. Wanliss
W. I. Winter-Irving.

Tellers.

S. Austin
A. Wynne.

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1895-6.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.

No. 9.

Extracted from the Minutes.

WEDNESDAY, 29TH JANUARY, 1896.

No. 1.—FEDERATION OF AUSTRALASIA ENABLING BILL—Clause 8 :—

“Every” Member and every person eligible for membership of either House of Parliament shall be eligible for membership of the Convention as a Representative of Victoria. And any one hundred or more electors duly qualified to vote for the election of a Member of the Legislative Assembly shall be entitled in the prescribed manner to nominate any eligible person, whose consent in writing shall accompany such nomination for such membership, and after such nomination has closed the list of persons so nominated with their residence and occupation shall be advertised in the alphabetical order of their surnames at least once in such newspapers as the Governor in Council may determine.—(*Hon. H. Cuthbert.*)

Amendment proposed—That the word “Every,” before the word “Member,” in line 1, be omitted.—(*Hon. D. Melville.*)

Question—That the word proposed to be omitted stand part of the clause—put.
Committee divided.

Ayes, 25.

The Hon. J. H. Abbott
J. Bell
J. H. Connor
S. W. Cooke
D. Coutts
E. J. Crooke
H. Cuthbert
G. Davis
N. FitzGerald
S. Fraser
G. Godfrey
C. J. Ham
W. McCulloch
E. Miller
W. H. S. Osmand
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
J. Service
Sir A. Snowden
N. Thornley
S. Williamson
W. I. Winter-Irving
A. Wynne.

*Tellers.*S. Austin
J. Sternberg.

Noes, 10.

The Hon. J. C. Campbell
T. Dowling
D. Ham
N. Levi
D. Melville
E. Morey
J. M. Pratt
J. A. Wallace.

*Tellers.*W. Pitt
A. O. Sachse.

And so it was resolved in the affirmative.

THURSDAY, 30TH JANUARY, 1896.

No. 2.—FEDERATION OF AUSTRALASIA ENABLING BILL—Clause 13 :—

The voting shall be "taken" throughout Victoria as one electoral district and every voter shall vote for the full number of Representatives required otherwise the vote shall be rejected as informal.—(*Hon. H. Cuthbert.*)

Amendment proposed—That the words "by means of voting-papers transmitted by post to every elector by registered letter and shall be taken" be inserted after the word "taken," in line 1.—(*Hon. C. Sargeant.*)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

Ayes, 23.

The Hon. S. Austin
J. Bell
J. C. Campbell
J. H. Connor
E. J. Croke
T. Dowling
Dr. W. H. Embling
S. Fraser
G. Godfrey
C. J. Ham
D. Ham
D. Melville
E. Miller
J. M. Pratt
A. O. Sachse
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
Sir A. Snowden
N. Thornley
J. A. Wallace
A. Wynne.

Tellers.

S. W. Cooke
W. Pitt.

Noes, 7.

The Hon. T. Brunton
D. Coutts
H. Cuthbert
W. McCulloch
S. Williamson.

Tellers.

G. Davis
N. Levi.

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1895-6.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 10.

Extracted from the Minutes.

TUESDAY, 4TH FEBRUARY, 1896.

No. 1.—JUMBUNNA AND OUTTRIM RAILWAY CONSTRUCTION ACT 1895 AMENDMENT BILL—Clause 2 :—

In section five of the *Jumbunna and Outtrim Railway Construction Act 1895*, for the words "Twenty thousand" there shall be substituted the words "Twenty-five thousand."—(*Hon. W. McCulloch.*)

Question—That clause 2 stand part of the Bill—put.
Committee divided.

Ayes, 18.

The Hon. J. Bell
S. W. Cooke
D. Coutts
H. Cuthbert
G. Davis
Dr. W. H. Embling
N. FitzGerald
S. Fraser
G. Godfrey
J. M. Pratt
Lieut.-Col. Sir F. T. Sargood
Sir A. Snowden
J. Sternberg
T. D. Wanliss
S. Williamson
W. I. Winter-Irving.

Tellers.

E. J. Crooke
W. Pitt.

Noes, 8.

The Hon. T. Brunton
J. H. Connor
T. Dowling
J. H. Grey
A. O. Sachse
J. A. Wallace.

Tellers.

D. Melville
N. Thornley.

No. 2.—VEGETATION DISEASES BILL—Clause 5:—

If in the opinion of the "Minister" the destruction of any diseased tree plant or vegetable whether the same was or was not imported introduced or brought into Victoria is a matter of necessity and extreme urgency he may make an order in writing directing the destruction of such diseased tree plant or vegetable by any inspector or person referred to in such order.—(*Hon. H. Cuthbert.*)
 Amendment proposed—That the words "after hearing all parties concerned" be inserted after the word "Minister," in line 1.—(*Hon. A. O. Sachse.*)
 Question—That the words proposed to be inserted be so inserted—put.
 Committee divided.

Ayes, 15.

The Hon. J. H. Abbott
 F. Brown
 T. Brunton
 J. C. Campbell
 J. H. Connor
 G. Davis
 N. FitzGerald
 D. Ham
 D. Melville
 Lieut.-Col. Sir F. T. Sargood
 Sir A. Snowden
 J. Sternberg
 W. I. Winter-Irving.

Tellers.

W. Pitt
 A. O. Sachse.

Noes, 16.

The Hon. S. W. Cooke
 D. Coutts
 H. Cuthbert
 T. Dowling
 Dr. W. H. Embling
 S. Fraser
 G. Godfrey
 C. J. Ham
 N. Levi
 W. McCulloch
 J. M. Pratt
 N. Thornley
 T. D. Wanliss
 S. Williamson.

Tellers.

J. Bell
 E. J. Crooke.

And so it passed in the negative.

THURSDAY, 6TH FEBRUARY, 1896.

No. 3.—RAILWAYS BILL—Clause 2:—

This Act shall come into operation on such day as the Governor in Council appoints: "Provided however that section four shall come into operation on the passing of this Act."—(*Hon. W. McCulloch.*)
 Amendment proposed—That the words "Provided however that section four shall come into operation on the passing of this Act" be omitted with a view to insert in place thereof the words "for the holding of the first meeting of the Victorian Railways Trust as hereinafter provided."—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)
 Question—That the words proposed to be omitted stand part of the clause—put.
 Committee divided.

Ayes, 4.

The Hon. H. Cuthbert
 W. McCulloch.

Tellers.

D. Coutts
 D. Melville.

Noes, 27.

The Hon. J. H. Abbott
 J. Bell
 T. Brunton
 J. C. Campbell
 S. W. Cooke
 E. J. Crooke
 Dr. W. H. Embling
 N. FitzGerald
 S. Fraser
 C. J. Ham
 D. Ham
 N. Levi
 E. Miller
 J. M. Pratt
 C. Sargeant
 Lieut.-Col. Sir F. T. Sargood
 J. Service
 G. Simmie
 Sir A. Snowden
 J. Sternberg
 N. Thornley
 J. A. Wallace
 T. D. Wanliss
 W. I. Winter-Irving
 A. Wynne.

Tellers.

W. Pitt
 A. O. Sachse.

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1895-6.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 11.

Extracted from the Minutes.

WEDNESDAY, 12TH FEBRUARY, 1896.

No. 1.—FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Clause 16:—

(2) No such permit shall be given or renewed unless and until proof be furnished to the satisfaction of the Chief Inspector that the person applying for such permit is prevented by domestic duties or bodily affliction from working inside a factory or work-room and is depending on such working for the means of living; and any permit may at any time be cancelled by the Chief Inspector and thereafter shall be deemed not to be a permit.

—(Hon. H. Cuthbert.)

Amendment proposed—That sub-clause (2) be omitted with a view to insert in place thereof the following new sub-clause:—

The Chief Inspector shall give a permit to every applicant who furnishes him with such applicant's full name address and such particulars as may be prescribed, and every holder of a permit shall for the purposes of section eleven and Part IV. of the Principal Act be deemed to be the occupier of a factory.—(Hon. H. Cuthbert.)

Question—That sub-clause (2) stand part of the clause—put.
Committee divided.

Ayes, 27.

The Hon. J. Bell
T. Brunton
J. C. Campbell
J. H. Connor
E. J. Crooke
T. Dowling
Dr. W. H. Embling
N. FitzGerald
S. Fraser
G. Godfrey
D. Ham
N. Levi
D. Melville
E. Miller
E. Morey
W. Pitt
A. O. Sachse
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
G. Simmie
Sir A. Snowden
N. Thornley
J. A. Wallace
W. I. Winter-Irving
A. Wynne.

Tellers.

S. W. Cooke
T. D. Wanliss.

Noes, 4.

The Hon. H. Cuthbert
W. McCulloch.

Tellers.

D. Coutts
S. Williamson.

And so it was resolved in the affirmative.

THURSDAY 13TH FEBRUARY, 1896.

No. 2.—FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Proposed new clause AA :—

If any person be employed in the ordinary course of his business in any shop later than half-an-hour after the time of closing for a half-holiday, the employer shall be liable to a penalty not exceeding Two pounds for each offence in respect of each person so employed.—(*Hon. H. Cuthbert.*)

Question—That clause AA stand part of the Bill—put.
Committee divided.

Ayes, 18.

The Hon. T. Brunton
D. Coutts
E. J. Crooke
H. Cuthbert
G. Davis
G. Godfrey
C. J. Ham
E. Miller
E. Morey
W. Pitt
J. M. Pratt
Lieut.-Col. Sir F. T. Sargood
G. Simmie
Sir A. Snowden
N. Thornley
W. I. Winter-Irving.

Tellers.

S. W. Cooke
J. Sternberg.

Noes, 15.

The Hon. J. H. Abbott
J. C. Campbell
J. H. Connor
T. Dowling
Dr. W. H. Embling
N. FitzGerald
S. Fraser
D. Ham
D. Melville
A. O. Sachse
C. Sargeant
J. A. Wallace
T. D. Wanliss.

Tellers.

J. Bell
N. Levi.

And so it was resolved in the affirmative.

No. 3.—FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Proposed new clause BB:—

This Act shall continue in force until the first day of January One thousand eight hundred and “ninety-nine,” and thence until the end of the next ensuing session of Parliament.—
(*Hon. Lieut.-Col. Sir F. T. Sargood.*)

Amendment proposed—That the word “ninety-nine” be omitted with a view to insert in place thereof the word “ninety-seven.”—(*Hon. Sir A. Snowden.*)

Question—That the word proposed to be omitted stand part of the clause—put.
Committee divided.

Ayes, 25.

The Hon. J. H. Abbott
S. W. Cooke
D. Coutts
H. Cuthbert
G. Davis
T. Dowling
Dr. W. H. Embling
N. FitzGerald
S. Fraser
G. Godfrey
C. J. Ham
D. Ham
W. McCulloch
E. Miller
E. Morey
W. Pitt
J. M. Pratt
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
G. Simmie
J. Sternberg
N. Thornley
W. I. Winter-Irving.

Tellers.

T. Brunton
E. J. Crooke.

Noes, 9.

The Hon. J. C. Campbell
J. H. Connor
N. Levi
D. Melville
Sir A. Snowden
J. A. Wallace
T. D. Wanliiss.

Tellers.

J. Bell
A. O. Sachse.

And so it was resolved in the affirmative.

VICTORIA.
 LEGISLATIVE COUNCIL.

SESSION 1895-6.

WEEKLY REPORT OF DIVISIONS
 IN
 COMMITTEE OF THE WHOLE COUNCIL.

No. 12.

Extracted from the Minutes.

WEDNESDAY, 19TH FEBRUARY, 1896.

No. 1.—FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Clause 3 (on recommittal):—

* * * * *

(2) The expression "handicraft" where used in the Factories and Shops Acts shall be deemed to include any work whatsoever done in any "laundry or" dye-works and whether or not done in preparing or manufacturing articles for trade or sale.—(*Hon. H. Cuthbert.*)

Amendment proposed—That the words "laundry or" be omitted.—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 8.

The Hon. D. Coutts
 H. Cuthbert
 C. J. Ham
 W. McCulloch
 J. M. Pratt
 G. Simmie.

Tellers.

T. Brunton
 E. J. Crooke.

Noes, 23.

The Hon. J. H. Abbott
 J. Balfour
 J. Bell
 J. C. Campbell
 Sir W. J. Clarke, Bart.
 S. W. Cooke
 G. Davis
 T. Dowling
 S. Fraser
 G. Godfrey
 N. Levi
 D. Melville
 E. Miller
 E. Morey
 C. Sargeant
 Lieut.-Col. Sir F. T. Sargood
 J. Service
 Sir A. Snowden
 N. Thornley
 T. D. Wanliss
 W. I. Winter-Irving.

Tellers.

W. Pitt
 A. O. Sachse.

And so it passed in the negative.

No. 2.—FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL—Proposed new clause H (on recommittal):—

(1) Every person who on a Sunday after the hour of one o'clock in the afternoon sells milk or who delivers milk on sale, whether in a retail or wholesale way, and whether the same has to be paid for on or after delivery, and every person who causes any milk to be so sold or delivered, shall be guilty of an offence and shall on conviction be liable to a penalty of not more than Five pounds for every such offence.

* * * * *

—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)

Question—That clause H stand part of the Bill—put.
Committee divided.

Ayes, 20.

The Hon. J. H. Abbott
J. Balfour
T. Brunton
D. Coutts
E. J. Crooke
H. Cuthbert
D. Ham
W. McCulloch
E. Morey
J. M. Pratt
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
G. Simmie
Sir A. Snowden
J. Sternberg
N. Thornley
S. Williamson
W. I. Winter-Irving.

Tellers.

S. W. Cooke
W. Pitt.

Noes, 15.

The Hon. J. Bell
J. C. Campbell
Sir W. J. Clarke, Bart.
G. Davis
T. Dowling
N. FitzGerald
S. Fraser
G. Godfrey
N. Levi
D. Melville
E. Miller
A. O. Sachshe
T. D. Wanliss.

Tellers.

Dr. W. H. Embling
D. E. McBryde.

And so it was resolved in the affirmative.

No. 3.—**FACTORIES AND SHOPS ACT 1890 AMENDMENT BILL**—Proposed new clause C (on recommitment):—

The Minister may after due inquiry and subject to such conditions as may appear requisite suspend the provisions of the Factories and Shops Acts which relate to shops in any building or place in which a public exhibition of works of industry and "art" is being held, provided that such exhibition be not carried on for the benefit or gain of any private persons.

In the event of any breach of the conditions of such suspension the same may at any time be revoked by the Minister by a notice under his hand published in the *Government Gazette*.—(Hon. H. Cuthbert.)

Amendment proposed—That the words "or bazaar or fair for benevolent or charitable purposes" be inserted after the word "art," in line 3.—(Hon. J. Bell.)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

Ayes, 18.

The Hon. J. Bell
T. Brunton
J. C. Campbell
Sir W. J. Clarke, Bart.
E. J. Crooke
T. Dowling
Dr. W. H. Embling
N. FitzGerald
S. Fraser
D. Ham
N. Levi
D. Melville
E. Miller
C. Sargeant
G. Simmie
J. Sternberg.

Tellers.

Sir A. Snowden
T. D. Wanliss.

Noes, 16.

The Hon. J. H. Abbott
J. Balfour
S. W. Cooke
D. Coutts
H. Cuthbert
G. Davis
G. Godfrey
D. E. McBryde
W. McCulloch
E. Morey
Lieut.-Col. Sir F. T. Sargood
N. Thornley
S. Williamson
W. I. Winter-Irving.

Tellers.

W. Pitt
J. M. Pratt.

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1895-6.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 13.

Extracted from the Minutes.

TUESDAY, 25TH FEBRUARY, 1896.

No. 1.—POST OFFICE ACT 1890 AMENDMENT BILL—Clause 11:—

The powers conferred by section thirty of the *Post Office Act 1890* on the Postmaster-General may be exercised by him with regard to letters packets newspapers or parcels addressed to any person whatever whether residing within or beyond the limits of Victoria.—(Hon. H. Cuthbert.)

Question—That clause 11 stand part of the Bill—put.
Committee divided.

Ayes, 14.

The Hon. J. Balfour
Sir W. J. Clarke, Bart.
D. Coutts
H. Cuthbert
T. Dowling
D. Ham
W. McCulloch
D. Melville
E. Morey
Lieut.-Col. Sir F. T. Sargood
Sir A. Snowden
S. Williamson.

Tellers.

S. W. Cooke.
C. J. Ham.

Noes, 20.

The Hon. J. H. Abbott
J. Bell
T. Brunton
J. C. Campbell
J. H. Connor
G. Davis
Dr. W. H. Embling
N. FitzGerald
S. Fraser
G. Godfrey
N. Levi
D. E. McBryde
E. Miller
J. M. Pratt
A. O. Sachse
J. A. Wallace
T. D. Wanliss
W. I. Winter-Irving.

Tellers.

S. Austin
W. Pitt.

And so it passed in the negative.

WEDNESDAY, 26TH FEBRUARY, 1896.

No. 2.—FEDERATION OF AUSTRALASIA ENABLING BILL (No. 2)—Clause 13:—

The voting shall be "taken" throughout Victoria as one electoral district and every voter shall vote for the full number of Representatives required otherwise the vote shall be rejected as informal.—(Hon. H. Cuthbert.)

Amendment proposed—That the words "by means of voting papers transmitted by post" be inserted after the word "taken," in line 1.—(Hon. C. Sargeant.)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

Ayes, 26.

The Hon. J. H. Abbott
S. Austin
J. Balfour
J. Bell
J. C. Campbell
Sir W. J. Clarke, Bart.
J. H. Connor
E. J. Crooke
Dr. W. H. Embling
N. FitzGerald
D. Ham
D. E. McBryde
D. Melville
E. Morey
W. Pitt
J. M. Pratt
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
G. Simmie
Sir A. Snowden
J. Sternberg
N. Thornley
J. A. Wallace
W. I. Winter-Irving.

Tellers.

A. O. Sachse
T. D. Wanliss.

Noes, 11.

The Hon. T. Brunton
S. W. Cooke
D. Coutts
H. Cuthbert
T. Dowling
G. Godfrey
N. Levi
W. McCulloch
E. Miller.

Tellers.

G. Davis
S. Fraser.

And so it was resolved in the affirmative.

No. 3.—FEDERATION OF AUSTRALASIA ENABLING BILL (No. 2)—Clause 13 (as amended):—

The voting shall be taken by means of voting papers transmitted by “post” throughout Victoria as one electoral district and every voter shall vote for the full number of Representatives required otherwise the vote shall be rejected as informal.—(*Hon. H. Cuthbert.*)

Amendment proposed—That the words “to every elector” be inserted after the word “post,” in line 1.—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

Ayes, 22.

The Hon. J. H. Abbott
J. Bell
J. C. Campbell
Sir W. J. Clarke, Bart.
J. H. Connor
E. J. Crooke
Dr. W. H. Embling
D. Ham
D. E. McBryde
D. Melville
E. Morey
W. Pitt
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
G. Simmie
Sir A. Snowden
J. Sternberg
N. Thornley
J. A. Wallace
W. I. Winter-Irving.

Tellers.

A. O. Sachse
T. D. Wanliss.

Noes, 13.

The Hon. J. Balfour
T. Brunton
S. W. Cooke
D. Coutts
H. Cuthbert
T. Dowling
S. Fraser
G. Godfrey
N. Levi
W. McCulloch
E. Miller.

Tellers.

S. Austin
N. FitzGerald.

And so it was resolved in the affirmative.

1895-6.

VICTORIA.

RAILWAYS BILL.—CONFERENCE.

GOVERNMENT SHORTHAND WRITER'S NOTES

OF THE

CONFERENCE HELD BETWEEN THE MANAGERS FOR THE LEGISLATIVE
COUNCIL AND FOR THE LEGISLATIVE ASSEMBLY

ON THE

SUBJECT-MATTER OF THE AMENDMENTS MADE AND INSISTED
ON BY THE LEGISLATIVE COUNCIL IN THE RAILWAYS BILL.

Ordered by the Legislative Council to be printed, 5th March, 1896.

By Authority:

ROBT. S. BRAIN, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 19TH FEBRUARY, 1896.

8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative 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 further amend the Law relating to the Victorian Railways,*" and that they have appointed nine Members of the Legislative Assembly to be Managers of the said Conference.

Legislative Assembly,
Melbourne, 19th February, 1896.

GRAHAM BERRY,
Speaker.

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

THURSDAY, 20TH FEBRUARY, 1896.

7. RAILWAYS BILL.—The Order of the Day for the consideration of the Message from the Legislative Assembly desiring a Free Conference on the subject-matter of the amendments made and insisted on by the Council in this Bill having been read—

The Honorable H. Cuthbert moved, That the desire of the Legislative Assembly for a Free Conference on the Bill intituled "*An Act to further amend the Law relating to the Victorian Railways*" be complied with, and that the following Members be appointed Managers of the Conference :—The Honorables J. H. Abbott, J. Bell, E. J. Crooke, N. FitzGerald, D. Ham, Lieut.-Col. Sir F. T. Sargood, J. Service, N. Thornley, and J. A. Wallace.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the Conference meet in the South Library this day at half-past Seven o'clock.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have appointed nine Members to confer with a like number of Members of the Legislative Assembly on the Bill intituled "*An Act to further amend the Law relating to the Victorian Railways,*" and have appointed the South Library as the place of meeting and half-past Seven o'clock this day as the time of meeting of such Conference.

FRIDAY, 21ST FEBRUARY, 1896.

4. RAILWAYS BILL—CONFERENCE.—The Managers again proceeded to the Conference, and being returned, the Honorable Lieut.-Col. Sir F. T. Sargood reported, on behalf of the Managers for the Legislative Council, that they had met the Managers for the Legislative Assembly on the subject-matter of the amendments made and insisted on by the Legislative Council in the Bill intituled "*An Act to further amend the Law relating to the Victorian Railways,*" and with which the Legislative Assembly had disagreed, and that, after discussion, the following resolutions had been agreed to :—

1. That there shall be a General Manager, to be called a Commissioner, and that the Government are to have unlimited powers as to his selection.

2. Clause 13 of the Bill to be struck out.

3. An Advisory Board to be formed, that is, at least once in each month the Commissioner shall call together the following officers :—The Engineer-in-Chief, the Secretary for Railways, the Chief Mechanical Engineer, the Engineer for Existing Lines, and the Traffic Manager for the purpose of consultation, three to form a quorum, to discuss all matters brought forward by the Commissioner or by any of the officers present, records to be kept of all their meetings.

CONFERENCE BETWEEN REPRESENTATIVES OF THE LEGISLATIVE
COUNCIL AND THE LEGISLATIVE ASSEMBLY ON THE RAILWAYS
BILL.

THURSDAY, 20TH FEBRUARY, 1896.

Present :

Council.

The Hon. J. H. Abbott
The Hon. J. Bell
The Hon. E. J. Crooke
The Hon. N. FitzGerald
The Hon. D. Ham
The Hon. Lieut.-Col. Sir F. T. Sargood,
K.C.M.G.
The Hon. J. Service
The Hon. N. Thornley
The Hon. J. A. Wallace.

Assembly.

The Hon. G. Graham
The Hon. I. A. Isaacs
The Hon. Sir John McIntyre
T. Smith, Esq.
W. A. Trenwith, Esq.
The Hon. A. L. Tucker
The Hon. G. Turner
The Hon. W. T. Webb
The Hon. H. R. Williams.

Mr. TURNER.—Gentlemen,—We have been selected by the Assembly to confer with Representatives from the Council with regard to the Railway Bill. This is considered such an important matter that although the differences between the two Houses are very great, it was thought wise in our Chamber that a strong effort should be made to see whether it was not possible to reconcile those differences in order that we might suggest some measure which would meet the great difficulty which is now being experienced in the Railway Department. The Government some time ago introduced into the Assembly a Bill for the purpose of carrying out what was believed at that time to be a scheme which would obviate all the difficulties. That measure was very thoroughly discussed in the House for several weeks. Nearly the whole of the Members took part in the discussion. It was based on the principle of having a Trust, consisting of a Minister and four gentlemen, for the purpose of managing the railways in conjunction with a General Manager. The House, after giving the matter full consideration, came to a practically unanimous determination that that scheme was not one that could be adopted by the Chamber. Other modes of dealing with the matter were suggested, and ultimately the Government had to bring down another scheme which was unanimously adopted by the House; that was, that we should follow practically the system which has been adopted in South Australia and Queensland, of having a General Manager called by the name of Commissioner, thus differing from our present system of having three Commissioners. It was thought that the real way out of the difficulty was to have some gentleman with large knowledge of railway matters, who would be able to take the actual management of the railways. It was believed that the real solution of the difficulty was to have a Manager who should have a secure tenure, and who should be free from political influence, but who, at the same time, should be subject to Parliamentary control. The Bill which was sent to the Legislative Council was based on those lines. Unfortunately, the Council have not been able to see eye to eye with the Assembly, and they have so amended the Bill as to put back the Trust originally proposed by the Government. Now, it seems to me that the first question we have to consider and to decide upon is, whether the Council are prepared to give way with regard to a Trust, because, unless the Conference comes to that determination, it seems to me to be useless and an absolute waste of time for us to attempt to consider what we would substitute for it. Therefore, I shall be pleased if the Representatives of the Council will favour us with their view on that matter, because so far as we are able to judge the opinions of the Chamber which we represent here, it is utterly useless to ask the Members of the Assembly to consent to the railways being managed by a Trust, and, that being so, I think it will facilitate business and shorten the debate which will have to take place if some gentlemen representing the Council will favour us with their opinion on that first and very important point.

Sir FREDERICK SARGOOD.—Mr. Turner,—I need hardly say that the Council recognise the importance of this subject, perhaps the most important that has come before Parliament for some time, and I am sure I only echo the feelings of the Council when I say they recognise also the courtesy and wisdom of the Government in inviting the present Conference. We all hope that good results may follow from it; but probably, as indicated by yourself, you Sir, may be able to suggest some plan by which this political influence, which has been a bane in the past, may be absolutely eliminated from future railway construction and management. The Council are not absolutely wedded to just the four corners of that clause which you as Premier drafted, but the principle of the removal of railway management from political control is all-important. There is also another important matter which you have not touched on, and which might wisely precede the question of a Trust—that is, the question of the selection of a Manager. You will agree with me, that unless we get a first-class General Manager, the whole thing may be a failure whatever other machinery we may have. The Council are of opinion that it is not wise to restrict the Ministry unduly in the selection of a General Manager. Probably it might be well for you to deal with that question first.

Mr. TURNER.—No, I think we must first of all decide, Trust or no Trust. That seems to me the great bone of contention between the two Houses.

Sir FREDERICK SARGOOD.—It is one of three.

Mr. TURNER.—It is the principal one.

Sir FREDERICK SARGOOD.—I need hardly say that a Trust with a bad Manager would not insure success, so it is all important, just as a firm would first of all like to get a good General Manager of a business, whatever other details might be carried out.

Mr. SERVICE.—The feeling in the Council is this, if the other House desires to get rid of political control, the Council does not see how that is possible with the Minister at the head. We are quite anxious to preserve, and consider it is right to preserve, the authority of Parliament in dealing with the railways, but we want to get rid of the interference of Members of Parliament in their individual capacities. That is the distinction we draw in regard to this matter.

Mr. TURNER.—You mean political interference?

Mr. SERVICE.—Personal interference of a political character. We do not wish to deprive Parliament of any of its rights or powers in any shape or form, because in the last resort Parliament must be the highest authority; but we do not wish to bring back a state of things which I thoroughly remember in the past. I have been looking down your side of the table to see how many gentlemen there have had the experience that I and older members of Parliament have had. I think there are no fewer than six gentlemen at your table who were not in Parliament, and had not been in Parliament, at the time when the Railway Act of 1883 was passed. Those who were not in political life before that, and who were not watchful of what was going on in political life, can have no idea of the condition of things that existed in the Railway Department, as in all other branches of the Government service, when political action on the part of individual members of Parliament was so rife that it became a perfect burden to Members themselves; and when the new Bill was passed, entrusting Commissioners to deal authoritatively with those matters, setting aside the interference of the Minister even, except under certain conditions, I well remember the sense of relief that was felt and expressed, I think, by every Member of the House at that time. The feeling was—"Thank God, we have got rid of that incubus which has been lying on us—the torment of being continually solicited by our constituents to get favours for them in the Railway Department." I, for one, would not be a party to the restoration of that state of things under any circumstances.

Mr. TURNER.—Where is the proposal to restore that in the Bill we sent you?

Mr. SERVICE.—I say your Bill puts the Minister in the position of head of the working of the measure, that is, restoring exactly the condition of things that existed before that 1883 Bill was passed.

Mr. TURNER.—It is what exists now. The only alteration by the Bill is that instead of having three Commissioners, one man and two dummies, we have one man who is responsible. We do not give the Manager any greater power of interference than he has at present. There is no difference whatever, that I am aware of. If the Council can point out any clause in the Bill which would in any way increase political influence by individual Members, I will be prepared to consider that, but as far as I know, there is not a single alteration. We only substitute one Commissioner for three, two of whom were undoubtedly dummies.

Mr. SERVICE.—Is there no power given to the Minister to receive deputations?

Mr. TURNER.—Yes.

Mr. SERVICE.—That is not legal under the Commissioners' Act.

Mr. TURNER.—He can receive the deputations, and does now, and our object in preventing the Manager from receiving deputations was to take away any attempt at political interference with him; not in any shape or way to restore it. Deputations must be received by some one, and we thought it was wiser that a deputation should have to go to the Minister rather than to a gentleman who depended on Parliament for his salary, who might be interfered with by Members of Parliament, and who, if he was a weak man, might be afraid of offending the Members. Our object was to decrease political interference, not to increase it, and if you can show us how that clause is injurious, we shall be very glad to consider it.

Mr. SERVICE.—You are speaking from a theoretical view of the subject, not in view of the recent history of the colony, that is, the history of ten or twelve years ago. The Minister, as I understand by this Bill, will be put in exactly the same position as Mr. Gillies and the late Sir James Patterson occupied when they were Ministers of Railways.

Mr. TURNER.—That is certainly not intended, and it is not carried out as far as I know.

Mr. SERVICE.—I am sure your object is the same as ours; you want to see the thing conducted in a pure and correct manner, but I think the Bill does not carry that out. The Bill places Members just exactly in the same position as before the Commissioners' Act was passed.

Mr. TURNER.—If that clause were eliminated, would the Council be prepared to deal with the rest of the Bill, leaving out the question of the Trust?

Mr. FITZGERALD.—Are the Council to understand that the Legislative Assembly would oppose the creation of any advisory body in addition to a permanent head?

Mr. TURNER.—I think, as far as I can ascertain the feelings of the Assembly, that they will certainly object to any controlling Trust, or any advisory body; personally, I am more strongly opposed to the latter than to the former. I think an advisory body would be a farce. You could never get men to devote sufficient attention to that; if they are only to give advice, they will not be able to enforce it.

Sir FREDERICK SARGOOD.—You would leave it to the Minister and the General Manager.

Mr. TURNER.—Controlled by Parliament.

Mr. SERVICE.—What does that mean? I can understand Parliament passing an Act or resolution, or Parliament acting through the Minister for the time being. The first two methods I do not think the Council have any objection to at all. As I said in my opening remarks, so far as the control and policy, and to a certain limited extent the management of the railways, is concerned, Parliament must maintain its supremacy.

Mr. TURNER.—The Minister must act through the Executive of the day; he cannot act in any other way.

Sir JOHN McINTYRE.—Would it not be well to determine first of all whether we shall have a Trust of four or two, and whether an Advisory Board or Trust of some kind. Then we start on the lines laid down by the Premier, and we know what we are going to do. If there is a majority in favour of a Trust according to the position taken up by the Premier, that settles the whole question; but suppose some modification of the Trust idea is carried out, say the majority of this Conference determine on an Advisory Board, consisting of two instead of four; because, after all, what would a Trust be but an Advisory Board? Suppose we determine first, shall we have, in addition to a General Manager, a body of some kind—a buffer, so to speak, between the General Manager and the Minister, or Parliament, as the case may be? Would it not be desirable to determine first shall we have a Trust of any kind or an Advisory Board? I do not know the feelings of the honorable Members here, but we desire, as the Council Members suggest, to do the best we can. Having decided that point, we could then go on to the question of the character of the new management.

Mr. TRENWITH.—I think as to the question of a Trust, whether of two, or four, or six, the first point we have to consider is—Trust or no Trust. The Assembly is clearly of opinion that there should be no Trust; they have had experience of a Trust under another name, and it is alleged that political influence never was more rife than during that time. We have had experience since of a different kind of management still, somewhat of a Trust character, called Commissioners, with the Minister having some authority, and we find from experience that the management has very much improved since the Minister has had some nominal power, Members of Parliament not going in their individual character to the Commissioners. But the Assembly is of opinion that divided authority at the head of the railways is not a good thing. I think it is an opinion that might be expressed properly in the old adage that “one bad general is better than two good ones.” That, I think, is strongly the opinion of the Assembly. The gentlemen of the Upper House appear to dread political influence. My friend, Mr. Service, said he has recollection of the time when the lives of Members of Parliament were almost unbearable, and that when political influence was removed, they thought, with thankfulness, they had got rid of the incubus. This Bill, sent from the Assembly, seems to provide just what Mr. Service desires, that Members of Parliament shall be able to say truthfully to their constituents that they cannot go to the Manager of the railways. They are prohibited by law from going to him, but they can go to the Minister. The Minister has no control under this Bill, and he has no control of the Manager. In the event of there being a disagreement between the Minister and the Manager, the Minister can, under this Bill, appeal to his colleagues, and in the event of the Cabinet being in accord on the matter, there are provisions for suspending the Manager and, subject to an agreement on the part of both Houses, removing him, but in the meantime the General Manager has absolute control of the railways, and Members of Parliament cannot approach him. That seems to provide all the safeguard as to Members of Parliament that Mr. Service desires, although I respectfully submit that what we are considering is not so much protection to Members of Parliament from disagreeable positions as the best method of managing our railways—that is the all-important consideration. We have had two systems of management; we have had management by the Minister absolutely, or as nearly so as possible; and we have had management by a Trust, which was probably the worst management we ever had. That was the time when all our deficit was piled up; it was the time when all the scandals that have been ventilated in the public press and the Law Courts were accumulated. Since then we have had management partly by the Minister and partly by independent persons, and my own impression is that, no matter how disagreeable it may have been to Members of Parliament, the first was the best of the three as far as returns and results from the railway were concerned, including economic management and proper and useful working. I agree with Mr. Service that it was extremely unpleasant, and it was a condition of things I should not like to see again; but if the sole desire of the Council is to avoid political management and political interference by individual Members, I would respectfully submit that this Bill provides for it better than anything else proposed in connexion with the railways.

Mr. SMITH.—It is intended to, at any rate.

Mr. SERVICE.—These opinions are offered by Mr. Trenwith no doubt with the most perfect confidence and good faith that the results he has mentioned will follow from the proposition under this Bill; but an old stager like myself, who has looked for years at the management, since the railways were constructed, can with difficulty restrain a smile at the innocency with which Mr. Trenwith, as a young Member, attempting to deal with this in all honesty of purpose, imagines it possible under the provisions of this Bill that political patronage will not run riot.

Mr. TRENWITH.—Will you kindly show how?

Mr. SERVICE.—These are things that are known—it would take a good deal of time to explain it in words. But speaking of the present state of things, it appears to be taken for granted that the Commissioners' system has broken down—I do not admit anything of the sort. It may have partly broken down in this colony through the fault of the individuals working it, but in a neighbouring colony it has worked with great success; and surely we will not condemn the principle because of the failure of the individual carrying it out. I say that the policy of making certain gentlemen with business capacity and knowledge in the management of railways entirely independent of political men, whether Ministers or Members of Parliament, is the only one that can possibly produce solid results. That is the feeling of the Council, as a whole. If you introduce the Minister into the affair here, we know how those things are worked—I speak of what everybody knows. A man goes to the Minister and says—“I want a railway from So-and-so to So-and-so in my district.” The Minister must receive that Member of Parliament with perfect courtesy, and lean towards his desire to placate that man, especially if he is a supporter, and so the thing runs on all round—Members of Parliament are all alike. One Member succeeds in getting a railway in his district, and all the electors rush in arms and ask their Member in turn—“Why did not you work the oracle?” and the oracle must be worked so long as the man at the head of a concern of this sort is dependent for his existence on the votes of those men who are asking for the railways.

Mr. TURNER.—The Trust would not stop that; it would not affect what people desire in any shape or form, because you are speaking as to construction. The Trust will not have anything to do with construction—those deputations would still go to the Minister, but the construction has been placed in the hands of the Railways Standing Committee.

Mr. SERVICE.—I may have been taking my illustration from the past.

Mr. TRENWITH.—But we are dealing with the present.

Mr. TURNER.—Some one must receive those deputations. The people who desire to put complaints before the railway management must have an opportunity of doing it. There are only two ways: they must either go direct to the Manager, or they must go to the Minister. Is it not far worse for Members of Parliament to be going to an officer of the Government and introducing a deputation? I have seen, myself, three or four Members of the Council and three or four Members of the Assembly introducing a deputation to the Manager of the railways, with a large number of constituents asking for what they consider rights, but what he considers favours. Is it not better for that to filter through the Minister to the Manager than to go direct to him?

Mr. SERVICE.—My experience says “No” certainly. We have an illustration in a neighbouring colony of how a working Manager can keep Members of Parliament at bay. We know the case of one parliamentary gentleman, whose name need not be mentioned, who attempted to influence Mr. Eddy, and whom Mr. Eddy told to go to the door, and whom he fought under certain circumstances with which you

are familiar. He resolved, and succeeded in carrying out his purpose of rendering his action entirely independent of the influence of Members of Parliament. What has been done there can be done here, if you have a man who knows what he is about and is a man with moral courage, and that is the sort of man you want.

Mr. TRENWITH.—Hear, hear.

Mr. SERVICE.—That man should receive a business deputation as a business man, hear them talk in a business way of their particular business, and the political Minister for the time being should have nothing whatever to say to it.

Mr. TURNER.—Suppose we meet your views on that question, are you prepared to give up the question of a Trust?

Mr. ISAACS.—It is necessary to have an answer to that.

Mr. SERVICE.—That is a categorical question that we are not prepared to answer right off.

Mr. FITZGERALD.—Do you not think there is another question subsidiary to the Trust question, but a very important one which might have a very considerable influence in leading honorable gentlemen on this side to a decision as to a Trust? I speak of the limitation as to the choice of a Commissioner. Now that appears to me to have a very important bearing. Undoubtedly, the Council could not entertain such an idea as to leave it to a Commissioner plus the Minister, or the Minister plus a Commissioner for whose selection the area was so limited as Australasia, nor could we believe that even in Australasia you could get a man fitted for the high position at such a salary as that named. I think if the Conference would discuss that point it will be a very important preliminary, leading us to form an opinion as to whether a Trust or Advisory Board is essential.

Mr. TURNER.—A Trust or no Trust, that same question must arise.

Mr. FITZGERALD.—Pardon me. Supposing we agree here and Parliament says—"We will secure the best man wherever he can be found, and leave the fixing of the salary to the Executive," we might have some reasonable hope that a man would be found whose position would be a higher one, no doubt, and whose character and ability would command confidence.

Mr. TURNER.—Having a Trust would not alter that.

Mr. FITZGERALD.—Yes, it would, because if you had a man of that kind we would not be afraid that the Minister would be the head. He would be the nominal head, but the Manager would be the real head, and his knowledge and ability would make the Minister afraid to interfere with his action, whereas with a weak man the Minister and political influence would be all-powerful. I therefore think that if the Conference would deal with that point it would have a very important bearing, speaking for myself, as to a decision on the other point. In the present case, I say in my opinion it is utterly hopeless to discuss a Trust, if afterwards we came to agree that the Minister or any Commissioner would be sufficient to manage this vast complicated concern, such Commissioner to be chosen from within the colonies. Public opinion would arise against us if we consented to that.

Mr. TURNER.—Surely we can discuss that question by itself. Our Chamber will not have a Trust under any circumstances. After dealing with that question, it is open for gentlemen representing the Council to say that the Assembly is wrong in limiting the selection, but I think it is useless to discuss that now. Suppose we agree on that, it will not help us unless we get rid first of all of the difficulty of the Trust.

Mr. FITZGERALD.—It will help probably in agreeing on all that.

Mr. TURNER.—No; if we disagree on that we can send our Bill to your Chamber and you have it then to deal with. Leaving out the whole question of the Trust, suppose you give up the question, you can then alter that Bill by increasing the area of selection and then we have to consider that question, or we can deal with it here, but I fail to see the connexion between the two subjects.

Mr. ISAACS.—We frankly say that the Assembly will not consent to a Trust under any circumstances, and then we invite the Council to say whether they are prepared to accept that position. If they are not prepared to accept that position, if they insist on a Trust under all circumstances, I think it is useless for us to discuss anything further.

Mr. SERVICE.—What are the functions of the Trust; are they described in the Bill?

Mr. ISAACS.—They are described in the Bill. The meaning of the Trust is the same; the intention is the same. The views put forward by honorable gentlemen opposite clearly indicate that they mean them to be the same, and therefore we frankly and unreservedly say, as representing the Assembly, that we intimate that the Assembly cannot and will not consent to a Trust under any circumstances. Therefore I say it is best to meet that position at once, and for the Representatives of the Council to say whether it is possible to go on, because if they say that they will insist on a Trust under all circumstances it is idle to discuss subsidiary questions.

Sir FREDERICK SARGOOD.—Mr. Trenwith seems to be of opinion that the best kind of management would be a General Manager plus the Minister, or the Minister plus a Manager.

Mr. TRENWITH.—A General Manager is what our Bill provided for to manage the railways. The Minister is in no sense a Manager under the Bill sent from our House to another place. The Minister is simply, as far as he has any absolute power in the railways, an adviser, if he chooses to advise.

Sir FREDERICK SARGOOD.—Then the Minister and the Manager are practically in the same position as they were prior to 1883.

Mr. TRENWITH.—No; the Minister had supreme power till 1883, and, until certain events take place, under this Bill the Manager will be supreme.

Sir FREDERICK SARGOOD.—In theory, not in practice.

Mr. TRENWITH.—In practice.

Mr. SERVICE.—How can he be? Under clause 13 it states that the Manager shall not receive deputations on any subject, and how can he be supreme if he is not allowed to see a man who wants a railway?

Mr. TRENWITH.—We have altered the law. The Minister has nothing to do with constructing railways. I am astonished that the honorable Member with his years does not know that we have altered the law and that now the Minister has nothing to do with construction.

Mr. SERVICE.—When I am speaking on this subject I speak with a knowledge of historical facts that sometimes leads me to use a wrong illustration. But take the case of a man who wants an additional train service, or an express train to stop at a paltry station.

Mr. TRENWITH.—The Bill provides that the General Manager can receive deputations from business men.

Mr. TURNER.—There is nothing to prevent any person who has business with the Manager relating to the railways seeing him and placing the facts before him.

Sir FREDERICK SARGOOD.—What constitutes a deputation—one, two, three, or four?

Mr. TURNER.—One is certainly not a deputation. We want to guard against deputations of Members of Parliament brought there to overawe the Manager. We know what a deputation is, coming to a Minister. The persons interested think if they can bring a large number of influential men and Members that they can influence the Minister to grant their request, but we want to prevent their going to the Manager.

Sir FREDERICK SARGOOD.—That is exactly the position that he occupied up to 1883. Mr. Trenwith shakes his head, but I am speaking from personal knowledge. The honorable gentleman was not in Parliament in those days. The friction in those days was so great between a strong self-willed Minister and the Commissioner that we know of one Commissioner who was literally killed, the late Mr. Higinbotham.

Mr. TRENWITH.—The Minister in those days was supreme, and he could command the Manager.

Sir FREDERICK SARGOOD.—So he could here.

Mr. TRENWITH.—No; that is altered.

Mr. SERVICE.—I still call your attention to clause 13, which says that "The Commissioner shall not receive deputations on any subject whatever, but deputations in reference to matters connected with the railways may be received by the Minister;" yet he is to be the General Manager, and all the information is to filter through the Minister.

Mr. TURNER.—How would you wish that to be? Do you desire that the clause be eliminated altogether?

Mr. SERVICE.—No. I would allow the Minister to receive deputations on matters of which he was the head. I would not eliminate the clause, but deputations in reference to matters connected with the railways should be received by the Commissioner.

Mr. TURNER.—We both have the same object, to prevent political pressure.

Mr. SERVICE.—You think that an independent General Manager will be more likely to be influenced by the deputations of Members of Parliament than the Minister, and I differ from you.

Mr. TURNER.—I believe that more undue pressure would be brought to bear on an official of the Department than on the Minister.

Mr. SERVICE.—If you have not a man with backbone you are better without him, but in New South Wales they have a man with backbone who has taken up an independent position and, in point of fact, substantially defied Members of Parliament to interfere with him. Why should not it be the same here?

Mr. TRENWITH.—That is the same that we propose here.

Mr. BELL.—But he has colleagues.

Mr. TRENWITH.—There is a Commissioner in New South Wales. We had exactly the same thing here. We had a Commissioner and two men who were nothing. The Assembly objects strongly to pay salaries for nothing. There must be one man who is supreme. One man fit to be supreme is better without the clogging influence of two inferior men.

Mr. SERVICE.—One man was supreme over his two colleagues. Will Mr. Trenwith explain why that system has been a success in one place and not in another; how could the system be a success anywhere if it is a bad or false system? You may have had a bad man or a capable man, but the system is able to be worked to perfection as shown by the practice in the neighbouring colony.

Mr. TRENWITH.—My own opinion, and that of the Assembly, is that it is not a success in the place you speak of, or not so successful as it would be if that one strong man you speak of were relieved of the two useless advisers he has. That is the ground upon which the Assembly went. They say—"We want a man, a good man, a man with absolute control, subject to certain reasonable restrictions, and somebody whom we can look to for responsibility in the matter." That is all provided by the Bill sent to the Council by the Assembly. The Bill they sent back to the Assembly reconstitutes a Trust as to which we have had evidence here and in New South Wales, in both instances of extremely unsatisfactory results.

Mr. FITZGERALD.—Does not that at once excite, I will not say suspicion, but the idea that the intention is to re-establish political influence by giving the Minister certain power in the management of the railways?

Mr. TURNER.—We are not doing that.

Mr. FITZGERALD.—This is the point I lay stress on. Does it not strike you, Mr. Turner and your colleagues, if you place a Minister there with a Commissioner, and that Commissioner is of the class that you evidently intend he shall be, that is to say, that you do not take the widest area for selection, but you determine beforehand to narrow the field of selection and fix a salary, in our opinion, completely inadequate to command a man with the ability he ought to have, that you then absolutely insure that that Minister shall be the controlling head by giving him a weak colleague? It must be so, because if you restrict the area you shut out the world against competition for this high appointment, and if you limit it to £2,000 a year you as effectually shut out that competition as if you debarred them from entering the list, even if they lived in Australia. No man of that commanding ability and power would accept that amount. That amount would not remunerate him for his time and services. If you do that you ought to consider that, before the Members of the Council are asked to come to a decision as to whether an Advisory Board or Trust should be abandoned, we must have some guarantee, more than you at present offer us, before we think of entertaining it, that the man you are to have to associate with that Minister shall not be a creature of the Minister.

Mr. TURNER.—You still have that in your power. If the Trust is shut out it is competent for you to say—"We will disallow this scheme that you suggest." You can say—"You have restricted the area of selection and you are giving an unfair salary."

Mr. BELL.—We cannot say that.

Mr. TURNER.—And you have the right then to reject the measure if you think we are not dealing properly with it; but I do not admit that you have a right to say the salary should be advanced to £3,000 or £3,500; if you do not like the provision in the Bill as to the limited area and the salary it is quite within your power to reject that provision altogether, but I fail altogether to see what on earth the Trust has to do with those other two points.

Mr. FITZGERALD.—I am sorry you cannot see it. I know it must be owing to want of power on my part to explain. You say we have constitutionally that power. I presume that the youngest Member here must know that we have constitutionally the power; that goes without saying, but when you ask us to accept a thing which we have after due consideration determined to reject, and you give us no security before you ask that, that the Bill will still not be beyond our power to accept though we give way on that point, it is more than you have the right to ask us. I say the position to take up in all amity, and also, according to my idea of business comity, would be to say—"Now we are prepared to recommend the Legislative Assembly to alter its idea on the subject of the field of selection and on the remuneration." We think it possible that may have a considerable amount to do with the other question—that is to say, that if you got a man of such ability that the world of Victoria would have confidence in him, you would have less fear of the Minister's being the commanding genius at the railways than if you had a weak man—that goes without saying. Then our objections to an Advisory Board might be very much lessened if we were certain you did not put this handicap as to the choice on the Minister's advisers. Until I am satisfied with that I would decline to place the Council in this position of surrendering what, in our opinion, gives us great public support—that we are determined that there shall not be a shadow or shade of continued political influence. Now, you say on the other hand—"We will have the Minister there and we will put him there with a second-rate man with a third-rate salary." I ask, who would be then all-powerful? Why, the Minister. We should be forced into the position that, having yielded to you on that point and no guarantee being given that the Assembly will change its mind, the whole burden of rejecting this matter will be thrown on the Legislative Council simply because we refused to limit the choice to Australasia.

Mr. ISAACS.—If that had been your object, it would have been simpler to alter that clause. When we say to you that the Assembly cannot accept the Trust and we ask you a plain question whether you are absolutely wedded to a Trust then it seems to me for the gentlemen representing the Council to say either "Yes" or "No," and if they say—"No, we are not wedded to it," then it is for them to say—"We will maintain it unless we get such or such conditions," and then it would be for us to consider those conditions. But it should not be for us to suggest terms to you and ask you to accept them. Our position is absolutely clear. If you say you are absolutely wedded to the Trust, the matter will be short; but if you say—"Well, we are not wedded to the Trust, but before we give it up we want this condition and that," then we will know where we are. That is the shortest way of dealing with the matter.

Sir FREDERICK SARGOOD.—What is the position of the Minister under the present Act?

Mr. WILLIAMS.—The Minister receives deputations now. Three-fourths of the deputations that come to the Department come to him.

Sir FREDERICK SARGOOD.—Is that under the Act?

Mr. WILLIAMS.—It is the custom of the Department.

Sir FREDERICK SARGOOD.—Is that in accordance with the Act?

Mr. WILLIAMS.—It is in accordance with the practice of the last four or five years.

Mr. GRAHAM.—It was the practice all the time that the Graham Berry Government was in and the Gillies Government.

Mr. WILLIAMS.—And it has been the practice all through. When Mr. Speight was there all the deputations were received by the Minister, who afterwards communicated with the Commissioners and asked them to take the matter into consideration. He did not use any pressure on the Commissioners, but left them to their own judgment. That is the practice pursued by myself. I have sent matters on to the Commissioners asking them to take into consideration the representations made to me by the deputations. I have allowed them to come to a decision altogether apart from Ministerial influence, and if they say "No" I have informed the deputation that the Commissioners could not grant the request for such and such reasons.

Sir FREDERICK SARGOOD.—Suppose you felt very strongly in favour of some deputation, would it not be human nature that the Minister should, to a certain extent, unintentionally press the Commissioners in that direction?

Mr. WILLIAMS.—I do not think so. I speak for myself. I have looked on the Commissioners there as independent Managers. They have certain statutory duties to perform, and I have never interfered with the performance of their duties.

Mr. SERVICE.—How can they be independent if they cannot receive deputations? Here is a deputation come to bring forward a certain request about ordinary business; they go to the Minister; what is the Minister to do after he gets that request? Does he forward the objects of the deputation?

Mr. WILLIAMS.—I think the reason actuating the Government in making this amendment was because it was well known, under the Speight régime, that nearly the whole time of the Commissioners was taken up in receiving deputations, and many matters of vital importance to the railways were necessarily neglected. The intention of the Government in making this amendment was that the entire attention of the Manager should be directed to the managerial duties.

Mr. SERVICE.—I do not think that statement about past procedure is in accordance with the facts.

Mr. WILLIAMS.—Those are the facts in the Department. I can speak of several years previous.

Sir JOHN McINTYRE.—I can say that Mr. Gillies actually encouraged the reception of deputations. I have been with many a deputation when Mr. Gillies was in the chair and the Commissioners sat alongside of him. In fact, I think that Mr. Gillies preferred to see Members rather than they should go to the Commissioners. Mr. Service, you have been at deputations where Mr. Gillies presided and Mr. Speight sat next to him.

Mr. SERVICE.—Pardon me, I have never been at such a deputation.

Sir JOHN McINTYRE.—I have; but that is not the question. I think we come again to the first suggestion; let us settle the question of the Trust.

Mr. BELL.—You have settled it; you will not entertain it.

Sir JOHN McINTYRE.—Not at all. I, personally, say I will help the Council to modify the Trust idea. If the Council say—"Have an Advisory Board or two men to act with the General Manager, whoever he may be, as a Board of Advice," I am prepared to say for myself I will consider the idea of that favorably. That is splitting the difference. I suggested the same thing in the House below and I suggest it now. If you consider the propriety of reducing the number, the probability is we can come to a decision on the point, and it is for the Members of the Assembly to consider whether they will accept an Advisory Board in any shape.

Mr. TURNER.—The Manager would have probably an Advisory Board within his own Department. He would have the heads of the various branches formed into an Advisory Board, and would consult them at fixed times. You do not need any legislation for that, unless you want to go outside and get persons from outside.

Mr. ISAACS.—For a mere Advisory Board you do not require any legislation, but if it is to be a Controlling Board you do.

Mr. BELL.—Why not appoint two of the present Commissioners an Advisory Board and give them higher salaries?

Mr. HAM.—Would you make the Advisory Board on the same conditions as the one constituted in New South Wales, Sir John?

Sir JOHN McINTYRE.—I want the General Manager to be the "boss" as much as you opposite do, and to feel independent, but I want him also to feel that he has some one to lean on who may act as a buffer between him and the Parliament and between him and the Minister.

Mr. GRAHAM.—In opposition to what Sir John McIntyre says, as far as I am concerned, and I feel certain I am voicing the feeling of the large majority of the Assembly, we will not have an Advisory Board of any kind or a Trust. I repeat that we must come to the point as to whether we are to have a Trust, or Advisory Board with simply another name, before we can go on with the discussion. I feel certain the Assembly will not give way in the matter of having an Advisory Board or Trust from outside.

Mr. SERVICE.—I do not think the Council will give way to the proposal to make the Minister and Commissioner jointly responsible. The Minister, from his actual position, is the chief mover in everything concerning the railways, and there is the difficulty in the minds of the Members of the Council that if the Minister is introduced into the matter we will simply have a return of all the evils that we had in former times.

Mr. TURNER.—We have not, in any shape or form, altered the relative positions of the Minister and the Commissioner.

Mr. SERVICE.—You are forgetting the 13th clause, because that indicates an interference with almost everything except running the waggons. It is a most objectionable clause.

Mr. TURNER.—I have no doubt we can come to a determination as to that if we can once get rid of what is looked on by the Assembly as the bugbear, that is the Trust. If you say you are prepared to forego the formation of a Trust, the other matters are comparatively insignificant.

Mr. SERVICE.—Why not leave matters as they are?

Mr. TURNER.—Then we do not want legislation at all if we are to leave matters as they are.

Mr. SERVICE.—Under the present system you do not want legislation, but you want some practical alteration.

Mr. TURNER.—That is merely practical administration. The Government would have to do that themselves and take the responsibility.

Mr. SERVICE.—Can you not do that; in place of trying to cure the evil which some people declare arose from the imperfections of the Managers under the existing law, cannot we try again?

Mr. TURNER.—You must not forget that all the colonies followed our practice, and two of them, Queensland and South Australia, have seen fit to change it, and have gone back to one Commissioner. They saw it did not work. New Zealand followed our example and did the same. New South Wales is the only one now that carries out the system copied from our colony, so that nearly all the colonies have found it a failure; therefore, we thought that it was absolutely necessary to change the existing system, because we feel that it is an absurdity for one man to be the leading man and to have two men sitting alongside of him as dummies. All men who waited on Mr. Speight saw that the two Commissioners sitting with him might just as well have been away, and better, because Mr. Speight would have had to take all the responsibility. We propose now to have one Commissioner. This clause does not alter the relation between the Minister and the Commissioner. We are depriving the Manager of seeing deputations, yet I do not think my friends representing the Assembly will stick out about that. You seem to think that we are by this Bill giving the Minister more power than he has now. I say you are wrong. We do not give him one iota more power. We say simply instead of three Commissioners we will have one, leaving the relative rights of the Commissioner and Minister the same as under the existing law, but we say for the purpose of preventing undue pressure on the Commissioner—"You shall not receive deputations." That is the only alteration we made, and we think it to be a good one in the interests of the Commissioners themselves.

Mr. SERVICE.—I consider that is the foulest blot in the Bill.

Mr. TURNER.—Then we can alter that.

Mr. FITZGERALD.—Did the other colonies limit their choice to Australia?

Mr. TURNER.—No; they did not; but you will harp on the one point.

Mr. FITZGERALD.—I will harp on it, because I will never be a party to handing over the railways to the Minister, and a man selected with this handicap.

Mr. ISAACS.—Are you prepared to give way on the question of the Trust if the area of selection is extended?

Mr. FITZGERALD.—I never heard such a question put to any Conference. The usual way is to go step by step till we get nearer. You ask us in the lump—"Will you do this?" without any guarantee that if we do it you will not afterwards say—"This is an unwise step, and we will hark back on it." I want it to be a security that you will be able to secure the strongest man in the world, and I think it should have an important influence on that.

Mr. TURNER.—Will you say what you are prepared to accept, giving up the Trust? It is no use going round and round, it is better to come to close quarters.

Mr. FITZGERALD.—That is a very unusual way of putting it. Let us come back. When you opened this Conference it struck me at the time that this was altogether unusual: that is that the largest obstacle was to be taken first. In all other Conferences I have attended the endeavour was to come together, and by meeting on the smaller differences, and letting them melt away we gradually approach the larger; and I think, with the greatest respect, you approach them with a much better chance of agreement than you have now. You say now—"If you will do so-and-so, we will do so-and-so." I prefer the other plan.

Mr. TUCKER.—Three objections have been taken by the Council Managers; the first by Mr. Service, the second by Sir Frederick Sargood, and the third by Mr. FitzGerald, each different, and each a paramount one. Mr. Service objects to the 13th clause as being the foulest blot in the Bill; that must be his main objection. Sir Frederick Sargood wishes the Trust to remain, and Mr. FitzGerald wishes the area of selection not to be confined to Australasia. Well, you have been told that the 13th clause may be modified and the area of selection may be extended beyond Australasia, which I voted for in the Assembly, because I thought the other was a narrow view to take. Then, the third obstacle that you are insisting on is the Trust, at the same time that I understand from Mr. FitzGerald that his view in favour of the Trust would be considerably weakened were the selection of Manager made to apply outside Australasia as well as in it. Seeing that there are indications on the first two points that the Assembly might possibly give way, what about the third? On that there is a slight indication. Sir John McIntyre has proposed an Advisory Board taken from within the Department. Under those circumstances it seems that the difficulty might be smoothed down.

Sir FREDERICK SARGOOD.—That might be worthy of consideration. Mr. Turner's reference to New Zealand as an instance of the Act failing is an unfortunate one. The fact is there that they had two strong men—one the Railway Minister, and the other the Commissioner. Both wanted their own way, and it came to such a pass that one had to go, and the Minister got rid of the Railway Commissioner with very unsatisfactory results, and that is just what we fear. We know from past experience that that is what would happen now if this Bill is carried out. There would be the General Manager on the one hand and an obstinate Minister on the other, and one must give way.

Mr. TURNER.—I thought they had three Commissioners; had they only one in New Zealand?

Sir FREDERICK SARGOOD.—There was one in the sense you speak of. There was the action by one man, and he was got rid of just because he was too good and too strong.

Mr. TURNER.—Then the fact of having three Commissioners did not get rid of that difficulty.

Mr. WALLACE.—I have heard the discussion, and I think the matter could be settled in a couple of hours to-morrow if Sir Frederick Sargood, Mr. Service, Mr. Isaacs, and Mr. Turner go through the Bill and submit to us afterwards the result. They could prepare a Bill satisfactory to all parties.

Mr. ISAACS.—We have no power to do it. We will try and settle it to-night.

Mr. BELL.—Mr. Graham laid particular stress on the fact that he would oppose in every way an Advisory Board from outside, and laid particular stress on outside nomination. I would like to know whether he is inclined to support a Board from inside.

Mr. GRAHAM.—We have that under this Bill. It is competent for the General Manager to call in the heads of the departments as an Advisory Board.

Mr. BELL.—We do not want a mere clerk as an adviser. We want men who will be placed in an independent position by giving them a salary commensurate with their responsibility.

Mr. ISAACS.—Do you suggest that there should be a statutory appointment of the Manager's subordinate officers who are to control him?

Mr. BELL.—No. I would suggest that two of the present Commissioners should receive the appointments.

Mr. TURNER.—In South Australia they have a Board of Advice for the assistance of the Commissioner, consisting of the Engineer-in-Chief, the General Traffic Manager, and the Locomotive Engineer; and there they have provided that, in any matters of difference between the Commissioners and the Board, the Minister shall decide.

Sir FREDERICK SARGOOD.—You do not even do that.

Mr. TURNER.—We say there is no necessity to have statutory power to do that.

Mr. SERVICE.—Why should we not have that?

Mr. TURNER.—That is a matter of administration; but if it will obviate the difficulty to make a statutory appointment, I do not see any objection.

Mr. SERVICE.—Are you prepared to make the alteration I suggested, and withdraw the provision as to deputations to the Minister?

Mr. TURNER.—I should have to consult the other Members as to that point.

Mr. SERVICE.—If the Minister is to have the power under the 13th clause I say that covers the entire administration of the railways; in fact, introduces the system which was found so obnoxious that neither the Members in the House nor the public outside could bear it any longer.

Mr. TURNER.—Suppose we give way on that point, what else is there?

Mr. SERVICE.—Will you get rid of the Minister altogether, except as a medium of communication between the Manager and Parliament; can you get rid of the Minister so far as dictation to the Manager is concerned?

Mr. TURNER.—There is the 24th section in the existing law which gives the Governor in Council power to call on the Commissioners for a report as to certain matters. Do you want that repealed, because that is the only power of interference that I know of under the present law?

Mr. SERVICE.—I would not interfere with that or with the present powers of Parliament.

Mr. TURNER.—What do you want more than striking out clause 13?

Mr. SERVICE.—I do not think there is much else. There is the question of the Trust, of course, but I am speaking my own mind on the subject. We come here to-night to hear what you have to propose, and it was in my mind that the Government would be prepared to state what they propose to concede.

Mr. TURNER.—We represent here not the Government but the Assembly.

Mr. SERVICE.—I thought that having sought this Conference the Government or the Managers should be able to indicate to us something they would propose to concede in the Bill, that there would be some suggestion of improvement on their own Bill in the direction in which we wish it improved.

Mr. TURNER.—We cannot do that because we do not know your objections to the Bill.

Sir FREDERICK SARGOOD.—Here they are in writing.

Mr. TURNER.—We have nothing to do with that here. We should reply to those in writing. This is a Free Conference. We are perfectly prepared to hear in Conference your objections to the Bill as we sent it to you, independent of the Trust, and we are prepared to consider them, and perhaps to modify them.

Mr. FITZGERALD.—If that is the case, are the Council Representatives at liberty to understand that rather than allow this effort to legislate on this important subject to be futile for this Session, you gentlemen,

representing the Assembly, will be prepared to consider this:—First, in the order you have put it, that instead of that Trust or Advisory Board, whatever name it may be given, taken from outside, there should be, in addition to one standing Commissioner, certain members on his own staff on the railway to co-operate (set out with statutory powers) in all matters of railway management; next, that the area of limitation be put aside; and third, as Mr. Service attaches so much importance to it, that the 13th clause be eliminated. With the extension of area of choice, of course, you must make the salary more in proportion. There are those three points. If you say by widening, or narrowing, or altering the sketch we have given of what is in our minds on those three points is sufficient, I believe it is possible that some middle way may be found by which union can be established. But above all things, the Council is most emphatic that the whole grit of the Bill appears to them to be shown in the fact that first you have a Minister, and associated with him, almost necessarily, you have a man whom that Minister with his increased authority would make completely his creature, and, therefore, you would have political influence guiding the whole railway management. It is impossible that any one knowing the past can put that aside, and impossible when you have men holding the position merely of creatures of the Government of the day, that the Government will not strengthen themselves by pressure, that is if they have a man whom they can readily mould. The man must be of non-mouldable character if that political influence is to be extinguished.

Mr. WEBB.—I agree with the majority of the Assembly that this question of the Trust should be first settled, that is the all-important one, and it appears that the Council's objection is, that with any other mode of management political influence will be rampant. Surely we should be guided by experience. Mr. Service said that the Act of 1883 had done away with political influence and that Members of the Assembly said "Thank God;" but what do we find? that under the Act of 1883 the whole of the difficulties have been created, land scandals more numerous than ever before or after, in fact, that they began then.

Mr. FITZGERALD.—You must take the times into account. There was a good deal of madness all round.

Mr. WEBB.—No doubt, but the greatest mistake of all at that time was that the staff was increased by a couple of thousand more men than was necessary.

Sir FREDERICK SARGOOD.—And every commercial house increased its staff. We were all mad then.

Mr. TRENWITH.—Is not that an argument against commercial management?

Mr. WEBB.—I say that during the time of the strict administration of the Act of 1883 the whole of the difficulties and evils that we have to contend against now were created. If there is to be a compromise at all, I think the wisest suggestion fell from Mr. Service, who does not appear to understand the Bill as sent to the Council; he suggests that we might fall back on the existing system, and he very wisely said—"Why is it that the system in New South Wales is successful while it is non-successful here?" I do not think he understands the reason why. I will mention why. The question of management is not altogether the reason why railways do not pay. It becomes a question of traffic, and a question of the position of our lines. In New South Wales they have no cockspurs. The lines are comparatively straight; here we have a number of cockspurs, each with an equipment of its own.

Sir FREDERICK SARGOOD.—Which Parliament decided on.

Mr. WEBB.—But in Victoria, strange to say, the management even under those circumstances is more economical than that of New South Wales; but the reason that they pay and we do not is, taking 1895 as an example, we find that the whole tonnage of Victoria with the same mileage and our high rate for working, including our increased coal traffic, was 2,400,000 tons; but in New South Wales with a cheaper system of management with straight lines they carry four million and odd thousands of tons, of course due to their immense territory and the immense scope of production they have in comparison with ours. I have noticed in the discussions in Parliament that although we all go for a change there is not a single argument to show that the railways at present are not managed as economically as they can be, except in so far as Parliament prevents that economy. The whole system of our railway management so far as the management itself is concerned is as economical as it can be, but the weakness is that we have considerably too large a number of men, and to keep those men employed we have to run trains with comparatively nothing in them. Is that the fault of the present management or any management that might be appointed? That is the weakness of our lines, and that is where Parliament should step in and provide for a reduction of expenses in that direction. Suppose that the views of the Council were carried out and commercial men were appointed to manage the railways, Sir Frederick Sargood said that he had not such confidence in human nature that it would not be influenced by pressure. That opens up the question whether a commercial man or the Minister would be more likely to be influenced.

Sir FREDERICK SARGOOD.—Undoubtedly the Minister.

Mr. WEBB.—My experience is that commercial influence and club influence have done much more injury to our railways than any political influence. I mentioned in the Assembly, and I will give an instance here, that a neighbour of mine who is known to some members of the Council who sit on that side of the table, came down and bought some goods in Melbourne and went to the Manager, that is a man outside the control of political influence under the Act of 1883, and asked what he would take a certain truck of goods to a point on the Murray at, and he said £17 odd. After that a merchant here went down and got the same man to carry it for £6 5s., and there have been other cases, and consequently I say I do not see that there is any fear to be anticipated from political influence. I was sorry to hear Mr. Service put it the way he did. I think it insulting to Members of both Houses. My experience is that Members never went to the Commissioners to influence them unfairly or injuriously to the colony. Our railways are fairly managed, and never will pay owing to our limited territory, and as long as Parliament insists on keeping more hands on than are required. I think the first question to settle is the Trust, and then as reasonable men we can discuss the other questions as they arise, and while sustaining the views we know to exist in the Assembly I feel that we are prepared to do what we think to be in the best interests of the country.

Mr. BELL.—What is your opinion about the Trust?

Mr. WEBB.—I am totally against the Trust. I say a Trust appointed on the lines mentioned by Mr. Service, or Sir Frederick Sargood, would do more injury to the railways because it would not be amenable to Parliament. Men are human, and they will go for their friends. If a Trust were appointed, as I heard Sir Frederick Sargood say, of commercial men, I would ask are there no producers in the colony, no intelligent producers, and are those men not to be represented on the Trust, but merely commercial men?

Sir FREDERICK SARGOOD.—I did not say “commercial men.”

Mr. WEBB.—Their management might be better, but the question of the railways paying is not altogether confined to the management, but to the production of traffic, consequently I, as a representative producer, would under no circumstances agree to the appointment of a Trust composed entirely of commercial men.

Mr. ABBOTT.—I think the reason some Members oppose the idea of a Trust is because they do not think it will lead to anything better than we have at present. As the last speaker says, I do not think anything can stop the leakage, but we want to be quite certain that the change will bring about the effect desired.

Mr. ISAACS.—Is it not important to try ?

Mr. ABBOTT.—Many of us consider that if you change the management you will merely give more money for it. The gentlemen at present managing the railways are doing all they can, and we want to know what will be the advantage of making this alteration. That is my position.

Mr. ISAACS.—There is a drift of over £10,000 a week under the present system ; surely we must try and stop it.

Mr. ABBOTT.—Will this stop it ?

Mr. TURNER.—No one can tell that, but the general opinion is that an effort should be made to try a new system. We cannot be worse under any system than we are at present. I understand now from Mr. FitzGerald's remarks that the Council are prepared to give up the Trust, and the only real conditions that he lays down in exchange are that certain members of the staff should be an Advisory Board, that section 13 should be omitted, and the area of selection for a Manager should be unlimited, and that there should be a proportionate salary. Of course, it is useless to discuss those items unless we understand from the Council that they are prepared to forego an outside Trust for, as I pointed out from the start, our House is so strongly against that that unless the Conference can come to the understanding that the Trust is to go by the board there must be an end to the whole matter, but if you are prepared to give way on that, some of those are matters which we may fairly consider.

Mr. FITZGERALD.—You agree that those members of the staff to be an Advisory Board would have statutory powers.

Mr. TURNER.—Yes. This Board of Advice within the Department would be appointed by statute, something the same way as in South Australia, but it is useless to discuss this for hours and then come back to the one stumbling-block, Trust or no Trust.

Sir FREDERICK SARGOOD.—The Council never intended to have both a Trust and an Advisory Board. I think you used the words—“outside Trust.”

Mr. TURNER.—I think Sir John McIntyre used the word.

Sir JOHN MCINTYRE.—I have always advocated that the Advisory Board should come from the Department itself.

Mr. TURNER.—I used the word when I said I was opposed to an outside Advisory Board.

Sir JOHN MCINTYRE.—I said an Advisory Board consisting of the two present Commissioners. I said that in the House also, so that they would come from within the precincts of the Department, not from outside. I think the expert knowledge there could be turned to account along with a good General Manager.

Sir FREDERICK SARGOOD.—I think that we have made considerable progress ; I do not know why, but you seem to have run away with the idea that our House is wedded to an outside Trust. I am not aware that the House has discussed the question of an outside Trust. They have discussed the question of a Trust.

Mr. TURNER.—You said composed of commercial men.

Mr. SERVICE.—Individuals may have said that, but the Council, as a whole, has never said so.

Sir FREDERICK SARGOOD.—I look on Mr. Webb as being as much a commercial man as I am. The term “commercial” does not necessarily mean that you are to deal with a certain class of goods. If you can submit that to us as being something that you will be prepared to recommend to your House we can retire a few minutes and talk it over.

Mr. SERVICE.—In short, we want to get rid of the Minister. That is the chief point in the whole affair, that he shall have no interference with the daily internal management of the railways. Then the only difficulty behind that from the position you take up, if you leave the Commissioner to stand alone, seems to be that it becomes a position that is hardly fair to him, because a man with the tremendous burden on his shoulders such as the management of the railways, would naturally desire to fall back on and take advice from some person capable of giving it to him. You seem to be disposed to throw the Minister overboard, at all events, you have put it hypothetically—“If we do so, will you give up the Trust ?”

Mr. TURNER.—We leave the Minister exactly as he is and always has been all through. We have never altered his position. We have altered, to some extent, the position of the Commissioner. We are not going to throw the Minister overboard.

Mr. SERVICE.—You are putting him in a position that he was not in before, in sending deputations to him.

Mr. TURNER.—He had the right before.

Mr. SERVICE.—It was contrary to the whole spirit of the Act now existing, and according to Mr. Webb, such a thing as political interference does not exist and never did in the Victorian railways.

Mr. WEBB.—Not injuriously.

Mr. SERVICE.—I do not dispute the point. If Mr. Webb believes he is right he must believe it, but I think all the newspaper press in the colony, and almost every public man in his extra-parliamentary capacity has admitted and deplored the existence of political patronage. Mr. Trenwith, in his opening remarks, said it existed as widely under one system as another, and yet Mr. Webb says it does not exist at all. I deplore anything in the shape of even appearing to give the Minister powers that he has not had. Mr. Turner says that the Minister could receive deputations before, but was it the business of the Minister to receive those business deputations ?

Mr. TURNER.—It always has been in practice.

Mr. SERVICE.—I do not remember it.

Sir FREDERICK SARGOOD.—I know that Mr. Gillies at first refused to receive deputations.

Sir JOHN MCINTYRE.—He subsequently received them regularly.

Mr. GRAHAM.—I attended on one of the largest deputations that ever waited on a Minister of the Crown; that was in the Board-room, Mr. Gillies was Minister of Railways, and Mr. Service was Premier.

Mr. FITZGERALD.—That was on a question of policy.

Mr. GRAHAM.—I know that Mr. Service gave a favorable answer to the deputation after the Commissioners themselves had refused our request.

Mr. ISAACS.—When Mr. Service says—"Get rid of the Minister," I understand him to mean get rid of the 13th clause?

Mr. FITZGERALD.—And a great deal more.

Sir FREDERICK SARGOOD.—We all agreed that it is desirable then that the Minister should not interfere in the mere details of the management, that that would be the duty of the Traffic Manager, as he would be to a great extent, because construction has been wisely removed from management. That was the great mistake we made originally, adding construction to management. If we recognise that it requires a special class of man to attend to the management of traffic, and the Minister does not necessarily possess that knowledge, we must arrive at the conclusion that the less the Minister interferes with those details the better.

Mr. TURNER.—That is admitted all round. We are at one on that.

Sir FREDERICK SARGOOD.—Then necessarily a deputation to the Minister must refer to matters in detail.

Mr. TURNER.—Our object was to protect the Manager against Members of both Houses taking a crowd of 30 or 40 Members of Parliament to overawe him.

Sir FREDERICK SARGOOD.—Would you like to put a clause in that Members of Parliament should not wait on the Minister?

Mr. SERVICE.—The difficulty is that you then have a man with the high office and heavy work, and give him no one to consult.

Mr. TURNER.—There is no difficulty as to that, because our intention is that the General Manager should certainly have an Advisory Board within the Department, as under the Shiels Government. The only difference is that you desire those gentlemen to be mentioned in the statute. They will be a Board of Advice to the Minister and will not be able to control him, but he will have to consult with them at certain stated intervals, and oftener if he desires, but whether he follows their advice or not, is a different question.

Mr. FITZGERALD.—They will be surrounded by this protection, that if their opinion is overridden they will leave on record their protest.

Mr. TURNER.—I suppose they will have formal meetings and records of their proceedings; but the one difficulty I see is, I do not quite understand the position you take up as to the salary, because that is a matter that must rest absolutely in the determination of the Assembly. I can understand that if we, in consulting among ourselves, agree to advise that the area should be unlimited, then we may ask the Assembly, under the altered circumstances, to reconsider the question of salary, but that must be a question absolutely decided by the Assembly.

Sir FREDERICK SARGOOD.—The question of appointment we look on as an Executive one, and we are so far from wishing to lower the position of the Cabinet that we want to throw on them the responsibility of getting the best man at a reasonable price; of course the Assembly must say what salary.

Mr. SERVICE.—I demur to the statement of Mr. Turner and Mr. Isaacs that the question of salary must rest entirely with the Assembly. You forget that our Chamber has power to reject the Bill with any amount you put in.

Mr. TURNER.—Quite so. What I meant is, that we have the fixing of it; you have the right to ratify or reject.

Mr. SERVICE.—We cannot alter that, but I have thought it wise to take a demurrer right off as to that, because Mr. Isaacs was very emphatic, and you were also, in decrying any power on the part of the Council to interfere with this matter.

Mr. ISAACS.—I did not say you would not have the right to reject, but that the Assembly has the only power over the purse, and we are not going to weaken that in any way whatever.

Mr. SERVICE.—The control of the purse in one sense, and not in another. You cannot spend the money without the Council agreeing to it.

Mr. TURNER.—I think we understand our position now.

The Conference adjourned for private consultation between the respective Managers.

The Conference resumed.

Mr. TURNER.—The Representatives of the Assembly have consulted together, and we have unanimously come to this conclusion, that the Bill shall be so altered as to provide for an Advisory Board—that is, that at least once in each month the Commissioner shall call together three of the following officers:—The Engineer-in-Chief, the Secretary for Railways, the Chief Mechanical Engineer, the Engineer for Existing Lines, and the Traffic Manager, for the purpose of consultation, and that records of their meetings shall be kept; clause 13 to be excised; the area of selection of Commissioner to be unlimited. I may mention as to those officers that those are the same officers as are already mentioned in the Bill to constitute the Board for hearing appeals; and we believe, as far as we can find out, that those are the principal officers in the Department, and our idea is that there should be five of them, and that at least once a month the Commissioner shall call three of them together for the purpose of consulting, and a record of their meeting shall be kept, so if there should be any difference of opinion that will be on record for reference afterwards.

Sir FREDERICK SARGOOD.—There is not a very wide difference between us, except as to the Advisory Board. I need hardly point out that your resolution is a very different thing from what we discussed before leaving the chamber. It was then an Advisory Board who were spoken of by your own

side, two officers of the Department to be appointed with statutory power. I may just read what we suggest. I hope it will be accepted. May I say that, looking at it as a man of business, I think you have too many to do the work?

Mr. TURNER.—We say there are to be five, but the Commissioner calls three of them.

Mr. ISAACS.—I would like to add to what the Premier has said that some of the actuating ideas in our mind as to five men were that the Commissioner might want advice on different branches of the service, and, therefore, it would not do to restrict his Board to some particular heads of branches, but that he was to have three, according to the branches that he wished to have advice about. Then again it might be that in the course of their duties certain heads of certain branches might be absent from Melbourne. He might want to consult them at once; they might be out of the way and he could consult the others, so it appoints the experts of the Department as his area of selection, and then he calls any three of those he can get.

Sir FREDERICK SARGOOD.—Pardon me saying I do not think that a business-like arrangement. You want in the matter of an Advisory Board continuity of responsibility. You want all the reins to come in together. The point you raise is a very important one, that the General Manager may require information from some one not there, but he can always get that. There is no difficulty about that. You have no need to appoint a Board of five to get that. He can get that by telegraph or by summoning the man down to give information.

Mr. FITZGERALD.—Before you go away from that, it appears to me that your side is not seized of the importance that we attach to this. You seem to think that they would come in as an Advisory Board simply to be called once a month to answer certain questions that the Commissioner might ask them. Now, what was in our minds when we separated was, that this Advisory Board should be a Board of Management of the whole of the railways.

Mr. ISAACS.—A Trust under another name.

Mr. FITZGERALD.—I did not say that. I say the Commissioner in all matters affecting the railways should have those men appointed with statutory powers to be factors in guiding the Government in the management of the railways.

Mr. GRAHAM.—Co-equal managers?

Mr. FITZGERALD.—I do not say co-equal, but it is a delusion to say that they are to be called in once a month and consulted on such questions as the Manager chooses to put to them, because as officers of the Department they are at his service now for that.

Mr. ISAACS.—Mr. FitzGerald seems to be under a misapprehension. He says they can do that now, but the force and importance of what the Premier has read is not confined to what we have said already; it extends to this: that, as we have stated, we desire to have Parliamentary supervision. We desire that the people of the country, through their Parliament, shall have power to watch the conduct of the railways and correct the management if possible, and, therefore, instead of the Manager having power to do whatever he chooses without leaving a record of his reasons or opinions, this Board having a record provided by the minutes would afford means to either House, and more particularly to the Assembly, to examine what had been done, to examine possibly the reasons and trace any fault to its proper source. Therefore, we think it a most valuable thing and one that ought to be looked on as something more than a mere possible act of administration.

Mr. SERVICE.—Not only a mere periodical revision, but a monthly revision.

Mr. ISAACS.—Or weekly, but at least monthly.

Sir FREDERICK SARGOOD.—What the Council Managers have agreed to is this—(1) There shall be a General Manager, the Ministry to have unlimited powers of selection.

Mr. TURNER.—You say "General Manager," we call him "Commissioner."

Mr. FITZGERALD.—A very important thing is implied in that designation. We understand that he is to be the Traffic Manager and General Manager. I think that is a better name than "Commissioner."

Mr. TURNER.—A General Manager to be called Commissioner.

Sir FREDERICK SARGOOD.—All over the world the head of the railways is called "General Manager;" there is nothing in that. (2) The General Manager to be appointed for seven years, say, and to be only removable in accordance with the provisions of the existing Act.

Mr. TURNER.—We have that in our Bill.

Sir FREDERICK SARGOOD.—(3) An Advisory Board consisting of at least two of the officers of the Department, to be appointed for a fixed term, not less than five years, with statutory power, removable in the same manner as the General Manager.

Mr. TRENWITH.—What do you mean by statutory power?

Sir FREDERICK SARGOOD.—We mean by statutory powers that those gentlemen, whether two or three, not five, would have the power of meeting from time to time. (4) Minutes of the proceedings of the Board to be kept. I do not think there is very much difference between us, but whereas you would select officers from time to time who are appointed now in accordance with the existing Act, the Council desire those officers to have a little more certainty of tenure; in other words, they should be able to take up a little more independent position in acting as an Advisory Board.

Mr. TRENWITH.—May I point out the officers named in the proposals submitted are appointed for more than five years?

Sir FREDERICK SARGOOD.—I know exactly how they are appointed.

Mr. TRENWITH.—Then that five years' appointment is no greater certainty than they have at present. If you propose they are in any way to be Joint Managers, then there can be no doubt that that is entirely antagonistic to the understanding with which we left before separating.

Mr. TURNER.—What does "statutory" mean?

Sir FREDERICK SARGOOD.—I never suggested that they should be Joint Managers. I distinctly quoted "Advisory Board." That was the term used before you went out, and I do not think there need be any fear of the Council desiring to twist those words in any way.

Mr. TRENWITH.—Statutory powers are involved in the proposition we have submitted. The concession we have made involves that. They are appointed under the statute. This Act assigns to them some other duties.

Sir FREDERICK SARGOOD.—You would have necessarily to give statutory powers, if it is only to give them power to meet as a committee, but to meet as an Advisory Board you would have to give them power to have minutes kept, and power for the General Manager to record their differences, if they differed.

Mr. ISAACS.—Until we hear from you what you mean by statutory powers we are in the dark.

Sir FREDERICK SARGOOD.—I think you are splitting straws. Our Members have no intention of taking any advantage of this, we really mean it shall be a practical working Advisory Board and nothing more.

Mr. TURNER.—You want three definitely.

Sir FREDERICK SARGOOD.—Not less than two.

Mr. TURNER.—We have five.

Sir FREDERICK SARGOOD.—Next, that clause 13 shall be omitted, and that the 11th clause, dealing with appeals from officers and employés, shall be altered to—"dealt with by the General Manager and Board of Advice."

Mr. ISAACS.—That is new matter altogether.

Mr. TRENWITH.—That point was not raised.

Sir JOHN McINTYRE.—There is no good reason to raise that point, because in the present Bill the appeals are arranged for that way.

Sir FREDERICK SARGOOD.—Unless there be some central authority to which appeals can be made, discipline will be at an end.

Mr. ISAACS.—Do you mean appeals in the first instance?

Sir FREDERICK SARGOOD.—No, under the existing Act one Commissioner can hear any appeals.

Mr. ISAACS.—That is only one out of the three Commissioners.

Sir FREDERICK SARGOOD.—This is one out of three of the Board, or the General Manager.

Mr. TURNER.—We have formulated what we thought was a fair mode of dealing with the employés, that is a Board of officers, and that in all serious cases there should be an appeal to the Commissioner or General Manager. Is there any objection to that proposal? They are our own officers who sit as a Board.

Sir FREDERICK SARGOOD.—Look at what you propose, assuming first of all that you appointed a General Manager and a Board of Advice then you propose to set those aside and go to some one else to hear appeals.

Mr. TURNER.—We mean to make the Board of Advice and the Advisory Board the same people.

Sir FREDERICK SARGOOD.—Then there is no difference between us.

Mr. TURNER.—We have five, and the very object was to get uniformity. The same people hear appeals as we suggest for the Board of Advice, the principal officers of the Department.

Sir JOHN McINTYRE.—Under section 11 you will find the respective powers imposed on the Commissioners by 1886 and 1887 are imposed on a Board "which shall consist of the General Manager," &c. This is an appeal from that Board.

Mr. TURNER.—We have got very close together now.

Sir FREDERICK SARGOOD.—In spirit, perhaps, not in actual words.

Mr. SERVICE.—I am not quite sure whether this question of an Advisory Board is thoroughly understood. Our idea of it is that they are taken from among the officers of the Department, but they should be appointed for a fixed period, *quoad* members of the Board having no reference to their permanent engagement as officers in the special sense. We propose that this Board will deal with any matters arising out of the general management of the Railway Department.

Mr. TURNER.—What do you mean by "deal with?"

Mr. SERVICE.—To consult.

Sir FREDERICK SARGOOD.—To sit regularly and discuss.

Mr. TURNER.—The General Manager does what he thinks fit.

Mr. SERVICE.—That is so.

Mr. BELL.—We object to once a month.

Mr. TURNER.—Make it once a week if you like. I do not see any objection to that.

Sir JOHN McINTYRE.—He may consult them every day if he thinks fit.

Mr. SERVICE.—Your 11th clause puts it that certain officers will be appointed as an Appeal Board. I want to make it clear that the Advisory Board we propose is a permanent Board appointed under the statute for a certain term of years and dismissable only in the same way as the General Manager himself, and that this Advisory Board of two at the least should deal with the general business that comes before the Manager; that is to say, that you do not call in the Chief Engineer to deal with engineering matters and the Chief Traffic Manager to deal with traffic matters, but that those two or three men, say, will constitute a Board of Advice to sit and deal with any question that arises of a general business character in connexion with the Department.

Mr. TURNER.—That is, they tender advice to the General Manager and he acts on that advice or not as he in his wisdom thinks fit, and they can record on the minutes the advice they give.

Sir FREDERICK SARGOOD.—That is right.

Mr. TURNER.—The only question is giving them a five years' tenure. They are our officers, and they might be got rid of for other purposes.

Sir FREDERICK SARGOOD.—It may be advisable to get fresh blood occasionally, just as with the General Manager. He is appointed for five or seven years, and you can renew their appointment if they suit, or not renew it if they do not suit.

Mr. ISAACS.—You are going to name those persons because of the office they hold. Take the Secretary of Railways, or the Engineer-in-Chief, if you say that those persons are to be appointed for five years, suppose they cease to hold that office are they still to be on the Board, and is the new Engineer-in-Chief or the new Traffic Manager not to be a member of the Board?

Mr. SERVICE.—Those are matters of detail.

Sir FREDERICK SARGOOD.—I never meant that at all.

Mr. ISAACS.—If you do not put the five years, there will be no complication. If you say as long as the person holds the office he is to be on the Board.

Sir FREDERICK SARGOOD.—I do not say that. We think that is a mistake. We think it is better there should be a Board, and supposing the Engineer-in-Chief is appointed he may be appointed for five years.

Mr. FITZGERALD.—Or as long as he holds that office.

Sir FREDERICK SARGOOD.—No, no; I would not say that, but, if at the end of five years he gives satisfaction, we would re-appoint him.

Sir JOHN McINTYRE.—Suppose he is 60 years of age and retires?

Sir FREDERICK SARGOOD.—Then appoint his successor.

Mr. ISAACS.—Is he to be on the Board by virtue of his office?

Sir FREDERICK SARGOOD.—No; that might be a life appointment.

Mr. ISAACS.—If not by virtue of his office, and he is out of his office and a stranger to the Department, how can he get sufficient knowledge of the Department to be of service?

Sir FREDERICK SARGOOD.—The best thing in most businesses is to get fresh blood in occasionally. You would not appoint him Engineer-in-Chief unless he was fit.

Mr. FITZGERALD.—Mr. Isaacs wishes you to see that in the event of, as Sir John McIntyre put it, his leaving the Department by virtue of his age or any other cause, and the five years not having expired, the question would arise, would he continue to be on this Advisory Board?

Sir FREDERICK SARGOOD.—No; certainly not.

Mr. FITZGERALD.—Sir Frederick Sargood means he would hold it as long as he held that office for a time not exceeding five years, and, if before that he left it, the office would fall on his successor.

Mr. ISAACS.—Suppose he is appointed for five years and you do not wish to appoint him again, whom are you to appoint?

Sir FREDERICK SARGOOD.—Some other officer; we do not name which officer.

Mr. TURNER.—Who appoints him?

Sir FREDERICK SARGOOD.—The Governor in Council has to make the appointment.

Mr. TURNER.—The Governor in Council is to appoint two or three officers as an Advisory Board, and makes the appointment for five years, if the man holds the office so long.

Sir FREDERICK SARGOOD.—After that you can re-appoint him if you are satisfied with him.

Mr. HAM.—I think that as it is understood that the Advisory Board is to consist of officers of the present Department it is a question then as to their present salaries and as to the advanced salaries their position would naturally entitle them to. It would be some consideration to us to know how many of those officers that would be appointed might get an extension of salary. It is a matter that will, I am sure, occupy the attention of the Assembly, dealing with the finances of the country. I think the Council would agree to two or more, but not the whole five if they are to be remunerated.

Mr. TURNER.—There has been no suggestion that they should get extra remuneration.

Mr. HAM.—I do not know why they should.

Mr. TURNER.—I do not know why they should.

Sir FREDERICK SARGOOD.—The question of remuneration is a matter that must be largely left to the discretion of the Cabinet. At the same time a workman is worthy of his hire, and if you put more responsibility on a man he should be remunerated accordingly.

Mr. TURNER.—It would be a question in drafting the Estimates for the Minister to say whether a bonus should be given them for occupying the position.

Sir FREDERICK SARGOOD.—You could not expect a man to take on himself an increased responsibility without knowing that he would receive a small increase of salary—that is common sense.

Mr. FITZGERALD.—The suggestion of the Premier is full of danger, that it should be left to the Assembly to put a sum on the Estimates as a bonus to remunerate them.

Mr. TRENWITH.—That is a question that we are not at liberty to discuss here.

Mr. FITZGERALD.—That would be the essence of Ministerial interference. I hold that, if they are to be an Advisory Board, and in an independent position as such, and not merely to be called in as a matter of form, they should be treated accordingly. As far as my own views are concerned, it was never in my mind that they were not to be a good and substantial—I will not say buffer—but to hold a position which would inspire confidence in the minds of the public of this country that no man was ruling without consulting others; they will have to be factors in the management, and if they are, I say they ought to have compensation in accordance with the high duties they have to perform and with their responsibility, and that their salary should not be dependent on the annual vote of Parliament.

Mr. TRENWITH.—I submit that our proposal gives the widest range of judgment that can be reasonably got inside the Department. It supplies what Sir Frederick Sargood said is desirable, the possibility of the infusion of new blood. We have suggested that five men shall be at the discretion of the Manager, who is to be supreme. He is to be a strong man, capable of managing, and he is to have five men, three of whom he must consult at least once every month, and it gives just the element that Sir Frederick Sargood says is a good thing, and I concur with him.

Sir FREDERICK SARGOOD.—I can only say that any business conducted in that way would be in the Insolvent Court in twelve months.

Mr. FITZGERALD.—He may consult them as to width of tires.

Mr. TRENWITH.—Many firms have become insolvent through the best commercial management. I dissent from commercial management for that very reason.

Sir FREDERICK SARGOOD.—I do not know that you are an authority on that matter.

Mr. TRENWITH.—We want what will give the widest range of expert knowledge, together with the most advanced business knowledge, not business knowledge in connexion with outside commerce so much as in connexion with railways, because after all there is a very wide distinction.

Mr. SERVICE.—What is the use of a railway without commerce?

Mr. TRENWITH.—That is quite right, but the school of experience that would make an excellent general merchant would probably make an extremely bad Railway Manager. We cannot help combating the arguments presented, and the argument has been presented that we shall do better if we have a fixed Board of two with a General Manager with statutory powers. Of course, such powers have not yet been defined. I am endeavouring to show that we shall get better and wider railway experience by extending the area of advice.

Sir FREDERICK SARGOOD.—You will get them wider and weaker.

Mr. TRENWITH.—I cannot see why if we take the five men appointed and select two, we should leave out three. Possibly we select the two weakest, and we have the assurance that all the time for five

years we shall be guided by the weakest two of the five that we previously contemplated selecting from. If we adopt the suggestion we have made we have the assurance that sometimes, at any rate, we shall have the strongest selection.

Mr. FITZGERALD.—Who may never be called in.

Mr. SERVICE.—Those five might be the weakest of 50 who are outside altogether.

Mr. TRENWITH.—Then you suggest the possibility of going lower down the service?

Mr. WEBB.—From a business point of view, I should say that Sir Frederick Sargood is altogether wrong in his statement that a business firm who consulted their managers would be likely to go insolvent. I say in a business with four or five departments, and a head of each, as a business man, those are the very heads he would consult.

Sir FREDERICK SARGOOD.—Yes, but he does not form them into an Advisory Board in turn.

Mr. WEBB.—Yes, he does. If it is a business where the whole staff are working under one head then he would only advise with that one head; but the Railway Department is altogether different. It has different branches with different heads, understanding their particular work. A business man would just consult those heads, and I say in those cases a firm would go insolvent that did not do it. I think the proposal is a proper one, that the Manager shall consult the men who understand their own departments. The point has not been discussed here whether in appointing them under this Act they shall be dismissable only under a certain set of circumstances. That is a new point. We have too many already in the service who have permanent positions and high salaries. We do not want to increase those beyond what is necessary. The Manager ought to be appointed under the Act, but to put two others under him in the same set of circumstances with statutory powers would be unwise, and the proposal of the Assembly is one that the Council ought to accept without hesitation.

Mr. FITZGERALD.—What would the words "statutory powers" convey to your mind?

Mr. WEBB.—Just the powers under the Bill.

Mr. FITZGERALD.—And they will have no fixed tenure.

Mr. WEBB.—They have a tenure under the present Act.

Mr. TURNER.—They would have a better tenure under our proposal than under yours. They hold their positions for life.

Mr. FITZGERALD.—It was never intended that at the termination of the five years of their period of office as a Board of Advice their connexion with the railways was to cease, or that they were to be in a worse position than they were in before they were promoted to the higher office. Was that in your mind?

Mr. TURNER.—No.

Mr. FITZGERALD.—Consequently we may disregard that. No one wants to promote a man for five years and then send him away without a sixpence. I quite see it proves that the details of what were understood as statutory powers were not in Mr. Webb's mind, and certainly not in the minds of the majority of the gentlemen opposite; we meant what is known in a Parliamentary sense as statutory powers.

Mr. TURNER.—We are giving them here.

Mr. FITZGERALD.—Statutory powers include first, a certain tenure of office and next a certain position; that is to say, a position which would place that man in one of independence, whether of the Minister or the will of the General Manager or Commissioner; that the man is to be free as air in the advice he gives, not to be trammelled by any fear, favour, or affection, as he must be in the other position. All that, to my mind, is included within statutory powers understood in a Parliamentary sense, and is inseparable from that word "statutory" powers. It means he is independent in any action he takes, except of Parliament. Parliament, as a whole, can remove him, but he is not to be at the beck and will of the chief, nor is he to be fettered in the exercise of his discretion in either advice or action.

Sir JOHN MCINTYRE.—Then you must in that case create two antagonistic powers—a General Manager and an Advisory Board.

Mr. FITZGERALD.—Let us discuss that afterwards. We are charged with having brought in new matter and widened the meaning of statutory power; I am combating that idea. I say that all I have said is included in that.

Mr. TRENWITH.—Surely statutory power is any power exercised by virtue of a statute.

Mr. FITZGERALD.—It is, according to Dr. Johnson.

Mr. TRENWITH.—We propose to introduce the statute to define the powers of those men.

Sir JOHN MCINTYRE.—You want to say those men shall have a fixed time named by us. As a matter of fact, those men are permanent servants of the State now, and as long as they occupy their present position and do the duty in connexion with it under the statutory powers they have here, they remain; whereas, if you say five years, you fix the period.

Mr. FITZGERALD.—That is wiser, because they might be very unsuitable advisers.

Sir JOHN MCINTYRE.—Then you can deal with them by law.

Mr. ISAACS.—Is this your view, that you fix for five years their position as a Board of Advice, but do not fix them in their tenure as Secretary or Traffic Manager, or Engineer-in-Chief?

Mr. FITZGERALD.—Certainly not.

Mr. ISAACS.—Then you do not protect them at all.

Mr. SERVICE.—How would you protect them against the conditions of their original appointment as officers of the service if they violated the rules?

Mr. ISAACS.—You are not giving them any protection; you are merely fettering the Manager. You say this man may displease you, but you are still bound to have him on your Board of Advice.

Mr. TURNER.—If that is so, where is the protection? He is there as a member of the Board of Advice for five years, but it is competent to dismiss him from the place that gives him that position.

Mr. SERVICE.—Not without his violating some rule or misbehaving himself.

Mr. TURNER.—You can remove him to some other position in the service. All the officers of the railway service are appointed during pleasure.

Mr. SERVICE.—During pleasure means during good behaviour.

Mr. TURNER.—Not necessarily. The Commissioner can transfer the Traffic Manager and put him in some other position.

Mr. SERVICE.—I think we are getting away from this point. I do not think we have fairly joined issue on it. The Board you suggest and the Board we suggest seem to have different functions altogether, and the trouble we have in discussing might be avoided if we stated what we mean by this Board. Your Board is a Board for appeal purposes only.

ASSEMBLY MEMBERS.—No, not at all.

Mr. TRENWITH.—Not by any means.

Mr. TURNER.—No, for advisory purposes for consultation, and records are to be kept.

Mr. SERVICE.—That quite accords with what I say, that a Board of consultation would be a Board of which each member in his own department would advise the Minister.

Mr. TRENWITH.—Not necessarily.

Mr. SERVICE.—But the advice would be confined to the peculiar functions of his own department.

Mr. TURNER.—Oh, no; our idea is this, that there are five principal officers there. We say that the Chief Manager shall, at least once a month or once a fortnight, call together three of those for the purpose of advising him. Now, if you say there are only two men, supposing you select the Engineer-in-Chief and the Secretary for Railways as an Advisory Board, and the Manager wants some advice as to traffic arrangements—

Mr. SERVICE.—He would send for him.

Mr. TURNER.—Then you do not want your Board at all, because the Manager would in any case send for the man and ask his advice under the head he wanted; but we want the five principal heads to be represented so that when the Manager wanted information about certain departments he should call three of them.

Mr. SERVICE.—We want above that, that there should be a permanent Board that he could consult with after getting all the information that he can get from those officers of the department which he was dealing with at the time.

Mr. TURNER.—Those men are permanent because the holder of the office so long as he occupies that office is a member of that Board.

Mr. SERVICE.—There is one man in the Engineer's department—you say that this General Manager, if he wants information from the Engineer's department, will send for the head officers there and get it from them.

Mr. TURNER.—He would send for every officer if he liked.

Mr. SERVICE.—Is he to sit by himself when he gets the information, or is it to mean what we want, viz., two men appointed by statute—a couple of men who will be there at all times with him, say when the Traffic Manager or the Engineer-in-Chief is called in, and with whom he can consult and discuss the evidence submitted to him or the advice given to him by those particular officers, so that he can fall back on their advice. They are to be two men, not called in because they are heads of departments, but because they are considered the best men to appoint as permanent advisers for the General Manager. They will sit with him when he makes a call from any department to get any information whatever, and having got the information they will consult with him as to the general tenor of it and what it leads to.

Mr. TURNER.—Then why should we bother our heads to frame a new Bill? that is exactly our present system. We have a Commissioner and two men who advise him.

Mr. SERVICE.—I did not tell you to prepare the new Bill.

Mr. ISAACS.—But the country did.

Mr. TURNER.—Then what you are doing is to keep the present system under a new name; if so, we may save our time and trouble.

Mr. SERVICE.—You want to keep the merchants out of it, and we have no greater opinion of them than of any other class, but we want an Advisory Board.

Mr. FITZGERALD.—We want, and this is what cannot be emphasized too much, that should it so happen that the choice of a Commissioner or General Manager should fall on a man who was to be influenced, was weak, or was not exactly of the same fibre we would like him to be, somebody still between him to protect him against the fads, if you like, or at all events, the special ideas of any Minister.

Mr. TURNER.—You want them to have joint control.

Mr. FITZGERALD.—We want some protection in this country against that Ministerial power coming in really to manage the railways. We do not want each man governed by policy separated as the poles asunder, the whole country and the Railway Department suffering while each was gaining experience, giving play to his own faddish notions. What we want, and what was contemplated by all of us when we met here was, that this Advisory Board was not to be a sham, it was to be an entity and a factor in the management of the railways.

Mr. TURNER.—It was contemplated by us that we were going to make some change in the management of the railways—this will not make the slightest change.

Mr. FITZGERALD.—Then if it does not it does this: it gives us, according to our limited knowledge and experience of human nature, increased protection against mismanagement. It gives us continuity of management and a security that three men will be able to withstand an obstinate Minister better than one man.

Mr. ISAACS.—You want three Commissioners.

Mr. FITZGERALD.—I want it to be not as sketched out by Mr. Turner, not men called up when the Minister pleases; one day the Engineer-in-Chief to ask him something about rolling-stock, the next day the Traffic Manager to ask him about traffic, and that to be put down on the minutes. That appears to be a simple sham compared with what we had in view.

Sir JOHN MCINTYRE.—You are making a mistake: it is not a question of calling one at a time. The proposition is that three are to be called together whenever they are wanted.

Mr. SERVICE.—A given three.

Sir JOHN MCINTYRE.—There are five to be selected from.

Mr. ISAACS.—If you want the best advice, why not have three out of five? If you want a Trust your proposition affords it.

Mr. SERVICE.—What is a Trust?

Mr. ISAACS.—What you propose, an absolute controlling body—you want to turn the Minister out.

Mr. SERVICE.—We certainly want that—that is the soul and body of the whole affair.

Mr. TURNER.—I am not prepared to ask my colleagues under any circumstances to agree to the proposal made by Sir Frederick Sargood.

Sir FREDERICK SARGOOD.—Then that finishes it.

Mr. BELL.—It is a pity to break up when we are so near.

Mr. GRAHAM.—We are as wide apart as ever—it is a Trust under a new name.

Mr. ISAACS.—We have now got the answer that we asked for three hours ago. We asked you to say whether you would give up the Trust, and now you say you will only consent to change the name but not the body.

Mr. FITZGERALD.—A Trust inside the Department, not outside, to which your Premier attached the greatest importance.

Mr. TURNER.—Not a Trust within the Department.

Mr. ISAACS.—What is the difference whether you select them from inside the Department or from outside, as long as you give them statutory powers?

Sir JOHN MCINTYRE.—This is really a splitting of straws.

Sir FREDERICK SARGOOD.—You know that a Trust would have to select a General Manager.

Mr. TURNER.—No, the Governor in Council.

Sir FREDERICK SARGOOD.—On the advice of the Trust.

Mr. TURNER.—That is a very different thing. It is one thing for the Governor in Council to engage—

Sir FREDERICK SARGOOD.—That is done away with; the General Manager is engaged directly by the Cabinet, and will not be responsible to the Trust, because there is no Trust; he will not be responsible to the Advisory Board, which will be merely an Advisory Board.

Mr. WILLIAMS.—Mr. FitzGerald said he wanted them to control the Manager.

Mr. FITZGERALD.—I wanted them to be an entity, not a non-entity.

Sir FREDERICK SARGOOD.—You want him to summon some of his employés to sit alongside of him and advise him—that absolutely upsets all discipline.

Mr. TRENWITH.—You must have his employés, or his masters, or his equals.

Mr. ISAACS.—Do you propose they should not be his employés?

Sir FREDERICK SARGOOD.—You know perfectly well that we suggest that advice should be taken from the Department, but that the officers should have statutory powers and security of tenure.

Mr. ISAACS.—Independent of the Manager?

Sir FREDERICK SARGOOD.—In that sense, yes.

Mr. ISAACS.—And of the Minister?

Sir FREDERICK SARGOOD.—No, they would be as independent as the Manager.

Mr. ISAACS.—That is an absolute adherence to the Trust. There has evidently been a change of mind since we adjourned.

Sir FREDERICK SARGOOD.—Not on our part.

Mr. TURNER.—I am afraid we have run up against a snag, just when we thought we were nearly settled. I could not advise my fellow Managers to accept such a Board as that.

Mr. ISAACS.—It would have shortened matters very much if you had said you adhered to a Trust.

Sir FREDERICK SARGOOD.—I do not think that is a fair way of putting it.

Mr. TRENWITH.—It is a fact. Mr. FitzGerald says an entity; he means a controlling body under certain circumstances.

Mr. SERVICE.—No.

Sir JOHN MCINTYRE.—Will you explain what you do mean?

Mr. SERVICE.—We never used the word “controlling;” we used the word “advising,” and nothing else.

Mr. TRENWITH.—The tenor of Mr. FitzGerald’s remarks was that he meant a controlling power.

Mr. FITZGERALD.—If with any word I have implied that I withdraw it. I never intended they should have a controlling power.

Mr. TURNER.—Will you repeat what you do really desire?

Mr. FITZGERALD.—I will do so with pleasure. When we separated, the idea in our minds was this, that there should be an Advisory Board with statutory powers. I say, that I think it must be within the knowledge of all of us that that meant more than the fact of calling the head of the department and consulting him on any question that might be brought to him and recording minutes of that consultation, and then taking another head or two in a fortnight or month and consulting them in the same way. That is what might occur, and we are bound to put the construction on it, in view of the safety of the State, of what might happen under any possible circumstances. Now, if three gentlemen meet, or four or five, it is only the questions that they are consulted about that come under deliberation while they are assembled. There are minutes taken of it, and they disappear from the scene immediately that is over. They are not taken into consultation as to what effect would result if the advice they give were not followed. In other words, they are in no way responsible except for the advice they give. Now, I do not think that is the body that could have been in our minds with such defined and such limited duties when we talked of statutory powers and rights. What I say is, I never intended those gentlemen to have the controlling power, or to have the power over the General Manager or Commissioner.

Mr. TRENWITH.—What did you intend?

Mr. FITZGERALD.—What I had in my mind was that those gentlemen should be consulted as to questions in regard to different departments of the railways; that the General Manager was to be supreme—he was to advise with them. If their advice was in opposition to his, he was to disregard their advice; but it was open to them on the minutes kept to record their advice, their reasons for that advice, and no more. That is my idea—if that can be called a controlling power.

Mr. TURNER and Mr. TRENWITH.—That is our idea.

Mr. FITZGERALD.—I may be as much at fault in gathering your meaning as you were in gathering mine—there is an essential difference. The impression left on my mind by what you have said is this, that

you want the General Manager to call into consultation the heads of several departments, two or three at a time ; he speaks to them on any subject he chooses to bring before them.

Mr. TURNER.—No.

Mr. FITZGERALD.—He consults them, say, about the traffic. No doubt in the world that opinion of the traffic would be limited to the head of that department. Minutes are kept of this conversation, but as to the general policy, as to the general action, or the carrying into effect of their advice as the result of those deliberations, those men would have nothing to do with it. The minutes of the meeting were recorded and the thing was over. In my case they were all consulting, and when I called the heads of the departments I consulted with them, thus thrashing out everything. Then the Commissioner was supreme, but in this case they had nothing to do with it.

Mr. TURNER.—That is exactly our idea of what we want to carry out.

Mr. ISAACS.—It is tweedledum and tweedledee.

Mr. SERVICE.—What is the difference between what I say and what Mr. FitzGerald says? You demur to what I said, and I think he proposed exactly what I did, and you receive it with applause.

Mr. TURNER.—Mr. FitzGerald referred to the heads of all departments.

Mr. BELL.—No, that was when he was putting your case.

Mr. FITZGERALD.—If I have offended I am sorry, but I shall decline to go over the same ground again.

Mr. TURNER.—You put the case clearly.

Mr. FITZGERALD.—I put both cases to the best of my ability.

Mr. TURNER.—Our case is this, that at least once a month this Commissioner must meet three of the permanent heads, and they must consult, not only on what he chooses to bring before them, but on every matter any one of them chooses to bring forward.

Mr. SERVICE.—They must consult and discuss, whether it is in their own department or any other.

Mr. TURNER.—Yes.

Mr. SERVICE.—Now we agree.

Mr. TURNER.—He must call three of them together ; he brings certain matters before them. They say—“In our opinion here is a matter we ought to discuss,” and they bring it forward, and then either postpone the consideration of it or send for the officers, and get all the information they can. Having got that, they discuss the matter among themselves, and they tender their advice to the Manager on that particular matter. Whether it be one he has introduced or that they have introduced, he has a perfect right to act on that advice or disregard it, as he thinks fit, but records are kept of that meeting, so that every advice tendered to him is there for all time, and when he disagrees with that advice he knows he has it recorded against him. We desire him to have this Board, so that he will have a selection from time to time of the various officers in the branches.

Mr. SERVICE.—We seem to be agreed on every question but one. You want a shifting Board, a floating Board of five heads of departments, of whom three, one after another, may be called, and you want them to perform precisely the functions that I referred to in my last remarks, so the only difference is that we want two or three of those men appointed permanently, with power to perform those duties exactly in the way you indicated. The difference, therefore, is that you have a movable Board instead of having one continuous Board that will sit from one end of the year to the other and become familiar with all the processes in the different departments. There is no difference as to the functions of the Board, and no difference as to the class of men to constitute the Board. We think they should be put in a position of somewhat more independence than you propose to put them in, but that is a trifling matter to break up a Conference of this sort about ; we are really within a hop, step, and jump of the thing, and it looks as if we were miles away.

Mr. TRENWITH.—There is an advantage in our proposal that, at any rate, it has not been tried and failed, a Board of five members, three of whom are to act. There is the disadvantage about your proposal, that it has been tried and found wanting—it is the condition that now prevails. We have in our Railway Department three Commissioners—to be more thoroughly correct, it is a condition that did prevail. Under the old Commissioners' Act we had Mr. Speight, the Chairman, who was supreme, and we had Messrs. Ford and Greene, who were his permanent advisers ; that is exactly the condition that prevailed, and it was found to be extremely undesirable. We think that by extending the area of advice we shall give the strong man who is Commissioner a very much wider range of advice.

Mr. SERVICE.—And lose the continuity.

Sir FREDERICK SARGOOD.—And weaken the responsibility.

Mr. TRENWITH.—With an Advisory Board, if you talk about responsibility you talk of something I do not understand—the responsibility must rest with the Commissioner. You think he may require advice ; our proposal provides him with wider and more extensive advice than your provision, with the advantage that in our present position when we find people demand a change in the hope that it may be something better—this is a change and yours is not. Mr. Service has said we are within hop, step, and jump of each other, we are very near, and it is surely a reason why in this connexion the Council Managers should come towards the Assembly Managers, because we are proposing something very near what the Council is asking, with the advantage that it is at least novel, that the Council's proposals are not novel, that they have had a trial, and have not been successful, and I think we are justified in urging it upon you in the spirit of concession. If the Conference has done anything at present it has been a Conference of concession from our side. Every concession has been made from the views held in the Assembly—you ask us to concede everything, but I respectfully submit that in this particular you are incurring no danger except the danger of larger and wider counsels. It has been said—I do not know that it has been unduly hackneyed—that “In the multitude of counsellors there is wisdom.”

Mr. SERVICE.—Councillors.

Mr. TRENWITH.—I do not think it meant Legislative Councillors, but I am speaking seriously. I feel earnestly on the matter, and when we are so near it would be a pity if this Conference ended in nothing. That ought not to be the position, and if it is it will be a great misfortune. We have given all the time this evening and made concessions that we think are very great, and that we thought first of all were better not to make if they could be avoided. We have done it in the interest of peace, and now we have given

every point that is asked, and if you gentlemen refuse to meet us on this point, and lead to the Conference breaking up without issue it will be an extreme misfortune, and I strongly urge you to come that length.

Mr. TUCKER.—I cannot see the difference between the two propositions, except a very slight one. We propose a permanent Board of Advice consisting of five heads of the departments, of whom three will form a quorum to advise, and you propose a permanent Board of two or three—the only difference is the difference of numbers.

Mr. FITZGERALD.—We do not name any number.

Mr. ISAACS.—If the only desire is that the Manager shall have the same men to advise him, he can take those men if he chooses.

Mr. SERVICE.—Therefore, you give him the option of doing the thing which, when we suggested it, was looked on as possibly destructive of the whole position.

Mr. ISAACS.—No ; he can select the three he thinks will give the best advice, instead of limiting him to two.

Sir JOHN McINTYRE.—Suppose you make the whole five a Board, three to form a quorum, that will make the whole five a consultative body.

Mr. BELL.—That is too many.

Sir JOHN McINTYRE.—You make them a permanent body then.

Mr. WALLACE.—Five are too many ; three are quite sufficient. If there had been half of us here to-night we should have settled this matter long since.

Mr. ISAACS.—We want it to be perfectly plain that it is only to be a consultative body.

Mr. FITZGERALD.—You must give them statutory rights.

Sir FREDERICK SARGOOD.—We are very firm in connexion with the question of statutory rights. We cannot recognise that an Advisory Board can discharge its duties fairly to itself or the public or to the General Manager if the members of that Board are simply appointed as ordinary officers of the Railway Department. We hold that they should have a tenure different from that, and that it must be something approaching to the tenure of the General Manager. I want to emphasize that we look on that as a most important matter, in fact, as the safeguard of the whole matter, and it is in accordance with what we understood.

Mr. TURNER.—It was never mentioned about giving them a fixed term ; if so, we should have objected to it at once.

Mr. FITZGERALD.—Then what was meant by the statutory power that was mentioned? It was put down by me as covering the ground.

Mr. TURNER.—They would be appointed under the statute.

Mr. FITZGERALD.—That is just saying that an Archdeacon is an Archdeacon, because he discharges archidiaconal functions.

Mr. TURNER.—The final offer I can make now is that, instead of leaving it to the Commissioner to call in any three, five should be appointed an Advisory Board, three to form a quorum, so that at all times the Manager must summon the whole five ; if the whole five choose to attend, well and good. If only three attend, he has a quorum ; that takes away the idea of a shifting Board, and the idea that the Commissioner can pick any three to advise him and pick the wrong three for purposes of his own. He is bound to summon the whole five, and if once a month is thought too long it may be altered to once a fortnight or once a week, if you like. We think that is giving a definite Board, a fair sized Board, not too many and composed of the men who have the threads in their own hands, and as heads of the important branches they have a knowledge of those different branches. They will meet, and if they want further information they will get reports from their subordinates, or the subordinates will be called in and examined. I think that is a fair compromise of the differences between us.

Sir FREDERICK SARGOOD.—What about statutory powers ?

Mr. TURNER.—They will tender their advice either on questions which the Commissioner asks them to advise about, or any question that any one of them chooses to bring up.

Sir FREDERICK SARGOOD.—Their tenure of office will be the same as now.

Mr. TURNER.—They are appointed by virtue of their office, and as long as they remain in that office they will be members of the Board.

Sir FREDERICK SARGOOD.—You offer the General Manager the power he has now, and something in addition.

Mr. TURNER.—We make it compulsory on him to do it. I thought at first it should be merely in the Department, but that did not appear to go far enough to please our friends opposite, who wanted it compulsory that this Board must be formed. We are willing to concede that it shall be formed compulsorily of the permanent heads of the five branches. The whole five to be summoned on every occasion and tender their advice on anything they like ; all those things shall be recorded, and the onus thrown on the Chief Manager of accepting their advice or rejecting it.

Mr. SERVICE.—I rise to move the adjournment of the debate.

Mr. FITZGERALD.—Any one who cannot see the difference must be very dull. Here you have what is simply asking practically for a continuation of the same thing, only you have one Commissioner instead of three. You have a Commissioner or General Manager, and you give him sole control. This Advisory Board implies, according to Mr. Turner, with statutory powers, meaning that they are created under a statute and no more. That is a limitation somewhat novel to me. Those heads of the departments meet, and they record the proceedings. I ask, what confidence will the public have in that ? What is this Advisory Board? it is a very useless buffer indeed ; in my opinion it is a perfect farce. Those men are there and can record their honest opinion ; they are not included as public servants. The Traffic Manager, for instance, could be turned over to another department to-morrow. I say that this meeting of the Advisory Board is no more than the Commissioner asking the present heads of departments what do they think about a certain change.

Sir JOHN McINTYRE.—You are utterly wrong—if you want co-ordinate powers you make a great mistake. We have been asked for years for a General Manager having absolute power, and it is the danger of interference from outside that has been spoken of, and we are giving an Advisory Board of experts within the Department itself.

Mr. TURNER.—Nothing can be gained by an adjournment ; we have made our last offer.

Mr. SERVICE.—I do not think you have offered anything.

Mr. TURNER.—We do not want it to be said hereafter that we did not do everything in our power to bring this Conference to an amicable ending, and though we feel very strongly it ought to be settled to-night, if you desire an adjournment to to-morrow we will not object to it. We want it distinctly understood that we have gone the full length we can. The only question our friends on the other side have to consider is whether they will accept or reject the last proposal I have made. I have gone somewhat beyond what some of my colleagues were prepared to go when we consulted together, but I was anxious to have it settled, and I leave it in the hands of the Council, and trust they will consult and see their way to accept the proposal.

Mr. SERVICE.—I desire to express our satisfaction that you have agreed to an adjournment, and to assure you that it is not with a view of delaying the matter, but if possible, to arrive at a settlement.

Adjourned to to-morrow, at Eleven o'clock.

FRIDAY, 21st FEBRUARY, 1896.

Present :

Council.

The Hon. J. H. Abbott
The Hon. J. Bell
The Hon. E. J. Crooke
The Hon. N. FitzGerald
The Hon. D. Ham
The Hon. J. Service
The Hon. Lieut.-Col. Sir F. T. Sargood,
K.C.M.G.
The Hon. N. Thornley
The Hon. J. A. Wallace.

Assembly.

The Hon. G. Graham
The Hon. I. A. Isaacs
The Hon. Sir John McIntyre
T. Smith, Esq.
The Hon. G. Turner
W. A. Trenwith, Esq.
The Hon. A. L. Tucker
The Hon. W. T. Webb
The Hon. H. R. Williams.

Sir FREDERICK SARGOOD.—When we adjourned last night I think we had arrived at a point with regard to the question of an Advisory Board. Perhaps, before dealing with that again, it would be as well for us to review what we have agreed on, as I understand it. The first point is with regard to the General Manager, whether you call him Commissioner or General Manager ; we understand the Ministry is to have unlimited power of selection.

Mr. TURNER.—Yes.

Sir FREDERICK SARGOOD.—And that necessarily carries with it the question of an increased salary.

Mr. TURNER.—Not necessarily.

Sir FREDERICK SARGOOD.—That necessarily carries with it the power to give increased salary if the Ministry think fit.

Mr. TURNER.—No ; that is a question for the Assembly absolutely.

Mr. SERVICE.—I deny that.

Mr. ISAACS.—That was admitted last night.

Mr. SERVICE.—I beg your pardon. I stated distinctly that our House has as much to do with bringing a money Bill into law as the other House has, and that therefore it was of as much importance that we should have a sound understanding between us on that point as upon any other point that may arise. We are not disputing your power to deal with what in a Parliamentary sense we know your House only can introduce ; but the understanding, I thought, arrived at last night was that the Ministry would be at liberty, having the area of selection extended, to increase the hitherto proposed salary to enable them to secure the right man.

Mr. GRAHAM.—Oh, no.

Mr. SERVICE.—There is no intention on our part to dictate to the Ministry. All we want is that the Ministry will ask for the necessary power, if required.

Mr. TRENWITH.—That is a question that must not be discussed here. The question of salary has nothing to do with another place. I respectfully submit it is a question entirely in the hands of the Assembly. The other place can, if it thinks the salary insufficient or too much, or has any objection to it at all, reject it, but it is not a matter of discussion in the other place any further than that, and I, for one, cannot submit to its being discussed at this Conference.

Sir FREDERICK SARGOOD.—I am sorry Mr. Trenwith has misunderstood our intentions in this matter. We have not the slightest wish, directly or indirectly, in the faintest way to interfere with the privileges of the Assembly.

Mr. TRENWITH.—Can we discuss that here ?

Sir JOHN MCINTYRE.—Then why do you desire an expression of opinion on that if you do not desire to interfere with it ?

Sir FREDERICK SARGOOD.—I understood that the one practically carried the other last night.

ASSEMBLY MEMBERS.—No.

Sir FREDERICK SARGOOD.—That the increased area of selection would of necessity require an increased salary.

Mr. TRENWITH.—That is for the Assembly to decide on.

Mr. FITZGERALD.—When those conditions were mentioned last night, I asserted distinctly, that it was no use widening the area if attached to a salary that would not permit of free choice; therefore we are discussing not a question of amount but a question of policy, which involves money. For that reason the Managers of the Legislative Council did not name or suggest any sum, but we certainly think we have a perfect right, constitutionally and every other way, to assert, as a distinct prerogative of ours, that the general policy of an increase of salary corresponding with an enlargement of the area is within our province.

Sir JOHN McINTYRE.—Is it fair for you to raise a question of this kind now? It is really going back to an old political fight that is not necessary. Do we desire to settle this railway question on reasonable terms?

Mr. FITZGERALD.—That is exactly what we ought to ask you.

Sir JOHN McINTYRE.—We have met you in every possible way, and I do not know what you are asking for. If you say this large increase must take place, it necessarily follows, after what we have decided on, when the measure comes before you you have to deal with it, but let us see whether we are going to have an Advisory Board or not, or a new system of railway management at all.

Mr. FITZGERALD.—I am sorry to say, Sir John, you seem not to realize the importance of this. If your advice were acted on it could be charged rightly to the Legislative Council that they were raising a constitutional difficulty. Here is an opportunity, and the right time in my opinion, when the Council should ask the Assembly, in all courtesy, to bear in mind that the wish of the Council on this is in a certain direction. We are not infringing on your privileges, but merely saying that corresponding to the enlargement of the area must be the rate of salary.

Sir JOHN McINTYRE.—You want us to say that we are in favour of that view and we cannot.

Mr. TRENWITH.—You are asking us to hear a thing that we have no right to discuss.

Mr. SMITH.—And which we will not discuss.

Mr. SERVICE.—It was distinctly stated last night that the salary should be increased.

Mr. TURNER.—I was particularly careful about that. I told you distinctly that the question of salary was more for the Assembly to reconsider if it thought fit.

Mr. SERVICE.—We have not questioned that.

Mr. TURNER.—And that when the Bill was sent to you, if it was not satisfactory to your Chamber, you had the perfect right to reject it. Then I was twitted by Mr. FitzGerald with telling him some constitutional principles which you all know, but I want it on record that I now distinctly say we have no authority from our Chamber and do not intend to discuss the question of salary. That must be left absolutely out of this Conference altogether. When we come to ask the Assembly to reconsider the question of the extension of area, it is for us to bear in mind and decide whether we will ask the Assembly to reconsider the question of salary. As one of the Managers, I decline to go into that question at this Conference, because I will not allow it to be said by any one that the Managers of the Assembly have allowed the Managers of the Council to interfere with the prerogative of the Assembly as far as money is concerned. If you ask us to give such a pledge it will be said we are giving it at the dictation of the Council, therefore the question of salary must be left out of consideration at this Conference altogether, and it will be absolutely then in the hands of those who introduced the question into the Assembly to say whether they will or not ask the Assembly to reconsider the question.

Mr. ISAACS.—As I understand it, it must be left to the Assembly to say whether they will reconsider it, and if they choose to reconsider it then they will do so, and they are not to be fettered here, even by discussion of the matter. It is a matter absolutely and peculiarly within the province of the Assembly to deal with if it chooses, or to leave it alone if it chooses.

Mr. SERVICE.—We admit at once that it is within your legitimate functions to define the extent of your commission; therefore, if you say you will not discuss this point you are entitled to do so, so we cannot insist on discussing the question if you choose not to; but it throws the thing entirely back this way—supposing you go to the trouble of passing it in another place, then the Bill comes up to us, and although we have agreed on all the other points we find we disagree very strongly on this, and all the labour will be lost. I need not say that I do not concur at all in the extreme view that is taken of the privileges of the one House or the other in connexion with a Conference of this sort. I think an indication on the part of the Assembly, if they thought fit to make an indication, that the salary would not stand in the way of getting the best man in the interests of the country, would be a very desirable thing to give, and it could be given without, in my opinion, trenching in the slightest degree on the privileges of the Assembly. I understood that those privileges were confined to the walls of the respective Houses, and that in a Conference of this sort we could talk about any matter under the sun.

Mr. TURNER.—Do you expect us to say the Assembly will increase this amount?

Mr. SERVICE.—No, certainly not.

Mr. TURNER.—I think we had better leave the question of salary out of consideration altogether; if we are to come to any decision on the other points we can decide on them and leave the question of salary an open one.

Mr. SERVICE.—It is a very important question with us, for this simple reason—I think we have pretty much come to this conclusion—I am not speaking of the Council only, but of the outside public and some Members of the Assembly themselves—

Mr. WEBB.—You mistake them completely.

Mr. SERVICE.—Why am I interrupted by an ex-Minister?

Mr. WEBB.—I thought the Premier gave his ultimatum last night.

Mr. SERVICE.—We have come to the conclusion that it will be impossible to get a suitable man to work under this Bill at the limit of salary formerly proposed in the Assembly—I think that feeling is general. I think that opinion is shared in by the Honorable the Premier himself, though of course he will not avow it, and I can see nothing derogatory to the Assembly as to their principles in connexion with money matters in indicating (of course if you say this is not within your function there is an end of it) that a few pounds will not stand between us and a good man. I do not wish to argue this out, or desire that

we shall be, as it were, tramping on each other's corns as to money matters—we want to avoid that, but it appears to me we can assert or defend the privileges of the Council or Assembly only within the walls of Parliament.

Mr. TURNER.—We propose to leave it that way, not to interfere with the question of salary at all. That will be for the Assembly to deal with as it likes, and it will be for your House when you receive the amended Bill to deal with it as you think best in the public interest.

Mr. SERVICE.—If that is your conclusion, it is no good saying any more. I think it is an unhappy conclusion.

Sir FREDERICK SARGOOD.—I am sorry this was brought up, because it is not what I thought was agreed on last night. We agree as to the General Manager, that the Minister shall have unlimited power of selection.

Mr. TURNER.—Yes.

Sir FREDERICK SARGOOD.—The General Manager to be appointed for seven years, and removable only in accordance with the provisions of the existing Act, No. 1250.

Mr. TURNER.—The existing law provides that the Commissioner is to hold office for a term not exceeding seven years; that was the compromise arrived at when we had a previous Conference. Now we have followed that out exactly in our Bill, and have not interfered with that in any shape or form. We say there shall be one Commissioner instead of three, and all the provisions applying to three shall apply to one, and that the term of appointment shall not exceed seven years.

Sir FREDERICK SARGOOD.—It might be twelve months.

Mr. TURNER.—It might be. This is an attempt to override what was decided on at the previous Conference.

Sir FREDERICK SARGOOD.—No; when you discussed it last night, seven years was mentioned.

Mr. TRENWITH.—Not exceeding seven years.

Mr. ISAACS.—Five or seven.

Sir FREDERICK SARGOOD.—No.

Mr. TURNER.—There is no justification for altering the existing law that I know of.

Sir FREDERICK SARGOOD.—I think that will do.

Mr. FITZGERALD.—I confess I do not feel that this question of the tenure is as unimportant as my friend, Sir Frederick Sargood, would imply. I say that it is absolutely essential to the proper condition and to the working of these railways, if we are to indulge any hope at all that a change will be productive of good, and stop the leak that we all so much regret, to make the surroundings of the appointment such as will afford the country the utmost security that the best man will be found. It will be within our recollection that recent circumstances must have shaken the confidence of any men as to the security of the position they are asked to take here. Whether the views of one side or the other are correct, the impression of those at home, or in other countries, who read of our proceedings must be, that the man who comes out here will have to face a very difficult problem. It therefore becomes very important for that man to know that in the exercise of his functions as Commissioner of Railways he is secure in his position for a term of seven years.

Mr. GRAHAM.—Whether he is suitable for the position or not?

Mr. FITZGERALD.—The position is hedged round by this, that if in the opinion of Parliament he is not fit, we can get rid of him, and he accepts the position on those conditions.

Mr. GRAHAM.—Then why not allow the existing Act to stand?

Mr. FITZGERALD.—Because the circumstances are different now.

Mr. TRENWITH.—This is a new point. Last night we left here with the understanding that the Commissioner was to be appointed under the provisions of the present Act.

Mr. FITZGERALD.—Never.

Mr. TRENWITH.—That was the language that was used repeatedly.

Sir FREDERICK SARGOOD.—You are absolutely incorrect as quoted from this document, it was "only removable" in accordance with the provisions of the existing Act.

Mr. TRENWITH.—The whole understanding last evening was that the Commissioner was to be appointed in accordance with the provisions of the existing Act.

Sir FREDERICK SARGOOD.—I am sure you are wrong.

Mr. FITZGERALD.—The point was mentioned and never objected to.

Mr. TRENWITH.—If we are to move from point to point there will be no end to the proceedings.

Mr. TURNER.—If any Member of the Council had said that you wanted to alter the existing law, it would have been at once objected to by this side.

Sir FREDERICK SARGOOD.—While we think in the interests of the country it should not be less than seven years, and while we hope the Government will see that, we are quite prepared to accept the existing conditions.

Mr. FITZGERALD.—I reserve the fullest right in my place in the House to endeavour to impress honorable Members there that they are making a mistake if the term of office is not definitely fixed.

Sir JOHN McINTYRE.—There will be a number of reservations.

Sir FREDERICK SARGOOD.—The next item we agreed on is clause 13 to be eliminated.

Mr. TURNER.—Agreed to.

Sir FREDERICK SARGOOD.—Then reference was also made to clause 11; that is, as to appeals of officers and employés. Our recommendation was that the appeals from officers and employés should be dealt with by the General Manager and the Board. The discussion did not continue very long last night on that. I may state that this was not one of the reasons we gave in sending down the Bill to the Assembly, and therefore we do not feel justified in pressing it, but at the same time I am desired to call attention to the fact that this is a point the Council will feel at liberty to deal with when the Bill comes up. The reason of that is, the original Act provided that all appeals should be heard by the three Commissioners; that was found to be so inconvenient, and took up so much time that in 1891 it was altered, so that all minor appeals at that time should be to one Commissioner, and any other to two, whose decision was final; and now this clause 11 provides that there shall be a Board of six, and the novel idea is introduced that there shall be a representative of the party charged.

Mr. GRAHAM.—Of the employés.

Sir FREDERICK SARGOOD.—That is practically the same thing. And that a majority of this Board shall decide in the case of dismissals, subject to an appeal to the Commissioner; a more cumbersome way of dealing with the discipline of the Department I cannot conceive, and I do not hesitate to say that it will utterly break down just as the original hearing by three Commissioners broke down. I merely mention this so that Members of the Assembly may not say when we deal with this in the Council later on that this was conceded at the Conference. The only other matter is the question of an Advisory Board.

Mr. TURNER.—Before that, are we to understand that after this Conference the Council is going through the Bill clause by clause and re-opening the whole question?

Sir FREDERICK SARGOOD.—Not the whole question.

Mr. TURNER.—You mention that you are going to deal with clause 11. It will be quite competent for any other Member of the Chamber to deal with clause 1 or clause 20 or 30. We were under the impression that you had done that, and that you had sent the amendments to our House, and that those amendments were the only points we had to consider.

Sir FREDERICK SARGOOD.—We did strike that out.

Mr. ISAACS.—I also understood that the points that you wished us to consider last night were stated by honorable gentlemen opposite, and that this one was abandoned by you.

Sir FREDERICK SARGOOD.—No, it was not followed out.

Mr. ISAACS.—You said you would not insist on it; we noted that at the time.

Mr. FITZGERALD.—Oh, no; if you noted it, with all respect to you, you noted it wrongly. It was stated by Sir Frederick Sargood, and you said this was the raising of a new point—it was not mentioned before the adjournment.

Mr. ISAACS.—My impression is it was not mentioned in the exact words, but that was understood.

Sir JOHN MCINTYRE.—I think we cannot expect the gentlemen opposite to say that the Council or the Members of the Assembly shall not discuss different matters. There is, however, no necessity to raise this question at all—whatever we may determine on, we cannot shut the mouths of honorable Members.

Mr. ISAACS.—I thought the Conference was to consider the points in dispute.

Sir JOHN MCINTYRE.—Sir Frederick Sargood says there may be a discussion on these points; they may deal with them again.

Mr. BELL.—You cannot prevent them.

Mr. TURNER.—The other question is the Board.

Sir FREDERICK SARGOOD.—As to a Board, the position is this: The Council proposed that there should be an Advisory Board, consisting of at least two of the officers of the Department, to be appointed for a fixed term of not less than five years, with statutory powers, and removable in the same manner as the General Manager. On the other hand, the Premier proposed ultimately that there should be a Board consisting of five officers, three to form a quorum, who should sit from time to time, and not less than once a month with the General Manager; minutes of the proceedings to be kept, but that Advisory Board not to have any power of vetoing the General Manager.

Mr. TURNER.—That is correct.

Sir FREDERICK SARGOOD.—We are in this position then; we are of opinion that ours is a better plan than yours. We are strongly of opinion that a Trust is a better plan than either, and it will be ultimately found that a Trust is the only practical way in which these railways can be ever made to pay. But we are anxious also that something should be done at the present time in the direction of railway legislation, and as you gentlemen seem to think that this Advisory Board of five officers, three to form a quorum, will carry out some good results, with which I may say we do not in the slightest agree, still we are prepared to yield that point. But it must be clearly understood that it is not our conviction as to what should be done in the best interests of the public and the railways. We still believe in what the Government originally proposed, and which was the outcome of what was said by 44 expert witnesses before the Railway Inquiry Board, 40 of whom were unanimously in favour of a commercial Board or Trust. Under those circumstances we feel that, while still holding strongly to the opinion that a Trust is the right thing, and will ultimately be found the only practicable way of bringing the railways into a satisfactory state, we are prepared to meet your views and concede that point.

Mr. TURNER.—That there shall be a General Manager to be called a Commissioner, and that the Government are to have unlimited power as to his selection; clause 13 of the Bill to be struck out, and an Advisory Board to be formed.

Sir FREDERICK SARGOOD.—Have you any objection to put in there a clause that the Assembly will be asked to increase the salary?

Mr. TRENWITH.—We cannot discuss that point.

Mr. TURNER.—We decidedly object to that.

Sir FREDERICK SARGOOD.—I will not press it.

Mr. TURNER.—The next is that at least once in each month the Commissioner shall call together the following officers:—The Engineer-in-Chief, the Secretary for Railways, the Chief Mechanical Engineer, the Engineer for Existing Lines, and the Traffic Manager for the purpose of consultation, three to form a quorum, to discuss all matters brought forward either by the Commissioner or by any of the officers present; a record to be kept of all their meetings.

Sir FREDERICK SARGOOD.—There is just one little difficulty that has occurred to me. You say that the Commissioner is to summon the Engineer-in-Chief, but the Engineer-in-Chief by the 1891 Act was taken away from the control of the Commissioners and put under the Construction branch.

Mr. TURNER.—As he is not under joint control, even if that be so, this would be a later Act and the Commissioner would have power to summon him under this Act.

Sir FREDERICK SARGOOD.—It says—"The Engineer-in-Chief shall be transferred to the employment of the Board."

Mr. TURNER.—And there is another section providing for the use of the officers jointly.

Sir FREDERICK SARGOOD.—However, there is no practical difficulty in that.

Mr. TURNER.—I know of nothing else.

Mr. TURNER recapitulated the heads of the agreement he had already stated.

Sir FREDERICK SARGOOD.—May I, on behalf of the Managers of the Council, thank you and your co-Managers for the satisfactory conclusion that we have arrived at? It may not be all that either side wishes; but we have hope that it will benefit the railways, and so benefit the public at large. I hope that all future Conferences may terminate as satisfactorily as this one.

Mr. TURNER.—On behalf of the Members of the Assembly, I desire to thank those who are representing the Council here for the very kindly manner in which they have met us and discussed this question. We thought it was a wise course to take. Although the disagreement between us appeared to be very large, we thought that when we sat for a few hours to discuss it probably we would be able to arrive at a decision, which, though not giving either party all they expected to get, would afford the basis of a satisfactory arrangement, and I sincerely trust that after we have given a trial to this we will find that it is a great improvement and that there will be no further necessity to alter the law in regard to the railways.

Conference closed.

1895.
VICTORIA.

REPORT

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON THE

ELECTRIC LIGHT AND POWER BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE AND MINUTES OF EVIDENCE.

Ordered to be printed, 29th October, 1895.

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EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS
OF THE LEGISLATIVE COUNCIL.

TUESDAY, 20TH AUGUST, 1895.

7. ELECTRIC LIGHT AND POWER BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable H. Cuthbert moved, That this Bill be now read a second time.
- Debate ensued.
- Question—put and resolved in the affirmative.—Bill read a second time.
- The Honorable H. Cuthbert moved, That this Bill be committed.
- Question—put and resolved in the affirmative.
- The Honorable H. Cuthbert moved, That the Bill be committed to a Select Committee.
- Question—put and resolved in the affirmative.

TUESDAY, 27TH AUGUST, 1895.

5. ELECTRIC LIGHT AND POWER BILL.—The Honorable H. Cuthbert moved, by leave, That the Select Committee on the Electric Light and Power Bill consist of the Honorables J. H. Abbott, J. Balfour, J. Bell, S. Fraser, J. H. Grey, W. McCulloch, A. O. Sachse, Lieut.-Col. Sir F. T. Sargood, N. Thornley, and the Mover, such Committee to have power to send for persons, papers, and records, and to move from place to place; three to be the quorum.
- Question—put and resolved in the affirmative.
- * * * * *
14. ELECTRIC LIGHT AND POWER BILL—MEMBER DISCHARGED.—The Honorable H. Cuthbert moved, by leave, That the Honorable W. McCulloch be discharged from attendance on the Select Committee on the Electric Light and Power Bill.
- Question—put and resolved in the affirmative.
15. ELECTRIC LIGHT AND POWER BILL—MEMBER APPOINTED.—The Honorable H. Cuthbert moved, by leave, That the Honorable F. S. Grimwade be a Member of the Select Committee on the Electric Light and Power Bill.
- Question—put and resolved in the affirmative.
16. ELECTRIC LIGHT AND POWER BILL—QUORUM.—The Honorable H. Cuthbert moved, by leave, That the quorum of the Select Committee on the Electric Light and Power Bill be five instead of three as previously ordered.
- Question—put and resolved in the affirmative.

TUESDAY, 3RD SEPTEMBER, 1895.

7. ELECTRIC LIGHT AND POWER BILL—MEMBER DISCHARGED.—The Honorable H. Cuthbert moved, by leave, That the Honorable S. Fraser be discharged from attendance on the Select Committee on the Electric Light and Power Bill.
- Question—put and resolved in the affirmative.
8. ELECTRIC LIGHT AND POWER BILL—MEMBER APPOINTED.—The Honorable H. Cuthbert moved, by leave, That the Honorable D. E. McBryde be a Member of the Select Committee on the Electric Light and Power Bill.
- Question—put and resolved in the affirmative.

TUESDAY, 10TH SEPTEMBER, 1895.

13. ELECTRIC LIGHT AND POWER BILL—POWER TO HEAR COUNSEL.—The Honorable H. Cuthbert moved, by leave, That all Petitions presented to this House relating to the Electric Light and Power Bill be referred to the Select Committee on the Bill, and that the Committee have power to hear counsel (to such extent as they shall think fit) on behalf of such petitioners.
- Question—put and resolved in the affirmative.

REPORT.

THE SELECT COMMITTEE appointed by your Honorable House on the 27th August, 1895, and to whom was referred "A Bill to facilitate and regulate the supply of Electricity for Lighting and for other purposes," have the honour to report as follows:—

Your Committee have taken a considerable amount of evidence from witnesses representing the different municipal and public lighting bodies interested in the Bill, and also from the postal authorities, and have given careful consideration to the suggestions made in connexion therewith.

Your Committee arrived at the following resolutions:—

- (1) That it will be to the public interest for municipalities to be empowered to provide electric light and power for both public and private purposes.
- (2) That the Bill should provide in the case of private and public electric light and power companies—
 - (a) That existing companies shall have the option of applying for an order permitting them to supply electric light and power for both public and private purposes from their main leads, existing at the date of the introduction of the Bill, for a period of 25 years under the same conditions as to the renting of poles, &c., as are now enjoyed by the said companies.
 - (b) That the said companies shall have power to apply for an order to extend their main leads beyond the limit granted under clause (a), and such order shall be for the term of 25 years.
 - (c) That the said companies at the end of 25 years may apply for a renewal order under the Bill.
 - (d) That municipalities shall have power to purchase the lands, buildings, material, plant, and wires of any existing company—

By giving six months' notice within two years from the date of the passing of the Act, or

By a similar notice at the expiration of the twelfth and twenty-fifth years.

Mode of Valuation as per Bill:—

If purchased within two years to pay the valuation plus 10 per cent.

If purchased after twelve years to pay the valuation plus 5 per cent.

If purchased after 25 years to pay the valuation only.

To these resolutions effect is given which will be found incorporated in the Bill attached.*

[* NOTE.—The Bill as amended has already been issued as a separate Paper.]

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 28TH AUGUST, 1895.

Members present :

The Hon. J. Bell J. H. Abbott A. O. Sachse		The Hon. N. Thornley F. S. Grimwade H. Cuthbert.
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The Clerk read extracts from the Minutes of the Proceedings of the 27th August referring to the appointment of the Committee.

The Hon. H. Cuthbert was called to the Chair.

Petitions from the Corporation of the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, and from the Metropolitan Gas Company, which were referred by the Council to the Committee, were laid before the Committee.

The Committee deliberated.

Ordered—That the Corporation of the City of Melbourne and the Metropolitan Gas Company be invited to be present on Wednesday next, at half-past Two o'clock.

The Committee adjourned until Wednesday next, at half-past Two o'clock.

WEDNESDAY, 4TH SEPTEMBER, 1895.

Members present :

The Hon. H. CUTHBERT, in the Chair ;

The Hon. J. H. Abbott D. E. McBryde Lieut.-Col. Sir F. T. Sargood J. H. Grey		The Hon. A. O. Sachse J. Bell J. Balfour.
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The Clerk read extracts from the Minutes of the Proceedings of the 3rd September, with reference to Petitions from the municipal councils of Fitzroy, Prahran, Footscray, the A. U. Alcock Electric Light and Motive Power Company, Limited, the New Australian Electric Company, Limited, and from J. H. Maddock, Chairman of the Municipal Conference.

The Petitions were laid before the Committee.

The Committee deliberated.

The counsel and parties were called in.

Mr. Box appeared on behalf of the Corporation of the City of Melbourne.

Mr. Topp appeared on behalf of the Metropolitan Gas Company.

Mr. Box was heard to address the Committee.

The Committee adjourned until Wednesday next, at half-past Two o'clock.

WEDNESDAY, 11TH SEPTEMBER, 1895.

Members present :

The Hon. H. CUTHBERT, in the Chair ;

The Hon. J. H. Abbott Lieut.-Col. Sir F. T. Sargood D. E. McBryde N. Thornley		The Hon. F. S. Grimwade J. Bell J. Balfour A. O. Sachse.
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The Clerk read extracts from the Minutes of the Proceedings of the 10th September, with reference to the power of the Committee to hear counsel.

The Committee deliberated.

The counsel and parties were called in.

Mr. Box was heard to address the Committee.

Mr. Topp was heard to address the Committee.

The Hon. J. Balfour here entered the room and took his seat.

The Hon. A. O. Sachse here entered the room and took his seat.

Mr. Box was heard to address the Committee.

Mr. Maddock was heard to address the Committee.

The Committee adjourned until Wednesday next, at half-past Two o'clock.

WEDNESDAY, 18TH SEPTEMBER, 1895.

Members present :

The Hon. H. CUTHBERT, in the Chair ;	
The Hon. J. H. Abbott N. Thornley	The Hon. Lieut.-Col. Sir F. T. Sargood F. S. Grimwade.

The counsel and parties were called in.

Mr. J. Dennistoun Wood appeared on behalf of the A. U. Alcock Electric Light and Motive Power Company, Limited.

John Clayton examined by Mr. Box.

Witness examined by Mr. Wood.

Witness examined by Mr. Maddock.

Witness examined by the Committee.

The Committee adjourned until Wednesday next, at Three o'clock.

WEDNESDAY, 25TH SEPTEMBER, 1895.

Members present :

The Hon. H. CUTHBERT, in the Chair ;	
The Hon. J. Balfour Lieut.-Col. Sir F. T. Sargood D. E. McBryde	The Hon. A. O. Sachse J. Bell F. S. Grimwade.

The counsel and parties were called in.

Mr. J. Dennistoun Wood stated that he also appeared for the New Australian Electric Company, Limited.

Arthur James Arnot examined by Mr. Box.

The Hon. J. Bell here entered the room and took his seat.

Examination of witness continued.

The Hon. F. S. Grimwade here entered the room and took his seat.

Witness examined by Mr. Wood.

Witness further examined by Mr. Box.

Witness examined by the Committee.

John Clayton further examined by Mr. Box.

Witness further examined by Mr. Wood.

Mr. Wood was heard to address the Committee.

William Charles Kernot examined by Mr. Wood.

Witness examined by Mr. Box.

The Committee adjourned until Wednesday next, at Three o'clock.

WEDNESDAY, 2ND OCTOBER, 1895.

Members present :

The Hon. H. CUTHBERT, in the Chair ;	
The Hon. Lieut.-Col. Sir F. T. Sargood J. H. Abbott D. E. McBryde N. Thornley	The Hon. J. Balfour J. Bell A. O. Sachse F. S. Grimwade.

The counsel and parties were called in.

William Charles Kernot examined by Mr. Maddock.

The Hon. J. Bell here entered the room and took his seat.

Examination of witness continued.

Alfred U. Alcock examined by Mr. Wood.

Witness examined by Mr. Box.

Witness examined by Mr. Maddock.

Witness examined by the Committee.

Walter J. Anderson examined by Mr. Wood.

Witness examined by the Committee.

Mr. Box was heard to address the Committee.

The Hon. A. O. Sachse here entered the room and took his seat.

Mr. Maddock was heard to address the Committee.

Mr. Wood was heard to address the Committee.

John Hinde examined by Mr. Maddock.

The Hon. F. S. Grimwade here entered the room and took his seat.

James Street examined by Mr. Maddock.

Witness examined by the Committee.

Arthur Batson examined by Mr. Maddock.

Witness examined by Mr. Wood.

Witness examined by the Committee.

Arthur James Arnot examined by Mr. Maddock.

Witness further examined by Mr. Wood.

Witness further examined by Mr. Box.

The Committee adjourned until Wednesday next, at Three o'clock.

WEDNESDAY, 9TH OCTOBER, 1895.

Members present :

The Hon. H. CUTHBERT, in the Chair ;

The Hon. Lieut.-Col. Sir F. T. Sargood
D. E. McBryde
J. Bell

The Hon. F. S. Grimwade
J. Balfour.

The counsel and the parties were called in.
Francis Wilson Niven examined by the Committee.
The Hon. J. Balfour here entered the room and took his seat.
Ferguson Henry Tuthill examined by the Committee.
Witness examined by Mr. Box.
George Smibert examined by the Committee.
Witness examined by Mr. Box.
Witness examined by Mr. Wood.
Alfred Clayton examined by Mr. Maddock.
T. Gittus examined by Mr. Maddock.
Witness examined by Mr. Wood.
Frederick George Miles examined by Mr. Maddock.
John Clayton further examined by Mr. Box.
Witness further examined by the Committee.
Mr. Box was heard to address the Committee.
The Committee adjourned until Monday next, at Three o'clock.

MONDAY, 14TH OCTOBER, 1895.

Members present :

The Hon. H. CUTHBERT, in the Chair ;

The Hon. J. H. Abbott
Lieut.-Col. Sir F. T. Sargood
D. E. McBryde

The Hon. F. S. Grimwade
J. Bell
N. Thornley.

The Committee deliberated.
George Smibert further examined by the Committee.

Resolved—

1. That it will be to the public interest for municipalities to be empowered to provide electric light and power for both public and private purposes.
2. That the Bill should provide in the case of private and public electric light and power companies—
 - (a) That existing companies shall have the option of applying for an order permitting them to supply electric light and power for both public and private purposes from their main leads, existing at the date of the introduction of the Bill, for a period of 25 years under the same conditions as to the renting of poles, &c., as are now enjoyed by the said companies.
 - (b) That the said companies shall have power to apply for an order to extend their main leads beyond the limit granted under clause (a), and such order shall be for the term of 25 years.
 - (c) That the said companies, at the end of 25 years, may apply for a renewal order under the Bill.
 - (d) That municipalities shall have power to purchase the lands, buildings, material, plant, and wires of any existing company—

By giving six months' notice within two years from the date of the passing of the Act, or

By a similar notice at the expiration of the twelfth and twenty-fifth years.

Mode of Valuation as per Bill:—If purchased within two years to pay the valuation plus 10 per cent. If purchased after twelve years to pay the valuation plus 5 per cent. If purchased after 25 years to pay the valuation only.

The Committee adjourned until Monday next, at Three o'clock.

MONDAY, 21ST OCTOBER, 1895.

Members present :

The Hon. H. CUTHBERT, in the Chair ;

The Hon. Lieut.-Col. Sir F. T. Sargood
J. Balfour
J. Bell

The Hon. N. Thornley
F. S. Grimwade
A. O. Sachse.

The Chairman submitted Schedule of amendments to the Bill.
The Committee deliberated.
Certain of the amendments were adopted.
The Committee adjourned until Wednesday next, at Three o'clock.

WEDNESDAY, 23RD OCTOBER, 1895.

Members present :

The Hon. H. CUTHBERT, in the Chair ;

The Hon. Lieut.-Col. Sir F. T. Sargood	The Hon. F. S. Grimwade
J. H. Abbott	J. Balfour.

The Hon. Lieut.-Col. Sir F. T. Sargood submitted amendments in the Bill.

The Committee deliberated.

Certain of the amendments were adopted.

The Committee adjourned.

TUESDAY, 29TH OCTOBER, 1895.

Members present :

The Hon. H. CUTHBERT, in the Chair ;

The Hon. J. H. Abbott	The Hon. Lieut.-Col. Sir F. T. Sargood
N. Thornley	F. S. Grimwade.

The Chairman submitted the Draft Report and the amended Bill, which were amended and agreed to.

The Committee deliberated.

Ordered—That the Chairman report to the Council.

The Committee adjourned.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

WEDNESDAY, 11TH SEPTEMBER, 1895.

Members present :

The Hon. H. CUTHBERT, in the Chair ;

The Hon. J. H. Abbott	The Hon. F. S. Grimwade
N. Thornley	J. Bell
D. E. McBryde	J. Balfour
Lieut.-Col. Sir F. T. Sargood	A. O. Sachse.

The counsel and parties were called in.

Mr. Box appeared for the City Corporation of Melbourne.

Mr. Topp appeared for the Metropolitan Gas Company.

Mr. Maddock appeared for the remainder of the petitioning municipalities.

Mr. Topp was heard to address the Committee. He said the capital of the Metropolitan Gas Company amounted to £2,124,634. The paid-up capital of the company was £857,210; and the debentures, a large number of which had been issued to English creditors of the company, amounted to £857,000, so anything detrimental to the company would injuriously affect the people in England who had taken up those debentures. In addition to that there were premiums on shares issued by the company amounting to £410,424 10s. 10d. This corporation was created by Act of Parliament in 1877, and took over the business of the three companies then in existence, and, being an enormous trading corporation, its reputation as a financial venture was of vast importance to the colony. The main objection that the company had was to a clause copied from an English Act of Parliament. He did not know that we were bound to slavishly copy the English Act. The mere fact that this particular clause was copied from the English Act should not sway the Committee unless they could see that the conditions were similar. The clause referred to was sub-clause 1 of section 6, which said—"Subject to this Act the Governor in Council may from time to time by order authorize any council, company, or person to supply electricity for any public or private purposes." The company did not object to the public purpose, but, under this clause, any council could become a trading corporation and supply electricity to private people, and compete most injuriously with the Gas Company, because, by this Act, electric lighting was made in the nature of a permanent work done by the municipal corporation, for which they might borrow money on the credit of the municipal revenues. In other words, they might use the municipal revenues for the purpose of raising funds to enter into a competition with a corporation such as the Gas Company. If the venture proved a failure, the ratepayers' money would be spent in an undertaking which might be a dead loss, and, if it proved successful, it was an unjust competition with the Gas Company, which was simply a private corporation which had to borrow money and use its shareholders' money for the erection of works and so on, whereas the municipalities could use the ratepayers' money, which was obtained at a much cheaper rate because they had no dividends to pay as the Gas Company had to do. Although it might be said that a similar clause had been passed in England, he was not certain whether those municipalities to which those rights had been conceded in England had not the right before to supply gas; if so, it was conferring no additional right upon them; but here the municipalities did not supply private persons with gas, therefore he would submit that the English Act should not be slavishly copied unless they could see that the conditions were the same. As to the unjust competition, they would see that great pressure would be put upon the ratepayers to patronize their municipal council in supplying them with electricity, instead of patronizing the Gas Company, because their rates were taken to erect the works, and therefore they would be bound to support the body which took their rates, so as to make it a successful commercial transaction. He also pointed out that while professing to follow the English Act the whole policy of the English Act had been altered. In this Bill the provisional order was granted practically by the Governor in Council, who acted on the advice of the Minister, which was a total departure from the English Act. In England Parliament had kept control over the matter, and had not delegated the control to the Board of Trade, which was analogous to the Minister here. There were only two ways in England by which this privilege could be obtained by municipalities of supplying private persons with the electric light. If they came under the English Act they could get a licence or a provisional order. The licence was a temporary thing, not often obtained in England, because it was only for seven years. A corporation might go to great expense in the erection of works on a seven years' tenure, and if the licence was opposed afterwards, or if the Board of Trade came to the conclusion that the electric lighting was not properly carried out during the seven years, it need not be renewed; so the municipality might go to great expense in erecting works, and then be refused a renewal by the Board of Trade, or be opposed by other competing companies who wished to supersede the municipality. An important part of the English Act was that relating to provisional orders. The English Act was 45 & 46 Victoria, chapter 56; section 3 of that Act was as follows:—"The Board of Trade may from time to time license any local authority as defined by this Act, or any company or person, to supply

electricity under this Act for any public or private purposes within any area, subject to the following provisions. . . .” Sub-section 2 was:—“A licence shall be for any period not exceeding seven years, but may, at or after the expiration of such licence, be renewed from time to time for a like period with such consent as above mentioned upon such terms and conditions as the Board of Trade may determine.” That was not considered beneficial for the reasons he had mentioned. Then the part relating to provisional orders was section 4:—“The Board of Trade may, from time to time, by provisional order authorize any local authority, company, or person, to supply electricity for any public or private purposes within any area, without requiring such consents as are required to the granting a licence under this Act for any period.” Then came an important part, and this was where this present Bill differed entirely. Sub-section 2 was:—“The Board of Trade may submit to Parliament for confirmation any provisional order granted by it in pursuance of this Act, but any such order shall be of no force unless and until it is confirmed by Act of Parliament.” In England a municipal council got the provisional orders from the Board of Trade, but unless they were confirmed by Parliament they were of no force. What was done here in this Bill was, that the Minister issued an order and then Parliament had no more control over the matter whatever. That was a very grave departure from the English Act; the whole power of Parliament was gone as the Bill was framed. The Minister granted the order and there was no review, no appeal to Parliament. The municipality could then proceed to borrow money to erect those works. He could not urge any objection to the municipal councils supplying electricity for lighting the streets, but by this Bill they were turned into corporations competing with private companies. There were also several clauses in the Bill which the Gas Company thought should be modified. The Committee would notice that the Gas Company had the power to become what was called the undertaker under the Act, in the sense of occupying the same position as a company or municipal council; that is, the privilege was given to the Gas Company to supply electric light if it thought fit; but what he would urge on behalf of the company was that they should be placed in exactly the same position as a municipal corporation. The Bill as drafted did not do that. Clause 4 provided that—“No council, company, or person shall use, lay, erect, construct, put up, or place any electric line, or supply electricity for public purposes or private purposes, except under the authority of an order made pursuant to this Act.” Section 5 said—“The last preceding section shall not extend to any case where any electric line used or intended to be used is not laid, conveyed, or placed, or intended to be laid, conveyed, or placed beyond the limits of any buildings or premises in which electricity is generated for lighting purposes; nor shall such section apply to any electric lines erected before the commencement of this Act, or to works erected before such date belonging to any council, company, or person; but all such councils, companies, and persons shall be entitled to obtain an order, subject in the case of any company or person to any existing agreement made before the sixteenth day of July, One thousand eight hundred and ninety-five, between such company or person and any council; and all such lines and works shall be subject to the provisions of this Act at the expiration of one year after such commencement, and thereafter no council, company, or person shall supply electricity therefrom for public purposes or private purposes except under the authority of an order.” The Committee would see that that gave a great advantage to a municipal corporation that had its works already erected, or to an electric company which had its works already erected. The Melbourne City Corporation had its works and lines erected all over the city and that relieved it for a period of a year from the liability to get an order. He contended on behalf of the Gas Company that, if it were intended to give that company the power to place itself in the position of an electric company, it was only common fairness that the proviso as to not obtaining an order should apply to it equally with the corporation or with an electric company; that is, that it should not for the same period of time be asked to get an order, so he would ask for that clause to be modified.

The Hon. the Chairman.—Do you draw a distinction between companies already in existence and those that may be hereafter called into existence? The Bill puts all the companies hereafter to be called into existence on a par. It only provides that where companies are already carrying on their business they shall be entitled to their order.

Mr. Topp said the Gas Company wanted its mains to be treated as if they were electric lines in existence; that they should have the right to go where their mains were, and the mains should be treated on the same footing as the electric lines that were erected already. The mains of the Gas Company cost them money, in the same way as the electric light lines laid down by the existing companies cost them money. In any case, if the general policy of the Bill were adopted, in course of time, no doubt, an injury would ensue to the Gas Company, and so they ought to get every benefit that was given to the electric companies as regarded the works already existing. He would also suggest that in order that all might start fair some limitation in point of time should be put on the starting of the private light supply. Certain electric companies were in existence which had their works in existence and were ready to start to-morrow, and he would suggest that a period should be named before which a provisional order could not be obtained for supplying private people, so as to enable the Gas Company to become an undertaker and erect electric works, otherwise the Gas Company would be placed at an enormous disadvantage. In sub-section 3 of clause 6 it said—“Before any such gas company shall apply for an order to become undertakers under this Act it shall be necessary for the company to obtain the sanction of the shareholders thereof, by resolution passed by them at a special general meeting called for that purpose.” That might be taken to mean that they must obtain the consent of the whole of the shareholders, which would be unworkable. It was probably a draftsman’s error which should be corrected so as to read “a majority of the shareholders” or “in accordance with the articles of association.” Clause 7, which was supposed to be a transcript of sub-section 5 of section 3 of the English Act of 1882, left out some important words which he thought should be added. It ran:—“Every council, company, or person applying for an order shall publish notice of such application by public advertisement in such manner and including such particulars as the Governor in Council may from time to time direct or approve; and such order shall not be granted by the Governor in Council until after the expiration of a period of three months from the date of the first publication of such advertisement.” In the English Act these words were added, which seemed important:—“nor until opportunity has been given to all parties interested to make representations or objections to the Board of Trade with reference to the application.” Clause 35 said—“The undertakers shall not in making any agreements for a supply of electricity show any undue preference to any council, company, or person, but save as aforesaid they may make such charges for the supply of electricity as may be agreed upon, not exceeding the limits of price imposed by or in pursuance of the order authorizing them to supply electricity.” He contended that there should be a uniform charge

to all consumers. The Gas Company were under that disability, and they contended that any person supplying electric light should be placed in the same position. The clause merely fixed the maximum; it did not fix a uniform charge. The Gas Company had to charge all consumers alike, and the undertakers should be placed in the same position. It was also advisable in the interests of the municipal bodies themselves that a uniform rate should be fixed, so that no undue pressure should be brought to bear.

The Hon. the Chairman.—Does not section 34, sub-section 1, mean a uniform charge?

Mr. Topp thought not. It said "council, company, or person." In the case of a company, all it would amount to would be that one company would have to be supplied at the same rate as another company, but that one company need not be supplied at the same charge as an individual person. It did not make it uniform. It was a mere matter of making the thing absolutely clear. He would now make one or two suggestions on behalf of the Gas Company, as to something that should be added in protection of the Gas Company's interests. By the Gas Company's Act they were compelled to supply light of a certain illuminating power. No such clause was contained in the Bill, and he thought there should be one. There should be some standard to put the Gas Company on fair even terms of competition, otherwise it left the undertakers at liberty to supply any power they liked, whereas the Gas Company had to supply gas of a certain illuminating power. That was a matter on which scientific evidence might be taken by the Committee. There was also the question of meters, which was a burning question with the Gas Company. He was informed that the company had spent about £100,000 on meters. Under the Act they had to supply meters at their own expense, but there was no provision in the Bill that the meters should be supplied by the councils or corporations. By the form of order which would be probably adopted by the Minister, the consumer would have to pay for the meter, so that the undertakers would compete very unfairly with the Gas Company. He would suggest that the Gas Company should be relieved of this necessity if the Electric Company were relieved of it, so that they should start fair. If the Bill remained as it was, the Minister would follow the model provisional form in framing the provisional order, which contemplated, no doubt, that at the request of the consumer, the company should supply the meter and the fittings, but that the consumer should pay for it. The section in the Act was the same as section 24 of the English Act of 1882, though the order provided that the consumer should bear the cost of the meter. In whatever form the Bill was passed, he would ask the Committee to consider the suggestions he had made.

Mr. Box said he would ask permission to call evidence in reply to the objection raised by *Mr. Topp*, that the corporations were unduly favoured. The universal trend in England was to give this power to corporations, not to companies. There were certain things in the Bill which were objectionable from the City Corporation's point of view, but he would ask to be allowed to call evidence as to them on a future day.

Mr. Maddock said he was not ready to call evidence to-day. The other petitioning corporations were in a different position to the city of Melbourne. The Melbourne corporation had its own peculiar interest in the Bill on account of having its own electric works in existence, but the other corporations had not works in existence, but they claimed that they should have the right given to them to light the municipalities both publicly and privately. They claimed to have the power now to light both publicly and privately by electricity. That was denied by the Gas Company, but they proposed to submit that claim to the Committee when the proper time came, but being the last to petition they were not prepared to go on with the evidence at once. He appeared for the whole of the municipalities except Melbourne. There were twelve municipalities inside the metropolitan area that he represented. There was a conference of municipalities called to deal with the Bill, and that conference requested him to attend at the Committee meeting. There were 23 municipalities represented on the conference. Some had not taken an interest in the matter, though the great majority had done so.

Mr. Box asked if any explanation could be given of clause 5 of the Bill. From the City Council's point of view it was a very material matter to consider. The words referred to were:—"but all such councils, companies, and persons shall be entitled to obtain an order"—that was existing councils and companies—"subject in the case of any company or person to any existing agreement made before the sixteenth day of July, One thousand eight hundred and ninety-five, between such company or person and any council; and all such lines and works shall be subject to the provisions of this Act at the expiration of one year after such commencement, and thereafter no council, company, or person shall supply electricity therefrom for public purposes or private purposes except under the authority of an order." There were electric companies in existence, and they had certain agreements with corporations, including the City Corporation. Did the clause mean that the Bill was a public Bill, framed for all? This clause provided that when they got a provisional order they could go anywhere they liked over the town and city, and could put the wires wherever they chose, and rip the streets up wherever they liked. That was a grave blot on the Bill. He understood that the companies which now existed, and which claimed the right to get a provisional order, were under stringent conditions, and he thought the electric companies should call evidence to show what they meant by it. From the City Corporation's point of view it was an extremely serious matter. At present they had a hold upon existing companies as to putting up poles and wires, but if they once got a provisional order under this section they would be entirely at large. That clause did not come from England, and those who put it in should explain what it meant. That was one of the chief points of objection taken by the City Corporation.

The Hon. the Chairman.—I think those words were put in in order that the Minister might have power to deal with the companies already in existence, and might do justice between the parties.

Mr. Box said the electric companies did not need to go to the Minister, they had the right by this clause to an order.

The Hon. Lieut.-Col. Sir F. T. Sargood.—That clause was originally put in as an amendment of mine at the instance of some of the electric companies. They wanted something much more sweeping than this, but I said I could only go to the extent of saving to them whatever rights they had, and no more, and this clause was drafted by the Parliamentary draftsman with that view, but I am aware that since that was drafted a wider interpretation has been given to it than I intended.

Mr. Box said this clause gave the electric companies great powers which they never expected to get, and were never intended to get. Their present agreements with the different corporations were limited. He was informed that the Prahran agreement expired by the effluxion of time in December,

without any interference by any one, and according to this clause the company would be entitled to an order. They would not have, like everybody else, to go to the Minister and obtain an order; they would get it by Act of Parliament.

The Hon. the Chairman.—The corporations have encouraged the companies to come and light the streets for them. They have expended over a quarter of a million in the work, and should we, in giving this larger power to the municipal council than they possess at the present time, put them in a position to terminate at a short notice the agreements that have done so much good?

Mr. Box said that if they did terminate the agreement the company could go to the Minister and obtain an order, but the danger he saw was the right of the company to get an order.

The Hon. the Chairman.—But the councils would come in and object to their getting an order.

Mr. Box said that if the Act said the company had to get an order no Minister could go against it. They would not want the consent of anybody. Under the Bill as it was drawn the Minister would have no option; no consent of any council was wanted.

Mr. Topp asked if any evidence was necessary on the points he had addressed the Committee about?

The Hon. the Chairman.—I am under the impression that it will not be necessary for you to call any evidence.

Adjourned to Wednesday next, at half-past Two o'clock.

WEDNESDAY, 18TH SEPTEMBER, 1895.

Members present:

The Hon. H. CUTHBERT, in the Chair;

The Hon. J. H. Abbott
F. S. Grimwade

The Hon. Lieut.-Col. Sir F. T. Sargood
N. Thornley.

Mr. J. Dennistoun Wood appeared on behalf of the A. U. Alcock Electric Lighting Company.

Mr. Box appeared for the City Corporation of Melbourne.

Mr. Maddock appeared for the remainder of the petitioning municipalities.

Mr. Box said he now proposed to deal with the Bill from a Corporation point of view.

John Clayton examined.

1. *By Mr. Box.*—What are you?—Town Clerk of the city of Melbourne.

2. I think you were also secretary to the Municipal Conference held on the subject of electric lighting?—Yes.

3. As far as the City Council of Melbourne are concerned, I may take it generally that they are in favour of this Bill?—Yes; that is, on general principles, but there are a few clauses as to which some objection will be raised, or exception taken to further on.

4. When was the first Bill as to electric lighting introduced?—In the year 1883 the matter first came before the City Council. In fact, as soon as the English Act of 1882 reached here the City Council took up the matter of the electric lighting of the city, and wrote to the Premier on the 19th of July, 1883, asking that the Government would introduce a Bill on the lines of that Act.

5. That is what is called Act 45 & 46 Victoria, chapter 6?—Yes, the first of the Electric Lighting Acts at home. I have a copy of the letter that was sent to the Premier—[*handing in the same*]:—

Mr. Box read the same as follows:—

Town Clerk's Office, Town Hall, Melbourne, 19th July, 1883.

SIR,

By desire of the Council of the City of Melbourne, I have the honour to ask that the Government will be so good as to introduce into Parliament and secure the passing in the present Session a Bill similar to the Act passed last year in England relative to Electric Lighting.

This has become of urgent necessity, as representatives of the companies now in Melbourne for supplying light by electricity have applied for authority to break the streets, and otherwise interfere with the public thoroughfares for the purpose of their business, and it is manifestly desirable that the municipal authorities should (as in England) have the power to undertake this service on behalf of the ratepayers, or to make such terms as may be reasonable and advantageous with regard to it, if it should be undertaken by joint-stock enterprise.

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

E. G. FITZGIBBON, Town Clerk.

The Honorable the Premier, &c., &c.

6. *By Mr. Box.*—There was a conference, I believe, of the municipalities in the same year?—Yes; the metropolitan municipalities were called together in conference to consider the same question, and under authority of that conference a letter was sent to the Premier of which that is a copy—[*handing in the same*]:—

Mr. Box read the same as follows:—

Town Clerk's Office, Melbourne, 8th December, 1883.

SIR,

The delegates appointed by the municipal authorities empowered under the *Metropolitan Gas Company's Act 1878* having had under their consideration a letter which I had the honour to address to you at the desire of the Council of the City, under date the 19th July last, with reference to the introduction of and passing through the last Session of Parliament a Bill similar to the Act passed last year in England relative to Electric Lighting, I have the honour, on behalf of the conference, to ask the favour of an interview for a deputation of its members with you, when convenient, for the purpose of urging the desirability of such a Bill being introduced into Parliament as a Government measure as early as possible during the next Session of Parliament.

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

E. G. FITZGIBBON, Town Clerk.

The Honorable the Premier of Victoria.

7. *By Mr. Box.*—There was a Bill prepared, was there not?—Yes. To expedite the matter as far as possible the conference authorized the preparation of a Bill, which was prepared mainly on the lines of the English Act. That is a copy of the Bill—[*handing in the same*].

8. That Bill was sent to the Premier?—Yes, with a letter under date 18th December, 1884, asking him to introduce the Bill as a Government measure in the next Session of Parliament—[*handing in a copy of the letter*]:—

SIR,

Town Clerk's Office, Melbourne, 18th December, 1884.

In accordance with a resolution of the Conference of Representatives of the Metropolitan Municipal Corporations constituting the Gas Conference under the Metropolitan Gas Company's Act, I have the honour to forward herewith a copy of "A Bill to facilitate and regulate the supply of electricity for lighting and other purposes" printed by desire of the Council of the City of Melbourne and the Gas Conference, and in further accordance with such resolution to ask that you will be so good as to introduce the Bill as a Government measure in the next Session of Parliament.

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

(Signed) E. G. FITZGIBBON,
Town Clerk and Honorary Secretary to the Conference.

The Honorable the Premier, &c., &c.

9. That was the first Bill in this matter?—Yes, the first attempt at legislation.

10. That is dated 1883. I believe the Postal Department erected certain poles in this city to carry electric light wires after that Bill was prepared?—Yes, the Postal Department erected a small number of poles in the city to carry the electric lighting wires of the companies who had commenced business—they did that without the knowledge or consent of the council at all—no authority was obtained for the erection of those poles, but they erected about 80, throughout the whole of the city, in the streets; that was prior to 1889. Those poles were used, I believe, for carrying the electric light leads of certain companies, and in June, 1889, the Postal Department wrote to the City Council as follows:—

"I am directed by the Honorable the Postmaster-General to inform you that application has been made to this Department for the erection of poles in some of the principal streets of the city, to carry electric light leads. For the information of the City Council, I am to explain that some time ago the Department was asked by some of the electric light companies to allow them to erect their light leads on the poles carrying the telegraph and telephone lines. This was refused on the ground that the electric light currents would interfere detrimentally with the telegraph circuits, but the Department offered to erect special poles on which the companies could place their conductors if they would take all responsibility in the matter, the poles being erected on the opposite side of the street to that on which the Departmental poles stood, and the Department undertaking only to carry them along practicable routes. This has been done to a limited extent in Little Bourke-street, Little Collins-street, Flinders-lane, and Russell-street, but hitherto the Department has refrained from erecting any of these poles in the principal streets. As advised above, applications have now been made for poles (of a larger size) to be put up in some of the main thoroughfares, and the demands of the companies are likely to be increased in the near future. It is observed that the City Council is calling for tenders for lighting some of the principal streets with the electric light, and the companies who wish to tender are doubtless making the demands for poles upon the Department in order to enable them to tender for the city lighting, as they will have to be assured of the means of carrying their conductors to the required points in the streets to be lighted. Mr. Derham is of opinion that it is inadvisable that this Department should undertake any further work or responsibility in connexion with a business so foreign to its functions, and the electric light companies applying have been so advised. I am also to request that any permission given by the council for erection of poles, &c., may be subject to the approval of the Government, so as to avoid interference with the telegraph service."

Negotiations were carried on then between the council and the Postal Department.

11. The council bought those poles?—Yes, those negotiations ended in the City Council taking over the poles as expressed in this letter of the 3rd of September, 1890—[*handing in the same*].

Mr. Box read the same as follows:—

SIR,

Town Clerk's Office, Town Hall, Melbourne, 3rd September, 1890.

Referring to previous correspondence on the subject of the erection of electric lighting poles in the streets of the city, and the supervision of the wires erected thereon, and particularly to your letters of 3rd June, 1889, and 30th January, 1890, I have the honour to inform you that the City Council is now making the arrangements necessary for the erection of any additional wires which may be required, and the maintenance of such supervision; and with a view to a completion of these arrangements I am to ask that the poles now erected within the city may be handed over to the council. The council will thereupon exercise the necessary control and supervision, and will, of course, accept the liabilities of the Government under any arrangements which may have been entered into with any of the existing companies with regard to the carriage of their wires.

I have the honour to be, Sir,
Your most obedient servant,
E. G. FITZGIBBON, Town Clerk.

The Honorable the Postmaster-General.

12. What was done then?—A statement was forwarded showing the number of poles erected and fixing the amount which we were to pay for them, viz., £129 15s.

13. And the council paid that for the poles?—Yes.

14. Up to that time those were the only poles carrying electric light wires in the city?—That is so.

15. On that purchase they became the property of the council?—That purchase was completed in 1891, but prior to that the companies had approached the council direct, the particulars of which I can show, and the council had erected poles.

16. What companies approached the council direct as to the matter?—The New Australian the first, and the A. U. Alcock the second, and probably the Union—I am not quite sure about the latter—I have the correspondence here.

17. As a matter of fact, in 1890 those companies applied for permission to erect poles?—Yes, and the council would not grant the permission to any company to erect any poles in its streets, but said it would erect them itself, so that they should be part of the council's own scheme for the lighting of the city.

18. From that time to this, has any company erected any electric lighting poles in the city?—No.

19. The A. U. Alcock Electric Lighting Company promoted a Bill in Parliament?—A private Bill in the Legislative Assembly in 1891. Directly that became known the City Council took action, and the Municipal Conference (which had been dealing with the matter of municipal electric lighting already) met and submitted their views to Parliament, with the result that the Bill was withdrawn on the motion for its second reading. The opinion of the House was tested on a motion for adjournment, the promoters were defeated, and they withdrew the Bill.

20. After that the Government took the matter up?—At that stage the Government took the matter up for the first time, and a Bill was introduced into the Legislative Assembly by Mr. Turner and Mr. Duffy, which was practically on the lines of the English legislation. The Bill was read the first time on the 22nd of September, 1891, and, owing to the close of the Session, was discharged from the Notice-paper before second reading. On the same question of private enterprise I may say that the Yarra Yarra River Company introduced a private Bill; that was in the year 1894. The same action was taken as to that Bill. It was opposed by the united municipalities and by the City Council, with the result that the promoters came in touch with the conference and held the Bill back; they recognised the rights of the municipalities and held the Bill back.

21. During this time we have mentioned, up to 1894, have the corporation done anything as to the lighting of the city?—Yes, in 1889 it took the first step of obtaining increased borrowing powers for that purpose, and those increased powers were obtained in the Act passed in 1889.

22. Was it acted on?—Yes. A question was then raised as to councils having the power to spend money on electric light works, and in 1890 power was obtained from Parliament for the purpose under the Local Government Act; it was a clause that was put into the principal Act. The Act No. 1055 gave the corporation of Melbourne power to borrow to the same extent and for the same purposes as other municipalities, that was the Local Government Amending Act 1889. Then the increased powers were given to all municipalities by the Act 1243 of 1890, and in 1891 the council appointed an electrical engineer, Mr. Arnot, a permanent officer to advise it as to the lighting of the whole of the city and to carry out that lighting.

23. Was he required to advise the council both as to private and public lighting?—Yes, that was his duty, and he prepared for the purpose reports dealing with the public and private lighting of the whole of the city. In 1892, having previously got the engineer's reports, the council floated a loan which included £125,000 for public and private lighting—£75,000 being to complete the public lighting, and £50,000 as a first instalment towards the cost of private lighting. The loan was subscribed and partly spent, buildings having been erected and plant obtained for the whole of the public lighting of the city and for the first instalment of the private lighting of the city. Part of it is in use in some of our own buildings, and part is lying ready to be used, all fitted, ready to switch on the current.

24. How much money has been spent up to the present time?—Roughly, from £100,000 to £110,000. That shows the action of the council from the time the English Act was passed up to date, the lines they have gone on, and their action. I should have stated that during this time the Government was again introducing legislation. A Bill was introduced in 1892 which was, without any doubt whatever, on the lines of the English legislation, and the council recognised that, even if there had been any difficulty before as to the powers of councils to do private lighting, that Government measure would remedy any such difficulty. That was a public Bill introduced in 1892 in the Legislative Council by the Honorable Mr. Zeal, and was the second Bill introduced. Another Government Bill was introduced in 1894 on the same lines as previous Bills. The present Bill is the first in which the principles of the English Acts have been departed from.

25. That is all you wish to say generally as to the action of the council?—Yes.

26. It is a fact that in Melbourne our system of electric energy is overhead?—Yes; there is only one little piece of underground wiring in the city.

27. Has it been found necessary to have one side of the street reserved for this lighting?—Yes, that was indicated in the letter I read first from the Postal Department. The department refused (even when they were putting up the few poles erected by them) to put anything up on the same side of the street as the telegraph leads were.

28. What does the council desire as to clause 31 as an amendment in this Bill?—There is a matter in that which will come up more in the shape of expert evidence—that I do not touch on, but in sub-section 4 of clause 31 and in clause 33 there are two little matters raised, the same in each case, as to the manner of settlement of disputes. The words are:—"such person as the Governor in Council shall appoint for the purpose," and in section 33 the same words are used. The clause says—"such person as the Governor in Council may appoint," and as the Postmaster-General is one of the parties to it it is suggested that all these matters should be settled by arbitration, the point being that matters of dispute between the undertaker and the Postmaster-General, or the undertakers themselves, should be settled by arbitration as in the English legislation. I have compared the English Act with this.

29. Sub-section 4 of the English Act says—"Any difference which arises between the Postmaster-General and the undertakers or their agents with respect to any requirements so made shall be determined by arbitration,"—is that what the council desire?—Yes.

30. They take out of sub-section 3 of clause 33 the words—"such person as the Governor in Council shall appoint," and put in the word "arbitration"?—Yes, the council desire arbitration, as in England, instead of nomination for the settlement of a dispute. As to overhead wires, there must be some modification of this clause because of the difference of the two systems, the English being underground and ours being overhead.

31. In clause 32, sub-section 4, there has been an omission. The proviso to sub-section 2 of section 4 of the English Act of 1888 has been omitted in this Bill. The English Act says—"Provided that nothing in this sub-section shall apply to the supply of electricity through any electric line or work laid down or erected under and subject to the provisions of any licence, order, or special Act, or which may be used in accordance with any conditions or regulations prescribed by the Board of Trade, by or in pursuance of any notice given by them under this section;" that has been entirely left out. What have you to say as to why that proviso should be inserted?—It is absolutely necessary for this reason, the sub-clause provides for the protection of the telegraph leads of the Postmaster-General, and to that extent is heartily approved by the council. It provides that any electric light leads belonging to any undertaker shall be so placed as not to interfere with the leads of the Postmaster-General; that would remain one of the conditions of the order and be part of the regulations that the Governor in Council will adopt and as such will be complied with, but by the omission of the last part of this clause the effect would be that, if at any subsequent time additional telegraph leads should be erected there, the whole of the electric light leads will have to be taken down or altered to suit the additional telegraph leads subsequently added. The English Legislature recognised that that would not be fair, and they provided by the latter part of sub-section 2 that nothing in that sub-section

should apply to the supply of electricity through any lines laid down or erected in accordance with the provisions of such order or regulation. In other words, if additional telegraph leads subsequently became necessary, they must be placed so as not to necessitate the alteration of all the electric light leads.

32. That is to say, preserving the present existing wires, that if hereafter they want to have fresh telegraph wires they are to take care of the electric light leads as well?—And that is the more necessary because, by the regulations, the undertakers are kept within such strict limits as to where their leads shall be taken, and how they shall be insulated or protected or covered to protect the telegraph leads. We are by local legislation prevented from coming within 18 feet of the ground, so that we could not drop down any lower. In fact, if that section passed in its present form it would make electric light leads in certain cases an impracticability; they would be at the mercy of the new telegraphic lead; and we should not be able to place them elsewhere in view of the direction and the limitation of such order.

33. Then there is clause 34, sub-clauses 2 and 3?—That is new matter to all legislation, either English or intercolonial. The council desires the omission of these two sub-sections, not because we consider them unnecessary, but because ample provision is made elsewhere in a way which will operate very much better. It will be made in the order itself and in the regulations which will be adopted by the Governor in Council in addition to the order.

34. Will you produce the order?—A short time ago the Government of this colony agreed with the Governments of the other colonies to adopt a code of regulations for the control of electric leads. A Board was appointed and this colony was represented. The Board sat and in accordance with their instructions prepared a code of regulations, one of which provides this very protection, the machinery for testing consumers' wires for leakage. If there be any such leakage it gives power to cut off the light; but that of course is under immediate control, because it is in the control of the persons who are handling it from day to day. This proposes to place in the hands of the Minister the controlling power as to the supply of light into everybody's private premises. Practically those facts could be ascertained only by a separate staff of officers patrolling private persons' premises (clauses 49 and 50 of Report of Conference held at Hobart, 1892).

35. Were those two clauses subsequently adopted in anything?—Similar clauses were previously adopted in the English practice; they are in the regulations adopted at home. Here is one from Manchester, and this applies to the general regulations of the Board of Trade; it is almost a verbatim copy taken from this. The same provision appears in the regulations and conditions to secure safety in the Manchester Electric Lighting Order 1890. That is a copy of the regulations and this is a copy of the order—the order makes these regulations a part of it.

36. In the order authorizing the Manchester electric lighting these two regulations appear?—That is so; that is under clause 61.

37. I want to know what is the difference between the one adopted in England and this one proposed in this Bill?—The practice adopted at home is that the remedy is in the hands of the undertaker, who has the most intimate knowledge of any defects of the wiring and has the most direct control over it. This proposes to place the power in the hands of the Minister; if it is reported to him that the wiring of a building is so carried out that it is dangerous he has to send an officer to report.

38. Your only objection is that it ought to be in the order, and not in the Bill?—Yes, because it comes in a much better form; we do not object to the principle of the supervision.

39. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—You object to the Minister?—Certainly. The Department could not control it, and it would have to get some outside person to carry the news to the Minister that the wires are out of order.

40. *By Mr. Box.*—You do not want the Minister to have to say there is a leakage?—No; we want a more summary power.

41. But if you take the thing and put it into the order there will be the same difficulty?—No; we say this should be excised, because proper supervision is got in another way.

42. Look at clause 39?—That provides for the purchase by any council of any undertaking in this district. The conference asks that the words "for the joint purchase" be put in. It is pointed out that two or three adjoining municipalities may join together to carry out the lighting of their districts.

43. Two or more, then any number may join in buying up one set of plant?—Yes, instead of having double capital invested.

44. That is provided in the Tram Company's Bill and the Gas Company's Bill—it is the same principle?—Yes; and the Hydraulic Power Bill also.

45. There is a time limit here, that is new to me; it comes from England, there are 42 years given, do you see that?—Yes.

46. That is not in accordance with the legislation up to the present time in Victoria?—No; 30 years is the limit for the purchase of any undertaking here. With an expenditure of a million and a half of money 21 years is the purchase time for the tramways. We have power to purchase the hydraulic power at eighteen years, and at 30 years the mains come into our possession free of charge, and we have power to purchase their undertaking at its then value. In this case the councils ask that 30 shall be substituted for 42.

47. Local legislation as to municipalizing any undertaking is usually 30 years even in undertakings with ten times the capital invested in these electrical companies?—Yes; and we ask that the subsequent period of ten years, when the power to purchase shall be revived, should be three. There are one or two additional matters that the conference would like to have introduced—one the power for the joint councils to construct; it is only the introduction of the word "joint."

48. Now as to clause 5—the words commencing "but all such councils, companies, and persons shall be entitled to obtain an order, subject in the case of any company or person to any existing agreement made before the sixteenth day of July, One thousand eight hundred and ninety-five, between such company or person and any council"—the council, I understand, desire to omit those words and to change the following word "and" into "but"?—Yes, that is the desire of the council and the conference, to strike out all from line 25 to line 29.

49. As I understand it, you are giving evidence on the assumption that the existing company would be entitled to an order if the Bill stands as it is?—Yes.

50. Was it in the 1891 Bill?—It was not.

51. Or in the 1892?—No.

52. Or in 1894?—No, it was not in either of the three Bills introduced in this House.

53. You have examined, for the purposes of giving evidence, the English legislation on this subject?
—Yes.

54. Is there any such clause as this existing in England?—No, nothing approaching it at all; it is entirely foreign to English and our intercolonial legislation. There was an Act passed in Adelaide, and an Act for Maitland, New South Wales, and a Bill was introduced on behalf of the city of Sydney, but lapsed last session, and in neither of them is any such principle suggested.

55. Do you know whether there are any electric lighting companies existing in Sydney?—There is electric lighting in Sydney.

56. In Adelaide, what is the state of affairs?—I cannot say what lighting has been done. I know only of legislation in 1891, which gave the exclusive power to the local authority to light the city of Adelaide. I have the Bill here.

57. Does that Bill affect both public and private lighting?—Yes, it provides for all.

58. It authorizes the council to light private houses?—Yes.

59. Does the Newcastle Act do the same?—Yes.

60. And also the Sydney Bill?—Yes, that is also on the same lines, and in both the Newcastle and the Sydney Bills it is exclusively the council.

61. You have already told us that these companies here applied to the corporation for leave to erect poles?—In the year 1890, the first application came in from the New Australian Electric Company asking permission to run a line of wires, and to erect poles and carry their wires to a certain part of the city, describing the posts they proposed to put up. The council refused to allow them to put up any poles, and sent them a copy of the conditions under which the poles would be put up for them by the council.

62. Did you send any written communication to them?—This letter went to them—[*the same was read as follows*]:—

Town Hall, Melbourne, 2nd July, 1890.

SIR,

I have the honour to forward herewith copy of the conditions upon which the City Council are prepared to grant the application of your company for permission to carry electric lighting wires in and along the streets of the city, and shall be glad to know whether or not your company are willing to accept same.

I have the honour to be, Sir,
Your most obedient servant,
(Signed) E. G. FITZGIBBON, Town Clerk.

These are the terms and conditions—[*reading as follows*]:—

Terms and conditions under which permission is to be given to the Company Limited to erect electric lighting wires in the streets and public ways in the City of Melbourne:

That such wires shall be placed upon poles or in conduits to be erected or constructed by the City Council in such streets and at such distances as the council may determine.

That is carrying out their own scheme. They would only put them up where they would fit with their own scheme for reticulation of the city—the same poles carry both the public and the private wires. They were to be “in such streets and at such distances as the council may determine.”

That the permission to erect such wires shall be only temporary and revocable at any time on the expiration of three months' notice to that effect, without any claim by the company in consequence thereof, and such wires shall thereupon be forthwith removed; if not, they may be removed by the council at the risk and cost of the company.

The next five are only machinery clauses, and then they say—

That the council may grant permission to other persons or companies to, or may themselves, erect any other electric lighting wires upon or in such poles or conduits without any liability to the company in respect thereof or resulting therefrom.

That the company shall in every case notify the council of their desire to erect any such wires, stating the number and the route to be taken; and the approval of the council or such officer as may be appointed for the purpose shall be first obtained before such wires be erected.

That this permission shall not be held to in any way detract from the power of the council to establish works, and to lay or carry wires for electric lighting of the city, without liability to claim for compensation or other interruption or interference from or by the company.

That the company shall enter into a bond in the sum of £1,000 to recoup the council for any loss they may sustain consequent upon a breach by the company of any of these conditions.

That the company shall light such and so many public lamps in the streets as the council may require upon terms to be agreed upon by the council and the company.

63. Were those terms accepted?—On the 7th of July a letter came from the New Australian Company acknowledging ours, and saying—“My directors, having carefully considered the conditions, are perfectly satisfied with them, and are, therefore, willing to accept same. They, however, venture to suggest that twelve months' in place of three months' notice to remove the wires would not be an unreasonable time.” They were told that no alteration could be made in that period, and they accepted the lesser one of three months.

64. Did any other company come to you besides the one you have mentioned?—The Alcock Company wrote on the 17th of November, and the reply went on the 26th November, 1890, acknowledging their letter, and forwarding copy of the conditions under which the council would give its consent. It says—“I have, however, by direction of the public works committee of the council, to intimate that such consents when given are not only temporary and subject to revocation, without any claim for compensation as is set out in such conditions, but they will not entitle the holders to any consideration whatever should they be called upon to remove such wires, consequent upon the council carrying out a scheme for the lighting of the city by electricity, which it has in contemplation at the present time.” That was written to the secretary of the Alcock Company. A letter came back from their solicitors making certain suggestions for the protection of them as against the other companies which might be using the poles, and a reply went to them dated 19th January, 1891, stating that the conditions would not be modified—[*reading the same*]. On the 29th of January, 1891, they acknowledged that communication, and informed the council that the company accepted the conditions of the letter of the 26th of November.

Town Clerk's Office, Town Hall, Melbourne, 26th November, 1890.

SIR,

In answer to your letter of 17th instant, asking the permission of the City Council to erect six pairs of electric lighting wires along certain streets of the city, I have the honour to forward herewith copy of the conditions under which the council gives such consent.

John Layton,
18th September, 1895.

I have, however, by direction of the public works committee of the council, to intimate that such consents when given are not only temporary and subject to revocation, without any claim for compensation as is set out in such conditions, but they will not entitle the holders to any consideration whatever should they be called upon to remove such wires, consequent upon the council carrying out a scheme for the lighting of the city by electricity, which it has in contemplation at the present time.

I have the honour to be, Sir,
Your most obedient servant,
E. G. FITZGIBBON, Town Clerk.

S. Stains, Esq., Secretary,
The Alcock Electric Light and Motive Power Company Limited, 206 Russell-street.

65. There is another company in Melbourne?—It was then the Union; it is not called that now.

66. Did they make the same application?—I cannot say; the council dealt with them in common with the other two when we completed the purchase of the poles from the Government. The time necessary to complete the negotiations allowed what I have just stated to be given effect to in the interim, and in July, 1891, we notified each of the three companies as follows:—

Town Clerk's Office, Town Hall, Melbourne, 18th July, 1891.

Sir,

I have the honour to inform you, by direction of the Council of the City of Melbourne, that the poles erected by the Postal and Telegraphic Department to carry electric light wires in the city have been taken over by, and become the property of, the council as from 1st June last.

Should your company desire to continue the use of any of such poles, it will be necessary for you to make application for permission accordingly, stating the number and size of wires to be used and the routes required.

The permission will be under an agreement embodying the terms and conditions of which I enclose a copy, and when given will not only be temporary and subject to revocation, without any claim for compensation as is set out in such conditions, but they will not entitle the holders to any consideration whatever should they be called upon to remove such wires, consequent upon the council carrying out a scheme for the lighting of the city by electricity, which it has in hand at the present time. Should, however, the council give the notice provided for by the second condition they will be willing to treat with the company for the purchase of such wires as are required to be removed.

I have the honour to be, Sir,
Your obedient servant,
JOHN CLAYTON, Town Clerk.

The Manager, New Australasian Electric Coy., Fink's Buildings.
The Secretary, The Union Electric Coy. of Australia Limited, 8 Elizabeth-street.
The Secretary, A. U. Alcock and Coy.

67. Was that sent to each of the companies?—Yes. The New Australian Company acknowledged the letter, and made application for the poles. The Alcock Company acknowledged the receipt of the letter, and made application for the use of the poles on the 22nd of July, 1891. The Union Company a month or two later also accepted, and gave a list of the poles.

68. When did the council begin to set about this electric lighting?—When they put up the first poles, which were put up in Hoddle-street about 1889.

69. What increase has taken place in the number of poles in the city?—When we took them over from the Government there were only 80; there are now 3,777 belonging to the council. The number used by the companies at that time was 80, when we took it over in 1890; the number now used is 490. The number of companies' connexions with those poles on that date was 574; it is now 2,609. A connexion means an attachment of the wire to every arm as it goes along.

70. This is a return made by you, which shows the increase both by the City Corporation and by the companies under their agreement?—Yes; without those agreements there would have been no increase; they could not have got on to the poles at all—[Return handed in as follows]:—

Town Hall, Melbourne, 21st August, 1895.

Memorandum with regard to use by Electric Light Companies of the City Council's electric light poles, showing number of poles purchased in 1891 from the Postal Department, with number of attachments thereto, also number of poles and attachments at present time.

Name of Company.	1891.		1st July, 1895.	
	Number of Poles.	Number of Attachments.	Number of Poles.	Number of Attachments.
New Australian Electric Company	...	208	313	1,097
A. U. Alcock and Co.	...	92	295	1,176
Union Electric Co. (now J. T. Draper and Co.)	...	274	135	336
	80	574	490	2,609

Total number of poles erected and used by the City Council in the city for electric lighting, 3,777.

71. During this time were there any conferences with the City Council at which any of those companies or their representatives attended?—Not as conferences, but the various transactions were reported to the council at their different meetings and were made the subject of criticism. The recommendations which I have just spoken of—the purchase of the poles and the erection of others—were made the subject of criticism at the hands of a very few members of the council who were connected with the companies, who maintained during the discussion of the subject that the council was interfering with private enterprise.

72. Was anything said about the council's intention to light private houses?—It was clearly stated, those who opposed it did so on that ground, because those individuals thought we should not interfere with the companies, and one director of the company was a member of the council at that time.

73. What company was that?—The Alcock.

74. It was published in the newspapers of the day?—As a matter of curiosity, because the point was raised somewhat recently as to whether it was known that we were going to do private lighting. I turned up the files, and it is clearly shown in the records of the *Argus* of the 27th of December, 1890, and the *Argus* and *Age* of the 27th of May, 1891, and the 8th of September, 1891.

75. It was pointed out there that the council were going to do private lighting?—The different members mentioned it in their speeches.

76. Mr. Topp suggested with regard to the Gas Company that they ought to have the same rights as the electric lighting companies. The latter companies' investment of capital, as I understand, took place, and they could not possibly have got into Melbourne without the assent of the corporation of Melbourne?—Of course, as they had no power to break up the streets except by arranging with the corporation they could not have reticulated. The practice has been tried of going from house to house on the house-tops; that would be stopped at certain points, which would render it practically useless.

77. The connexions made by the companies have been all under that agreement and with full notice of the terms?—Yes, and it is repeated every time they make a fresh application. There has never been a desire to retard the companies; they have never been stopped so far.

78. Mr. Topp made a great deal of it that the corporation was now going to start and do some trading by selling electricity to the ratepayers; you heard him say that, and that the corporation was using the ratepayers' money and wealth to enable them to start an opposition to this company—have you examined the English legislation as to the right of local bodies to supply water, light, and trams?—It is the invariable practice in all legislation of the kind to give municipalities the right to do it. If we take Victorian legislation, we have it in the Local Government Act, which gives a specific power as to gas; we have it as to the waterworks, and it cannot be better exemplified than by the tramway system, which belongs to the municipalities at the present moment, with a capital expended of a million and a half.

79. You have made an examination up to January, 1895, of the municipalities in England that are supplying electricity; in other words, municipalizing the supply of light?—A return was published in the *Electrician* of 4th of January, 1895, which purports to contain a list of the electric supply stations of the United Kingdom. There are 105, and 52 of them belong to the local authorities; of those 52, 51 are doing private lighting.

80. That is to say, they are lighting private ratepayers?—Yes, and a good proportion of those not in the hands of the local authorities are, perhaps, the older companies. As an illustration of what I mean—of the works that are in progress, out of 26 installations only three do not belong to the local authorities.

81. *By the Hon. the Chairman.*—What do you mean by that?—Out of 26 districts, the electric lighting of 23 of them is in the hands of the councils.

82. *By Mr. Box.*—Have you discovered what has been the result of the application of this municipalizing in England as far as ratepayers go?—I have here some short notes as to five or six of the principal cities, taking Birmingham, Liverpool, Glasgow, and Bradford as examples. The results speak very favourably, in fact unmistakably in favour of the local authorities having both the gas and the electric lighting; in all those cases I think they have the gas undertakings, and they are obtaining the same power with regard to the electric lighting. As an illustration, take Bradford. In this work, called "Municipalities at Work," by Frederick Dolman, it states—"On the first eighteen months there was a loss (after payment of interest on loan and contribution to the sinking fund), of £1,739." That was in 1890. In 1892 there was a net profit of £1,385; in 1893, £1,623; and in 1894, £2,138, or a return of 10 per cent. on the capital expended. The charge made to the consumer, on the other hand, which is 5d. a unit, compares favourably with the charges made by electric lighting companies. The Liverpool Company, for instance, charges 7d. per unit; the House to House Company (West Kensington), 8d.; the Westminster, 6d.; and the Eastbourne Company, 9d. For motive power, moreover, electricity is supplied at a charge of only 3½d. per unit, and already it has been largely brought into use for working the lifts and hoists in the merchants' warehouses."

83. *By the Hon. F. S. Grimwade.*—Does that book give the price of gas?—As to Bradford, further it says—"After meeting all charges, including interest and sinking fund, Bradford had, up till March 31, 1894, made a profit on its gas of £373,609, or an average net profit per annum of over £16,000. At the same time there has been a considerable reduction in the price of gas to the individual consumer. In 1873 it was 3s. 6d. per 1,000 cubic feet; it has since been reduced, by several instalments, to 2s. 3d.; a discount of from 2½ to 12½ per cent., according to the amount of the account, being allowed for prompt payment." The same work sets out other instances, Glasgow being one worthy of consideration, and Liverpool, where they carried out the water business exceedingly satisfactorily. With regard to Glasgow it states—"Having regard to its experience with the gas, the corporation was resolved from the first to take into its own hands the supply of electric light. But, on the advice of Lord Kelvin, operations were deferred for several years, and it was not until March, 1892, that the Gas Committee were able to supply consumers in the central part of the city with the new illuminant. In the first year's accounts there was a deficit of £1,773, a result to be easily explained by the fact that during a greater part of the year the capital expenditure was necessarily unproductive of revenue, and in the meantime interest had to be paid on a loan of £100,000. The whole of the machinery and plant has since been brought into use as soon as completed and the deficit is not likely to occur again." [According to the balance-sheet, 31st May, 1894, the liabilities in respect to the electric light were £127,857 and the assets £129,871, a surplus of £2,014.] As to Liverpool it says—"On the contrary, they have only too much reason to wish that the same policy had been pursued with regard to the gas supply. This is still in the hands of a private company, various efforts on the part of members of the corporation to municipalize it having been defeated, not so much by open opposition as by dilatory tactics. As the result, the present charge for gas in Liverpool is 3s. 4d. per 1,000, as compared with 2s. 6d. in Manchester, whose municipal gasw bring in a profit to the ratepayers of £60,000 a year." As to Manchester it says—"Very satisfactory has been the success of the corporation in introducing the electric light into the city. Various electric light companies had their eyes on Manchester as being likely to afford them profitable business, but all their applications for 'provisional orders' under the Act were rejected by the corporation. This, coupled with the fact that the corporation itself took no active steps in the matter, led to some criticism of the system of municipal ownership in such a necessary of life as artificial light. It was alleged that the corporation did not promptly establish a supply of the electric light from the fear that its profit on the gas—which amounts to about £60,000 a year—would thereby be endangered. It is now clear, however, that the delay arose simply from the desire of the corporation to have the 'installation' carried out on the best possible principles, so that it would stand the test of time and not have to be superseded at a wasteful expense. With this desire, a committee patiently carried out an exhaustive inquiry into the different systems of electric lighting and their adaptability to the needs of Manchester, and as a result of this exercise of patience it is

believed that the light provided by the corporation has a degree of excellence and trustworthiness not to be found elsewhere outside London. For 1893 the cost of the works was £5,509, and the revenue from the sale of the current and rental of meters was £10,198. After payment of interest on loans and bank charges there was a profit of £1,167. The sum of £1,376 was carried, however, to the fund for the extinction of the debt, leaving a debit balance of £209. On the whole capital expenditure since the beginning of the undertaking there was a credit balance of £455. Manchester was the pioneer as regards the collective ownership of gas. The old Commissioners of Police obtained powers to light the town by the new illuminant in 1824. The works they then erected were transferred to the corporation in 1843, when the Police Commissioners came to an end. It is not known what amount of the ratepayers' money had then been invested in the manufacture of gas, but in 1857 the valuation showed that the assets were nearly £400,000, and the liabilities a little short of £340,000. Between that date and March, 1893, a capital expenditure of £1,942,865 was incurred, and the corporation has since acquired power to borrow half-a-million for the purpose of increasing the manufacture and the storage of gas. The excess of assets over liabilities now amounts to about £900,000, and, as already stated, the yearly profit averages about £60,000. The corporation supplies over 80,000 consumers, and in 1892-3 manufactured 3,636 million cubic feet of gas as compared with 1,070 million in 1865. It is the universal opinion in Manchester that the collective ownership of the gas supply has been a brilliant success."

84. What about Birmingham?—"In his estimates Mr. Chamberlain did not contemplate any reduction in the price of gas. As a matter of fact there have, at various times, been considerable reductions. The average net price charged by the two companies in 1875 was about 3s. 1d. The next year it was reduced to 2s. 10d.; in 1879 it was further reduced to 2s. 7d.; in 1881 to 2s. 4d.; in 1884 to 2s. 2d.; and in 1885 to 2s. 1d.; while for the years 1887-93 it was 2s. 2d."

85. *By the Hon. the Chairman.*—Were those private companies?—No, the municipal corporations. This is a return prepared by the town clerk of Adelaide, who sent to all the towns in the United Kingdom as to the gas supply. It shows reductions, in 25 places, in the price of gas after it became the property of the corporations; such as—3s. 9d. to 2s. 11d., 3s. to 2s. 9d., 6s. 8d. to 2s. 6d., and so on right through.

86. *By Mr. Box.*—Then the result has been a reduction of the price?—Yes, and the passing of a large profit into the common fund of the municipality, which is used to decrease the rating.

87. It is necessary that they have to maintain the control of the streets?—Yes, and that is specially necessary here by reason of the practice of overhead wires. The Postal Department are in possession of one side of the street throughout the city; that leaves only one side of the street where electric light wires can be carried, and, as one cannot have more than one line of poles on the footway, to have that used by five undertakers, as is proposed by the Bill, would produce a result which we think would be practically unworkable, and the danger to the public from five sets of wires in the street would be very serious. The Bill as now drawn provides for five undertakers and their wires.

88. The Alcock, the Gas Company, the New Australian, the Union, the Council, and the Government?—Yes.

89. Those five undertakers, being at present in existence, would have the right to obtain the order as the Bill stands?—Yes, whilst the council have the wires at this present moment through every street and lane in the city. Another difficulty is the desire of every citizen, apart from the councils, that the wires shall be got underground as quickly as possible. The City Council has been striving to get the telegraph wires underground for many years, and it was the question of expense that prevented it. Working with the Postal Department, a conference was held between the expert officers of the council and Post Office authorities to prepare a scheme for underground wires, and a report was prepared; the cost is the difficulty at the present time. It was proposed to start it in the central portion of the city at first, and then extend by degrees, but if there are to be more than the two in it—say four or five people to be consulted before any scheme of undergrounding can be done—then it will never be done; because, first and foremost, the companies could not provide the capital. A similar difficulty arose when we were putting up our leads. The Postal Department had in some places used both sides of the street. In one case in point, Flinders-street, they had the telephone and telegraph lines on both sides of the street; our leads had to go up there, and the question was—how and where? We joined with the department, and, as we always can do, we mutually agreed to share the work between us, at an estimated cost of nearly £1,000, to clear Flinders-street.

90. What did you do?—Shifted the wires across to the other side and put in cables instead of loose wires; we joined the Government in the expense. Action of that kind would be impossible unless it were in the hands of the local authority working with the Government.

91. And all consumers of this light are ratepayers?—They are the only persons who can be consumers.

92. And, if the municipalizing of this light be successful, reductions will be made in the price of the commodity?—Yes; the practice of Glasgow and other places is that whatever profit arises goes into a common fund and reduces the rating. In some of the places I mentioned they made from £40,000 to £60,000 a year from the lighting.

93. Is the City Council in a state of preparedness to supply electric light for the private consumers?—We could couple up to-morrow, as far as our plant goes; we could supply some thousands of lights.

94. The money is ready for that?—We have other money to expend, but we have so much plant ready that we could supply to-morrow.

95. There was a Municipal Conference on this particular Bill?—Yes.

96. Did the city of Melbourne take part in it?—Yes.

97. Is that a copy of the results of that conference?—Yes, that is the report [*handing in the same as follows*]:—

MUNICIPAL CONFERENCE RE THE ELECTRIC LIGHT AND POWER BILL 1895.

The Conference consisted of representatives of—

The cities of Melbourne, South Melbourne, Prahran, Fitzroy, Richmond, St. Kilda, Collingwood, Footscray, and Hawthorn;

The towns of Brighton, Brunswick, Essendon, Northcote, North Melbourne, Port Melbourne, and Williamstown;

The boroughs of Flemington and Kensington and Kew; and

The shires of Boroondara, Caulfield, Coburg, Malvern, Preston, and Heidelberg.

REPORT OF COMMITTEE OF CONFERENCE ADOPTED BY THE CONFERENCE.

Your committee have the honour to report that they have gone carefully through the provisions of the Bill and compared same with English and colonial legislation on the same subject, or in regard to undertakings of a similar character, such as the tramways and gas and hydraulic power supply.

The Bill is, in the main, in the form and on the lines of English electric power legislation ; but there are some few clauses in which the spirit and principles of this legislation have been departed from, and it is with regard to these that your committee desire to call special attention. They are referred to hereunder in the order in which they appear in the Bill.

In this report, electric light and power lines are referred to as "electric lines," and the word "order" refers to the formal authority or order of the Governor in Council under which authority is given for the use of electric lines.

Clause 3 is a saving clause protecting all telegraphic wires of the Postmaster-General, and is to that extent satisfactory. The clause, however, also exempts all electric light and power lines of the Postmaster-General, the Board of Land and Works, and the Railways Commissioners from the restrictions of the Bill.

Your committee consider that as, primarily, the Bill is introduced, and is necessary, for the public safety, no electric light or power lines whatever should be so exempted.

Clause 5.—This clause prohibits the use of any electric lines, except under the authority of an "order"; but exempts for the period of twelve months all electric lines belonging to any council, company, or person, and erected before the passing of the Act. To this extent the clause is in accordance with existing legislation ; but it goes farther, and, without (so far as your committee are aware) any precedent therefor, provides that all such councils, companies, and persons shall be entitled to obtain an order, subject, in the case of companies or persons, to any agreement between them and any council made before 16th July last.

Your committee most strongly urge that this provision should be excised, and that all such councils, companies, and persons should be required to obtain their order in the manner provided in the Bill for all other councils, companies, or persons.

In support of this view, your committee point out that such agreements as already exist between councils and the existing companies are of a temporary character, and the terms and conditions thereof were fixed accordingly ; but if the clause be adopted those companies will be entitled to obtain orders conferring much greater privileges than already granted by those councils, and (at the expiration of such temporary agreements) the companies will be freed from all the terms and conditions which they have already agreed to.

Further, it has to be pointed out that the practice of the Board of Trade is to restrict the number of suppliers of electric power to two in any one area, whilst under the clause proposed there would be, taking Melbourne as an illustration, no less than four companies or undertakers (in addition to the Government) having permanent orders within the same area.

This recommendation does no injustice or injury to any existing company, inasmuch as the privileges already obtained by those companies were obtained from the local authorities, and can, no doubt, be continued on conditions to be mutually arranged ; but the clause of the Bill provides that the companies shall have greater privileges, and destroys the control which the local authority now has, and must necessarily have, with regard to its streets.

Further, the companies are amply protected against arbitrary action on the part of any council by clause 8, which gives power to the Governor in Council under certain circumstances to dispense with the consent of the council.

Special attention is called to South Australian legislation on this subject.

Your committee desire to specially point out, that the granting of legislative authority to any private company for the electric light or power supply of any district, without the consent of the local authority (as is proposed by this clause), would practically be granting a monopoly to such company, as it would thereby be placed in possession of the streets without being subject to the necessary conditions providing for competition, and otherwise, for the protection of the ratepayers' interests, which the local authority would impose before granting its consent. And your committee urge that the first right to the control of the light supply belongs to the local authority, in which case all profits derived from the undertaking go either in reduction of the charges for such supply or in the reduction of the rates payable by the citizens. English experience most conclusively bears out this statement.

Clause 8 provides, in accordance with English legislation, that the consent of the local authority to the granting of an order must be obtained ; but reserves power to the Governor in Council, in cases where such consent has been refused, to dispense with it under certain circumstances.

Your committee urge that an opportunity should be given to the local authority to be heard in regard to such refusal before the consent is dispensed with.

Your committee strongly urge the excision of the latter part of this clause, which relieves the councils, companies or persons, mentioned in clause 5, from the necessity for obtaining such consent.

Clauses 20 and 21 provide that streets broken up by undertakers must be maintained for three months.

Your committee recommend alteration to six months, as is the case in other Victorian legislation of a similar character.

Clause 26 provides that no overhead lines shall be erected in or across any streets without consent of the Minister, and also of the council.

Your committee recommend that this control should be in the hands of the local authority only, which is the responsible body, as is the case in the English Act.

Clause 31, deals with the precautions necessary for the protection of telegraphic communication. Your committee recommend, with regard to this, that it will be necessary to make some alterations herein in view of the fact that nearly all the lines in the colony are overhead, whilst in all large cities in England all electric lines in the streets are underground.

Clause 32 deals with the placing of electric lines in streets ; but there has been omitted from sub-section 4 thereof a proviso, which is contained in the English Act, which exempts from the restrictions of this sub-section lines erected and used under and in accordance with the order authorizing them.

Your committee urge the necessity for this proviso being inserted.

Clause 34.—Sub-sections 2 and 3 are not to be found in English legislation, and your committee recommend they should be excised.

All necessary precautions in the direction therein indicated can be better provided for in the order, according to English practice.

Clause 39.—This clause provides for the purchase by the local authorities of any undertaking in their district.

Your committee recommend that the principles laid down in all Victorian legislation should be followed here, and that the power of purchase should accrue in thirty years instead of forty-two, as provided in the Bill, and that such power should be revived every three years instead of ten as in the Bill.

General.—Your committee recommend that a clause be inserted to provide authority for two or more councils to join in the purchase or construction of electric light works.

Your committee have dealt in this Report only with clauses which contain principles of importance, but point out that there are a number of clauses in which amendments of a formal nature or lesser importance are necessary, and which are shown in the copy of the Bill attached hereto.

Your committee recommend approval of the foregoing recommendations and that they be authorized to take all necessary action to have effect given thereto.

J. H. MADDOCK, Chairman.

2nd August, 1895.

I omitted to mention one matter as to the local authority having the lighting power. Brighton (England) is a very good illustration of where a company was granted an order and set to work, and the corporation had to take the matter up for reasons that were explained. The council got the order and they have gone ahead very considerably, so that the company is practically closing down.

98. There is another point—supposing these words in this clause 5 be excised, it will also be necessary to throw out clause 8, sub-section (2) ; the last part of sub-section (2) of clause 8 will also require excision?—Yes, that is consequential on clause 5, and on that same sub-section the conference desires—as to the power of the Governor in Council to dispense with the consent of the local authority—that words should be inserted providing that opportunity be afforded to the council to be heard in regard to their refusal of their consent to the grant of an order to show that it had good ground for refusing.

99. Mr. Topp in his address to the Committee asked that the Gas Company should get an order giving them permission to go wherever their mains are—I suppose the council would object to that?—Certainly.

100. Their mains are laid over the municipal area?—Nor would they be entitled to a consideration. They have had the benefit of their mains, and would be getting a concession they are not entitled to.

101. I believe also that it is not customary in England to allow more than two companies access to a certain area with their wires?—The practice generally is one, but certainly not more than two; they generally divide the area up if there are more applicants than one.

Cross-examined by *Mr. Wood.*

102. I believe some difference of opinion has arisen as to the right of the City Council to supply gas or electric light for private purposes?—Yes.

103. And the council are desirous that those doubts as to their powers should be removed?—I do not know that the council has doubts, yet knowing this Bill has been before Parliament for the last four years they have not taken action to obtain special legislation in the matter. There have been Electric Light Bills before the House since 1892, one Bill would have been law two Sessions, I think, ago, because it went not only through its second reading, but was referred to a Select Committee.

104. But I say, suppose the law stands as it is at present, without any Bill before Parliament becoming law, there is a doubt as to the right of the City Council to supply light to private houses?—You have advised to the contrary, so there must be a doubt.

105. Has not the Attorney-General also?—On an *ex parte* case.

106. You are desirous of having this doubt removed?—The council are desirous of having this Bill passed.

107. That Bill would remove the doubt?—Yes.

108. The Bill will be beneficial to the City Council?—All legislation that will protect the lives of the citizens will benefit them.

109. The City Corporation consider they will have some benefit from that?—I will say no to that, because I believe we have power now.

110. You say that there is nothing analogous to that part of the 5th clause which you object to in English legislation?—I am not aware of anything.

111. The first English Act on the subject was passed in 1882, as you told us; prior to the passing of that Act, were there, in point of fact, any companies in existence which were supplying electric light?—I cannot say.

112. Then supposing that there were no companies in existence prior to 1882, it would certainly be a work of supererogation to confer any privileges on existing companies?—I fail to see, unless there was electric lighting going on in the city, that they would have needed a Bill to regulate it.

113. It was contemplating that companies would take up the lighting; if there were, at the time, no companies in existence which would supply electric light, you would hardly expect to find any clause protecting it?—I doubt as to whether there was not any legislation prior to that. There was a good deal of lighting done long before the 1888 Act, and the 1888 Act contains no such provision, or recognized any private interest.

114. Then your observation, that this part of the 5th section should be struck out because there is nothing analogous to it in the English Act of 1882, scarcely seems well founded?—I did not put it so. I say strike it out because it is wrong and there is nothing to justify it.

115. You referred to it that there was nothing analogous in English legislation?—I gave other reasons.

116. Before those electric lighting companies got permission to first use the poles and then the poles of the Government, which were transferred to the city corporations, they used to carry their wires from house to house?—I do not know.

117. You are in favour of cutting down the period of 42 years to 30?—Yes.

118. You are aware that in the first Act of 1882 the period was 21 years?—Yes.

119. Do you know what the effect of that was?—I believe there was a difficulty in getting companies to carry on.

120. Did it not put a check on all electric lighting enterprise between 1882 and 1888, the date of the second Act; were any companies formed, or, if any, were they not utterly insignificant in number?—I cannot say.

121. The present Bill contains a clause prohibiting companies or undertakers from laying wires overhead except with the consent of the corporation?—Yes.

122. Then, if the corporation requires the electric lighting companies to remove their wires from the existing posts, will the companies not be practically at the mercy of the corporation?—Such a supposition I cannot recognize. The council never expressed its desire to remove any wires.

123. You see there is a provision against carrying wires overhead. Now supposing this Bill becomes law as it stands, and the corporation requires the companies to remove their wires from the existing posts, will not the companies be practically at the mercy of the corporation?—If this Bill be carried out as suggested the companies will cease to exist, because the clause says they shall only hold it subject to agreement. Directly the council gives them three months' notice a company cannot come in under this Act.

124. At the time the permission was first granted to the companies to put their wires on those posts, if that permission had been withdrawn, the company might have reverted to the old system of carrying the wires from house to house?—And the council would then have interfered.

125. How could they. Are you not aware in the Wansworth Board of Works Union Electric Company it was decided the Board of Works could not obtain an injunction to prevent that company carrying the wires overhead?—I am satisfied that a big effort would be made to stop anything of the kind.

126. Is there power to do it independently of the power in this Bill?—I would not like to say.

127. As far as you are aware, supposing this Bill becomes law in its present shape, does the City Council intend to allow the companies to continue to use the existing wires?—I cannot answer that except in this way—the council has never yet expressed the slightest intention of asking them to remove them. They have not adopted a resolution either way, and as far as I know they have not an intention to ask any company to take down a wire.

128. Has intimation ever been officially conveyed to any of those electric lighting companies, that the council intended to undertake the business of lighting private houses?—Yes, in the conditions of 1890 they were given to understand that clearly.

129. The important words are “for electric lighting of the city.” Do you consider that that would convey to companies the information that the City Corporation intended to do more than light the streets and other public places?—Yes, certainly.

130. You consider that sufficiently intimates to the electric companies that the corporation at that time had the intention of carrying electric lighting into private houses; that is to say, as shown by this?—One of the board of directors of one of the companies came and argued against the provision.

131. Beyond those words which I have just read, “for electric lighting of the city,” was any official intimation ever given to any of those companies that the corporation had an intention at some future period to light private houses in the city?—There never was the slightest doubt, till the year 1894, on the question.

132. I say beyond those words was any intimation ever given to those electric companies that the corporation meditated at some future period lighting private houses by electricity?—Yes; the third last clause here shows it. It provides for the council carrying on electric lighting without compensation to the companies. Neither of the companies did any public lighting, and therefore, if called on to remove their wires, no question of compensation could have arisen unless it applied to private lighting.

133. You referred to opinions that members expressed in the City Council; is there any resolution before the year 1894 in favour of lighting private houses by the City Corporation?—Yes, under date 25th November, 1890, where the authority of the council is first given for the purchase of the poles. It spoke about the purchasing of certain poles. The report spoke about the purchase of the poles from the Government, and the erection of other poles at a certain rate. “The committee have given consideration to the question of the lighting of the city generally by electricity being carried out by the corporation with its own plant; and further information is now being obtained from competent authorities as to the probable cost thereof, and matters of detail necessary for fuller consideration of the matter.”

134. Beyond that no distinct reference is made to the lighting of private houses?—Being general, there could be no particular reference.

135. You think those words are sufficient to indicate that electric lighting companies might fear competition from the corporation?—I was the draftsman at the time, and the general words were used purposely. Had it meant anything else why should a member of the board of directors of the Alcock Company, who was also a member of the City Council, protest against the work being carried out because it was an encroachment on private enterprise, that is the best evidence that it was understood by the company.

136. Who was the director?—Mr. Carter. Mr. Mountain, the chairman of directors of the Alcock Company, was also familiar with it. Further evidence is by the fact that we opposed successfully the proposed Bill in August, 1891. United action by the municipalities was taken to prevent the Alcock Bill passing.

137. Are you aware that in England, where there are many companies that carry out electric lighting, the Board of Trade has set its face against any company obtaining a private Bill, considering that they ought to come in under the orders of the Board of Trade?—That is so. The practice of the Board of Trade is to give a preference to the local authorities, even to the extent of giving their provisional order for two or three years without making use of it.

138. Are you not aware that in England, where there is no opposition to companies getting powers, the Board of Trade is opposed to their obtaining this power by Bill instead of by order under the Act?—There are three ways of doing it.

139. A company in England may still get a private Bill. Are you aware that the Board of Trade in England still sets its face against a company proceeding in that way?—No; I did not know that.

140. You cannot give the Committee any assurance that, if the Bill passes as it now stands, the City Council may not within three years require these companies to take their wires off the poles?—I cannot speak for the City Council.

141. *By the Hon. the Chairman.*—The Committee would be glad if the council would authorize you, or some gentleman on their behalf, to attend before this Committee with full power to explain to us what is the intention of the council in the event of this Bill passing, in reference to those various companies?—I will take the earliest opportunity of getting the information.

142. *By Mr. Wood.*—In point of fact, if the Bill passes as it is, and the council chooses to deal harshly with the companies, this clause as to purchasing at the end of 42 years would become a dead letter, because the corporation might compel the company to sell its plant immediately at the time of notice to remove those wires; is not that so?—I do not follow you.

143. One clause in the Bill contemplates that a company may carry on its operations for 42 years?—To carry on for all time, but with the power for purchase in 42 years.

144. But if the council chooses to exercise the power given to it by its agreement, and causes the companies to remove their wires from the poles, the companies will have no other course than to sell their plant to the City Council?—The council could not buy them.

145. Then they are in still worse position; it would be thrown on their hands?—Both the companies' plants are situated outside the city altogether.

146. Then the council would simply say—“Dispose of your wires and buildings as you best may”?—We can deal with the wires in the city for that matter for all the value that would be in them, and the plant is at work lighting other districts.

147. Since the permission was first given to those companies to put their wires on those poles they have expended very many thousands of pounds, have they not, in electric lighting?—I should imagine so.

148. Is the electric lighting of the city of Melbourne and the suburbs done, as far as you know from the draft reports or other documents, in as efficient a manner as in cities in England?—I cannot express an opinion on that.

149. As a matter of notoriety, are any complaints made of the way in which the companies are carrying out their duties?—I can mention one case. The last time I attended the Committee on the Bill, on leaving I saw one company's man switching off the current at the corner of Stephen and Collins streets because the company's city circuit had gone wrong.

150. That accident has sometimes happened in the case of the city lights?—I admit that I should not have referred to it if you had not asked the question.

151. The companies light many of the surrounding municipalities?—Yes.

152. In an efficient manner?—Their witnesses can speak of that.

153. You say the money is ready—do you mean it is ready now to carry out electric lighting for private houses?—Yes, and it has sufficient plant in hand to go on at once.

154. To carry out electric lighting as efficiently to the same extent as the companies?—Equally efficiently, to the extent of its requirements, the same as the companies. I say we could start now. We could not light every house in the city.

155. Can you light to the same extent as the electric lighting companies are now doing?—Not instantaneously. If it has taken them twelve years to do it, we could not get there in twelve weeks. I mean to say the City Council borrowed a sum for the purpose, has obtained part of its plant, and the money is available for the necessary extensions as the orders come in.

156. You do not mean you have money sufficient to light all the private buildings lighted by all the present companies?—No; the council would never borrow as much as that in advance. The City Council has as much borrowed for private lighting as has been contributed by the two largest companies. They have contributed £46,000; we borrowed £50,000.

157. You spoke of the Tramway Company affording something analogous to the electric lighting system, and you argued that the corporation might very well have the same power with the one as to the other?—I was speaking of the local authorities having the undertaking in their possession.

158. Do you consider that there is any close analogy between the system of tramways and the system of electric lighting?—There is, because the citizens get the direct benefit.

159. In the tramway is there not a monopoly of the street necessarily?—No.

160. Do you know any place where there is competition in tramways?—The Victorian Bill provides for running powers. If there is no demand there will not be a second company, but the powers are there for it.

161. Where the tramway is established in any street has not that practically a monopoly of that street?—No, certainly not.

162. Do you know of any instance where there are competing tramway companies?—I have not travelled much; I cannot say.

163. There can be competition between electric lighting companies?—Not so conveniently as with the tramway track; it will carry as many cars as you like, but the poles will carry a limited number of wires, and a pole is only a certain height.

164. Do you mean to say that, in your opinion, there is more possible competition in tramways than in electric lighting?—There is power for it. I do not say there is more competition in tramways. The only reason I referred to it was because the citizens got the benefit derivable from the system.

165. The gas system is a strong rival of electricity?—Since the Wellsbach burner has been introduced it has been a stronger one; but I do not know that that will be a success.

166. There are at present three companies, and (including the corporation, which lights the streets of Melbourne) there are four sets of wires now?—Only in a few parts.

167. What inconvenience is caused by those different wires being carried on the same poles?—The men handling one set of mains have to work over four sets of mains that they know nothing about, as to whether the wires are alive or dead, and there is the difficulty of there being four different controls over the most dangerous parts of our streets—one man was killed in Russell-street. There is also a greater difficulty with the induction. Certain tests are carried out, but you cannot tell which set of wires it is that is causing the trouble.

168. What do you mean by dead wires?—Those through which no current is passing.

169. Is not that easily ascertainable?—Yes, but if you have twenty men out working on the wires in different parts of the city they do not know which wires are carrying current.

170. But an official could ascertain what you were going to do and send no current through the wires?—Then the day lighting would be shut off. The council have not been able to stop the present dangerous system, which danger is becoming intensified by the age of the wires. As they get a few years old the insulation becomes defective and then the trouble arises. We have had to call on one company at least to take down its wires because of the defective insulation, which was causing danger to our men working at the wires.

171. Does the City Council propose to have conduits to carry the electric wires?—That is its scheme ultimately. It will be done in sections—it is done in one small section of the city now.

172. In England it is much more usual to carry the electric lighting wires underground than overground?—Yes.

173. The trench made for carrying the wire does not necessitate much breaking up of the roadway?—Not in depth, but it will in space.

174. It is not like taking up a gas or water pipe?—Yes, it is just like that, and to the same extent, because gas and water are close to the surface, and these wires are laid in mains close to the surface.

175. You think laying down the mains for the electric wires would be just as bad as the other?—They are usually laid in the footways, and if you have five people interfering with one footway the trouble will be intensified.

176. What is the diameter of any of the conduits?—I cannot say, they vary.

177. Are you acquainted with the expenditure of these various companies?—I am very well acquainted with their balance-sheets.

178. In 1891 you took up the posts?—Yes.

179. Can you inform the Committee how much those companies had expended up to that time?—No.

180. *By Mr. Maddock.*—You were the secretary of the conference that was recently held?—Yes.

181. Did that conference in any way whatever, directly or indirectly, express any desire to interfere with or injure the companies?—Not in the slightest.

182. Was any indication given of any feeling or intention to stop the companies in carrying out the agreements that they had made with the corporations?—Not the least.

183. Then so far as the conference of municipalities is concerned, there is no intention whatever of interfering with the trading carried on by the companies as at present?—No.

184. *By the Hon. the Chairman.*—Can you say that?—I can as regards the conference.

185. Are you aware whether the councils passed any resolution as to the report of the conference?—I have received notifications from a large number of them approving of the action of their representatives. As soon as the conference came to decisions I sent a report out to all the constituent councils; the representatives brought the matter before the councils and they sent word to us.

186. When you say that all the councils represented at this conference were in favour of carrying out the agreements, you mean those councils that had agreements?—The conference did not consist only of councils that had agreements. I suppose they would be limited to about six, and there were 24 represented.

187. *By Mr. Wood.*—Has application been made to the City Council very recently for permission to put wires on poles belonging to the corporation, and has that permission been refused?—An application has been made since this Bill was introduced, and in view of the clauses in the Bill the council felt that if the companies were prepared to depart from their agreement, the council would not be justified in granting the application until this legislation was settled.

188. *By the Hon. the Chairman.*—Then the request was refused?—Yes, for the time being, as it was a departure from the terms of the agreement; they felt they could not accede until they knew what was going to be done.

189. At the conference was the question debated as to how the companies were to be treated?—Not specifically. The only matter before the conference was the Bill, and the action to follow on it, which is set out in the report, and so far as I have expressed myself it is clearly what took place at the conference.

190. Were any of the representatives in a better position to bind their respective councils than you were as the representative of the City Council?—I should think not, but I cannot say, because they frequently appoint a man with full power, but generally the representative would have to go back and report.

191. Did I understand you to say that the City Council had borrowed £125,000 for lighting purposes?—For public and private lighting—£75,000 for public and £50,000 for private lighting.

192. And the plant and works are all ready?—The steam power was increased to provide for what we term internal lighting—incandescent lighting. Plant has been obtained primarily for the lighting of the Town Hall and other buildings; the surplus power is there for probably some 2,000 or 3,000 lamps. It could be turned on to-night if the wires were run across to the houses.

193. Why does not the council do it?—Doubts have been raised as to whether they have power to light privately; and in view of this Bill being before the House action has been stayed.

194. That is the sole reason?—Yes, they are waiting now till this Bill goes through. If this Bill were thrown out they would then take action in whatever way they thought fit.

195. You have given a good deal of consideration to this Bill?—I have done my best.

196. I did not follow you exactly as to where the City Council got its power from for using electric light for private purposes; can you inform the Committee where that power is derived from?—The local authorities had power to light by gas for both public and private purposes—that power was increased to apply to electric light.

197. No, to borrow money—you refer to the Local Government Act of 1890?—May I ask in what aspect this question is being asked?

198. A great deal depends—if you can satisfy the Committee that the council at the present time has the power of applying electric light for private purposes, then we might consider in a very different light the application that is now made on behalf of the City Council to strike out the words, that appear to you and the council objectionable, in clause 5?—The position of the council is not at issue in connexion with this Bill.

199. We want to know if you have the power?—I must ask you to let the matter stand until next meeting, and I will supply you with the information. As to this Bill what power the council has got is not at issue.

199A. Pardon me, the Committee have to deal with that question, and that is the most important portion of the Bill. We want to ascertain where the council gets the power from.

Mr. Box offered to address the Committee on the point.

200. *By the Hon. the Chairman.*—The Committee wish to know whether you (*Mr. Clayton*) can point to any particular section giving that power?—I am not going to express any legal opinion here which may put the council in a false position. Of course, I suppose the Committee will also be desirous of ascertaining under what power and authority the companies have carried out their work.

201. That is foreign to the question I put to you?—Surely it is not foreign to the Bill.

The witness withdrew.

Adjourned to Wednesday next, at Three o'clock.

WEDNESDAY, 25TH SEPTEMBER, 1895.

Members present :

The Hon. H. CUTHBERT, in the Chair ;

The Hon. J. Balfour

Lieut.-Col. Sir F. T. Sargood

D. E. McBryde

The Hon. A. O. Sachse

J. Bell

F. S. Grimwade.

The counsel and parties were called in.

Mr. Box appeared for the City Corporation.

Mr. J. Dennistoun Wood appeared for the A. U. Alcock Company and the New Australian Lighting Company.

Mr. Maddock appeared for the remaining municipalities.

Arthur James Arnot examined.

202. *By Mr. Box.*—What are you ?—Melbourne City Electrical Engineer.

203. What experience have you had as an electrical engineer ?—I was educated under Professors Jamieson, of Glasgow, and Thompson, of London, in electrical technology. I served my time in the Brush Electrical Coy's workshops in London. I was subsequently appointed assistant engineer, and afterwards as engineer in charge, of the Electric Supply Corporation in London, then the only, and now one of the largest, electric supply stations in London. Subsequently to that I was appointed as engineer to a local company here to bring out some plant from London and erect the same. Four years ago I was appointed by the corporation as the city electrical engineer, which office I now hold.

204. You were a member of the conference that was appointed by the Australian Governments to prepare regulations with reference to the electric light and its control ?—I was.

205. Did you attend that conference ?—Yes.

206. Have you the regulations upon which that conference agreed ?—Yes ; this is a copy of them —[*producing the same*].

207. Those regulations were submitted to each Government. What colonies were represented ?—Queensland, New South Wales, Tasmania, South Australia, Victoria, and New Zealand.

208. You have examined this Bill from a technical point of view ?—Yes.

209. Will you omit clause 5 in dealing with it at present, but take in order the clauses you desire to speak in reference to. The first clause is No. 24 ; the marginal note of that clause is—"For the protection of water, gas, steam, and other pipes"—what have you to say about that clause ?—I think clause 24 should be omitted from the Act, and should be in the order under the Act obtained by the company, similar to the model order of the English Act, and the orders under the Manchester and Glasgow corporations.

210. Why do you say it should be taken out of the Bill and put into the order ?—To start with, the matter, to my mind, is foreign to the Electric Lighting Act, it is only applicable, as far as I see, to gas and water. The cast-iron troughs used for electric lighting in many cases are only three feet in length, and, as it states here that all joints must be at least three feet from any part of such gas and water pipes as they cross, it would be impossible under those circumstances to make the joint three feet from the pipe which it crossed.

211. You know that the electric wires here are overhead ?—Yes.

212. Does this clause apply to the overhead wires at all ?—No, not at all.

213. In what part of the model order is this provided for ?—In the model order, clause 16 relates to it—[*reading the same*].

214. From your experience this clause 24 ought to be replaced by No. 16 in the model order ?—Something similar to that. It ought to be taken out of the Bill altogether.

215. Is the same protection given in the orders as regards Glasgow ?—The very same. It is an order under the Glasgow provisional order, slightly altered to suit the local circumstances. That is the benefit of putting this matter, which is really a technical matter, into the model order, because it can be suited to local requirements. In the Act it is fixed for good.

216. In the order it is elastic, in the other it is not ?—Quite so.

217. In what section of the Glasgow order is this provision inserted ?—Section 14 ; that is dated 1890.

218. Have you any English order later than that ?—That is the latest I have.

219. The model order is issued by the Board of Trade ?—It is prepared under the regulations of the Board of Trade.

220. Does it refer to any particular town ?—No ; it is the model form of the provisional order under the Electric Lighting Acts of 1882 and 1888 for the metropolitan area. That clause is also in the Manchester order, which is based on the model order. It is No. 14 in the Manchester order, and takes into consideration the regulation or requirements when electric light cables or pipes cross other pipes.

221. They make the clause to meet local requirements ?—Yes.

222. It would be more advantageous for it to be in the order than in the Bill ?—Yes.

223. What is the date of the Manchester order ?—1890.

224. Now take clause 31, sub-section 4. That provides, as the Bill stands, that—"any difference which arises between the Postmaster-General or the said board or Commissioners and the undertakers, or their agents, with respect to any requirements so made, shall be determined by such person as the Governor in Council shall appoint for the purpose." The English Act has a provision for arbitration instead of appointment ; what have you to say about that ?—As the English Act provides for arbitration, it is much more necessary in this country that we should also have recourse to arbitration, for this reason : although sub-section 3 of clause 31 is according to the English Act, the difference here is that we run through the streets on one side with our electric light wires, and on the other side we have the telephone wires, which belong to the Postmaster-General ; whereas, in the old country, the practice is to have the telephone wires on the house-tops and the electric light wires underground ; so there is very little trouble with the telephone

wires, and, being so far removed, there is very little necessity to approach the Postmaster-General about crossing any of his wires or getting near them at all; but here we cannot possibly get away from them—we are always having to cross them, and there are sure to be several points that will arise. Take, for instance, a very thick bunch of telephone wires on one side of the street; it requires in this Bill that, if we go within three feet of those telephone wires, we must conform to whatever regulations the Postmaster-General may stipulate. I suggest that arbitration should be inserted here in the event of the Postmaster-General and the companies or corporation not being able to come to some determination.

225. A conflict between the Postmaster-General and the electric light companies is almost inevitable in this country?—I think so.

226. And that should be decided by arbitration, not by the Postmaster-General?—Yes.

227. *By the Hon. the Chairman.*—Is not such arbitration much more expensive than having the matter referred to some competent person to deal with it?—Quite so; but the difficulty I see in connexion with that is, that in the event of an officer of the Postal Department having erected inferior work the blame might be put on the electric wires, and the electric light companies or councils might be instructed, as the Postmaster-General would be advised by his electrical expert, that the companies' or the councils' wires must be removed or altered to suit his convenience; whereas an independent arbitrator would point out that the cheapest way, and what ought to be done, would be that the telephone wires should be attended to.

228. Would your objection be removed if the matter were referred to an independent man, such as a County Court judge?—I think so; but it would also depend, in the event of a technical matter arising, upon who the electrical expert would be who would advise that County Court judge.

229. *By Mr. Box.*—Now go to section 32, sub-section 4; there is an omission from the Bill there, is there not?—There is.

230. There should be a proviso in that clause?—Yes; or something else put in that will convey what I think necessary. In the latter part of sub-section 2 of section 4 of the English Act it says—"Provided that nothing in this sub-section shall apply to the supply of electricity through any electric line or work laid down or erected under and subject to the provisions of any licence, order, or special Act, or which may be used in accordance with any conditions or regulations prescribed by the Board of Trade, by or in pursuance of any notice given by them under this section." That latter part of the clause is the loophole; in the event of a telephone company erecting wires, after the erection of electric light wires which have been properly erected, it would be rather hard, in the event of a single telephone wire or a few wires being erected subsequently to the erection of the electric light wires, that the company or council should be instructed by the Postal Department to make alterations or deviations from their work on account of the erection of those telephone wires.

231. This proviso preserves the right of the electric light company in case the Postmaster-General wants to put another telephone wire up?—Quite so. I put it as an addition to sub-section 4—"Provided that nothing in this sub-section shall apply to the supply of electricity through any electric line or work laid down previous to the erection of the telegraph line or lines so affected, and which electric line has been erected or laid down in accordance with the provisions of any order issued under the authority of this Act." I think that is all that is necessary.

232. That is somewhat the same as the proviso in the English Act?—Altered to suit the Bill; it leaves out the licence and the special Act.

233. Now turn to clause 34, sub-sections 2 and 3; what do you desire to say about those?—I think they are foreign to the Bill, and that the proviso ought to be included under the order in the regulations—taken out of the Bill and put in the regulations under the order. The regulations as compiled by the Board of Trade provide for the disconnexion of any building that is at all faulty. It is also provided for in the regulations framed by the conference of experts already referred to.

234. What clause of the suggestions made by that conference is that contained in?—On page 10; clauses 49 and 50 deal with that matter.

235. Those sub-sections ought to be eliminated from the Bill and would be met by clauses 49 and 50 of those regulations?—Yes. I think the inclusion of those two clauses in the Bill would be very unfortunate. They would lead to considerable inconvenience to the consumer, and possibly danger to the community, because if a company has no right to disconnect a consumer when the wires are at all leaky or in a bad condition, it is in an unfortunate position; whereas if the company has the right to do it, as it has under the Board of Trade regulations at home and under these regulations framed here, there is no necessity for going to the Minister and requiring the place to be disconnected.

236. If it is in the order it can be brought into force at once, there is no necessity to go to the Minister?—Quite so; it is instantaneous in its action, which is very necessary under the circumstances. The clause we have included in our regulations here is practically the same as the clause of the Board of Trade at home.

237. *By the Hon. the Chairman.*—You prefer that these clauses, 2 and 3, should be included in the regulations, so that the duty would devolve upon the company of seeing that proper protection was afforded as against any accident that might happen?—Yes.

238. Where do you see any evil resulting in giving the same power to the Minister in addition to having it in the regulation; where is the evil of having it inserted in the Act?—It gives such a free and open hand to any one having any spite against a consumer to cause continual trouble by informing the Minister that So-and-so's premises are not properly wired. Take an unsuccessful contractor who did not get the work in connexion with a large building; he might be continually harassing the tenants of this building by informing the Minister and causing inspections to take place frequently, whereas it is so necessary that the wiring inside a building should be always well protected that the supply company takes every precaution to note any leakage on its mains; they will take very good care that as soon as anything happens that consumer will be disconnected.

239. Is any injury likely to arise by these two clauses remaining in the Bill. Suppose a company were careless, would it not be well to confer this power upon the Minister, not that he should exercise it on every complaint that comes before him?—I think it is unnecessary for this reason, inside every building in Melbourne the insurance inspector has to inspect the wires for the insurance company. The supply company will take care to inspect the wires, and, if a third party is to inspect the wires as well, it will be rather a nuisance, to say the least. The insurance inspector has to inspect a building when any alteration

has been made, and he generally inspects a building once a year, so that from a fire insurance point of view the building is well looked after. It is very much to the company's interest to look after a building, especially if on the contract system, when, with defective wiring, a current will be escaping which will not be paid for.

240. Is there any inspection in England except by the officer of the company?—Only by the officer of the company and by Mr. Heaphy, the inspector of the fire insurance companies.

241. *By the Hon. J. Balfour.*—Fires have sometimes originated through the insulation getting out of order in buildings and theatres?—A very long time ago; we have heard of nothing of the kind lately.

242. Has it not taken place in Melbourne?—I am not prepared to say it has. I have heard that a fire has been attributed to it, but I never had the evidence produced before me, and I do not know that it was the cause of the fire.

243. *By the Hon. A. O. Sachse.*—Is there any risk of dangerous circuits being formed with the water pipes in a house?—If the contractor who puts in the electric light fittings goes contrary to the regulations laid down by the Fire Underwriters' Association the inspector will detect it, and the building, as far as wiring is concerned, will be condemned.

244. But where the wires are set in brickwork or in plaster would that not necessitate the inspector being there every day?—That does not follow. The wire would be inspected beforehand, and the mode of installing the wire decided on, such as tubing and casing, and when it is completed, if the necessary fuses and switches have been inspected, there is no fear of anything happening in the building. If proper wire and proper casing have been used it does not matter how they put the brickwork round it.

245. If a plumber were to come afterwards and add gas pipes or water pipes in a careless manner might not dangerous circuits be completed?—That happens every day in Melbourne—the fuse would go and nothing would happen.

246. Can you suggest anything to provide against that—should the plumbers or other tradesmen coming in afterwards be skilled in electric fittings?—I do not think it is necessary; I do not see that they can interfere with the electric wires at all.

247. *By the Hon. D. E. McBryde.*—What mode of supervision is in existence in Melbourne at present?—There is inspection by the Fire Underwriters' Association in the building, and the company supplying the electricity take care that they do not connect their mains with fittings that are in a bad condition.

248. Does the inspector pay periodical visits?—Yes, and the instruments used by the companies can be used to detect bad insulation very easily.

249. *By Mr. Bow.*—Referring now to clause 5, how many companies have their wires running along the streets of Melbourne now?—There are three companies.

250. And there is also the Postmaster-General?—Yes, he uses the corporation poles; there is also the corporation itself.

251. That makes five altogether?—Yes.

252. From your experience in England, do you consider that is right?—No, I say it is not right; it is altogether against the practice in England, and against what has been recommended by authorities who have written on the subject. There are many reasons against it. The principal ones are, that it is dangerous that so many electric light wires should be run along the same street—it is dangerous to the public and dangerous to the workmen employed on those circuits, because when several companies are using the same line of poles one company's wires may be alive and not well insulated, and the employé of another company may receive a very dangerous shock, quite sufficient to throw him to the ground. Major Marindin reported on that matter to the Board of Trade; he is the expert adviser to the Board of Trade on electrical matters. He says—"In cases where the local authority objects to the entrance of any company, and it is decided to overrule the objection, I think that one company only should be granted powers." That was in 1889.

253. What is the position of opinion now on the point?—It is still the same. The practice is that not more than one company should occupy the same district. It was thought in 1888 and 1889 that it might be better policy to allow two companies in the one district, but where that is done the two companies must use different systems—one the alternate and the other the continuous current.

254. Since that time what has been done?—As nearly all the extensions since 1889 have been by the erection of municipal lighting stations there has only been one lighting station in each district. The Board of Trade only give the power to the municipality; they refuse the companies in all the districts.

255. That means that the area remains in the hands of one body?—Yes.

256. Is it possible to supply these two sorts of electric energy from the one plant?—At that time the difficulty was that electric motors could not be run from the alternating current system, but it is now possible to run motors from the alternating current system and to supply light also.

257. Is it possible to supply both light and energy from the plant that the corporation have established in the city of Melbourne?—Quite possible.

258. Do the present companies supply both?—They do. As far as that is concerned, motive power, with the present plant that we have got, could only be supplied for very small-sized motors, but the alternating currents can be used for motive power, and that especially applies to what is known as the monocyclic system, now patented by the Thompson-Houston Company, of America. Major Marindin goes on:—"In cases where two or more companies have obtained the consent of the local authority the following facts must not be lost sight of:—1st. That the laying of the mains of several companies up one street means so much dead capital, and moreover the provision of a certain amount of useless material, which the local authority would have to pay for if it should decide to purchase the undertakings after the lapse of forty-two years. 2nd. That, no matter what regulations or stipulations may be made as to the laying of mains, the interference with the streets and the consequent inconvenience to the public must be in a certain degree proportionate to the number of companies having powers over these streets."

259. Does that apply with equal force to overhead wires and underground wires?—It is applicable in both cases. If we do not put the wires underground, which is the better system, we have to put them overhead, and the more wires suspended overhead the more danger there is to the public and to the men employed.

260. The practice in England now is to limit one company or one undertaker to one area?—Yes, that is the practice. This is Major Marindin's report to the Commissioners of Sewers, in London, *re* the lighting of London; it is dated May, 1889:—"The London Electric Supply Corporation and the Metropolitan Electric Supply Company apply for provisional orders to supply electricity to the city of London and the Liberties thereof, but the city authorities dissent and oppose. The city authorities object to any company having statutory powers to break up the streets, and contend that they have power to contract for a supply. In cases where the local authority objects to the entrance of any company, and it is decided to overrule the objection, I think that one company only should be granted powers. If such a thing be possible—a company having power over one area—this company should be prevented from invading a district, in which it has not got powers, by means of overhead wires." I will also read an extract from a paper read by Mr. Alexander Siemens, President of the Institute of Electrical Engineers of London, and a member of the well-known manufacturing firm in London. He says—"Since the Electric Lighting Act (1888) was passed a new impetus was given to these enterprises, and, without examining the result of each year's applications separately, the grand total of the undertakers' efforts is that, since 1882, 132 provisional orders have been applied for, and 15 licences; of these, 81 provisional orders and 9 licences have been revoked, so that 57 provisional orders and 6 licences are still in force. On the other hand, of local authorities a few had obtained powers under special Acts. The city of London, as mentioned above, had been able to make some experiments of street lighting without any special permission, but a number of them availed themselves of the opportunity given by the Electric Lighting Acts, and obtained 121 provisional orders and 6 licences up to the end of 1892. Of this number, 8 provisional orders and 4 licences have been revoked or merged in provisional orders, so that 113 provisional orders and 2 licences granted to local authorities are still in force, but 2 of the provisional orders have been transferred to undertakers as mentioned above. . . . From the figures which I have given it is, however, plainly apparent that the local authorities will very shortly have a good many more stations at work than the electric lighting companies, and, in my opinion, this is as it should be. The financial success which has invariably attended the municipal electric enterprises has relieved the rates, at the expense of the wealthier classes, in a perfectly legitimate manner, and the more electricity becomes one of the common necessities of life the more desirable it is that its supply should be in the hands of the community and not in those of monopolists."

261. I suppose, in your opinion, there is no doubt that the wires ought to be underground?—No; that is the proper place if it can be done. In connexion with the danger of allowing a number of wires in one street, I should like to refer to the action taken in New York on account of the number of wires in the main streets. This is the *Electrical Review*, of 31st July, which has just come to hand; it is published in New York. This illustration represents the wires on Broadway, in front of Daly's Theatre, in 1888; the next illustration shows the same place when the wires have been put underground—[*producing the same*]. On 11th October, 1889, an accident happened to a workman while attending to the wires, and this paper says—"The next day the New York papers teemed with sensational articles and pictures describing the accident, and the whole city was aroused. Mayor Grant hastily called a meeting of the Board of Electrical Control, heard a report on the accident from Dr. S. S. Wheeler, and instructed Commissioner of Public Works Gilroy to immediately remove all imperfectly insulated wires. In spite of injunctions the Board went ahead with removing the wires, leaving the city in partial darkness. On the night of 15th October, 1889, the city was almost without illumination, 3,000 arc lights being shut off." Again, in the interests of the consumers themselves, when there are three or four companies in the one street, the capital involved in the necessary mains must of course mean a higher charge for the current to pay for the capital spent on the mains. I will now refer to two questions put in 1889, by a man named Whipple, to 28 cities in America using the electric light. The questions were:—"With your experience, are you in favour of cities doing their own electric lighting?" and "Why?" Twenty-five of the replies were in favour of cities doing their own electric lighting, giving their reasons; three were against it. I also produce the following extract from the *Journal of Gas Lighting* of 12th February, 1895:—"Monthly Meeting, City Council of Manchester, 5th February.—On a motion to reduce price of electricity from 8d. to 6d., the committee were authorized to make application to the Local Government Board for powers to borrow £100,000 for extension of plant. The revenue for the year in this branch amounted to £26,629 (1 year 8 months in existence); the expenditure had been £10,576, or a gross balance of profit of £16,053. Interest on the sum of £160,000, sinking fund, depreciation, &c., made up a sum of £8,283, leaving a net profit, applicable to the reduction of the city rates, of £7,730."

262. You have been managing the City Corporation lighting here?—Yes.

263. What has been the result, as far as your present experience goes, of the experiment of lighting with electricity as against gas, as far as economy is concerned?—There has been a saving on the previous cost of gas, including depreciation and interest on capital. The following is an extract from the "Minutes of Proceedings of the Institution of Civil Engineers" for 1890. *Re* electric lighting in Paris:—"Many electric light companies have been started in Paris, and the town council resolved to make an installation in the basement of the markets, and supply the neighbourhood with electric light both for street lighting and for use in private houses, clubs, shops, &c. The author proceeds to give an historical sketch of the progress of electric lighting in Paris up till the present date, and then to describe the scheme above mentioned. A preliminary scheme was laid before the council on the 4th of November, 1887, and was calculated to light up all the markets and the basement as well as the surrounding streets; the first cost was put down at £34,000, and the cost of maintenance at £7,740 per annum. It was intended by the promoters to act as a model installation, and would, it was thought, enable the town council to force improvements upon the private companies, and also enable them to regulate the tariffs to be charged, by practical experience. The council was not inclined to proceed on these lines, intending to work commercially, and not have merely a laboratory for experiments. On the 30th December, 1887, a vote of £40,000 was granted for the purpose of creating a municipal installation to supply electric light to private consumers. It was thought impracticable to buy out all the electric light companies in existence in order to supply the whole by the municipality, as it would have entailed an outlay of £20,000,000."

264. In Paris the municipality are going to supply the electric light, leaving it to the private companies to supply it also if they choose?—Yes.

Cross-examined by *Mr. Wood.*

265. It is the usual practice in England to have the electric wires underground?—Yes.

266. That is not the practice on the Continent?—In a great many places on the Continent it is; in unimportant towns it is not, but in all the important cities they insist upon underground work.

267. Have you any table with you showing the cities which are lighted by overhead wires and underground wires respectively?—I have not it with me; I could produce it.

268. Are not the streets of Melbourne very wide and straight compared with those of almost all the cities of Great Britain and the Continent?—I think the streets of Paris would compare very favorably with those of Melbourne as to width.

269. How long is it since the city of Paris has thought of undertaking electric lighting?—I visited half-a-dozen stations for electric lighting in Paris in 1892, and they had been in existence for a good many years. I also visited the city station as well. Several of those stations belonged to private companies; one belonged to the municipality.

270. Taking Paris as a whole—who is lighting it now?—The municipality does a good deal of the street lighting; it is split up into different sections.

271. Are the streets of most English towns nearly as straight or as wide as the streets of Melbourne?—As a rule, the Melbourne streets are wider and straighter than you find them at home.

272. With the exception of that one accident that took place two or three years ago, have any accidents taken place for some years past through the system that has been carried on in Melbourne?—Up to the year 1891 there had been several accidents, but since the corporation have had the supervision of the wires in the streets there have been no accidents.

273. In what way has the corporation had the supervision?—I was instructed by the council to continually inspect and report in the event of any dangerous wire being in existence, which I did on several occasions, and instructed the companies to put their wires in order.

274. When did that fatal accident happen to which I have referred?—In 1892.

275. When did the corporation undertake the supervision of the wires?—I cannot give the exact date; it was shortly after I joined the corporation.

276. Was it before or after 1892?—Before.

277. Then the statement is not quite accurate that there have been no accidents since the corporation undertook the supervision of the wires?—It is accurate in this way—we cannot change the wires in the city in one night; there are about three hundred miles of wire. As soon as I joined the corporation I made several statements of requirements for the companies to make certain alterations to their wires, and those alterations could not be done in a night, or a week, or a month; it took months to do them. It was not until eighteen months after I joined the corporation that I could say the wires were in anything like a satisfactory condition.

278. The different companies have carried out the suggestions or recommendations that you made?—Generally—we insisted upon it.

279. Can you state how many wires were carried on poles through the streets of New York at one time?—No.

280. There were a great many more than are carried in Melbourne?—Generally speaking there were more in New York, but we shall very soon get into the same predicament in Melbourne at the rate we are going.

281. The illustration you showed to the Committee shows a greater number of wires carried on the poles of New York than are carried on the poles of Melbourne?—Yes; I should say there are more electric light wires there than there are at any place in Melbourne.

282. The Postmaster-General's wires are carried on the opposite side of the street, are they not?—No; I referred to the Postmaster-General's electric light wires, which are carried on the corporation poles.

283. There are five sets of wires?—Some companies in Melbourne have six wires on a pole.

284. Did you on one occasion have seven double arms, or fourteen in all, put on the poles?—Yes.

285. They were put there by your direction?—The poles were put up with seven arms upon them.

286. How many circuits would those carry?—With fourteen arms there will be seven circuits in one direction and seven in the other, or fourteen altogether. There is still that number of arms on the poles in some cases.

287. That was done to provide room for more than one company?—It was to provide room for the wires running through Melbourne. They must be either chopped down with an axe and cleared away or provided for on the poles.

288. How many arms have been put up on the poles on the Sydney-road?—Seven.

289. You put those poles up in order that the wires might be carried along the road?—Yes, we lit up the whole of the road.

290. In the case to which you have referred of the 28 cities in America, to whom were those questions put?—The Mayor of the city.

291. The cities themselves expressed their satisfaction?—Quite so; the Mayor represents the people, as he is elected by the people directly.

292. Major Marindin suggested that, if there were to be two companies established for lighting purposes in one area, that area should be districted among those companies?—Yes.

293. That means that the companies should arrange between themselves that one company should light a certain number of streets, and the other should light the remainder?—I do not think it was left to the companies to arrange; the district was apportioned by the Board of Trade.

294. *By Mr. Box.*—Are the companies in Victoria districted?—No, they go all over the place.

295. The corporation have exercised a supervision over those wires in the city since the time of the agreement under which they are here at all?—The agreement was a few months before my engagement; I came in March, 1891.

296. Since that time have you not made many complaints from time to time of the condition of the wires of the electric companies in the city?—I have made repeated reports complaining of the condition of the wires.

297. Have not those reports been forwarded to the various companies concerned, and they have rectified the faults?—They have.

298. Part of your duties is to keep an eye on the wires of the various companies running through the city?—It is.

299. Is the city of London districted?—Yes, I have a plan here showing the districts—[*producing the same*]. Each company is shown by the colour. This was in 1893—there is only one company in each district.

300. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—You said you inspected the whole of the wires belonging to the companies in the city of Melbourne, and have, from time to time, made adverse reports in connexion with them; who inspects the city wires?—The corporation officials inspect them.

301. You are the highest official; does anyone inspect your work?—The corporation is in a different position in reference to matters of that description to a company; a company is in Melbourne for the purpose of paying dividends and making money; the corporation is there with the funds of the community to spend for the benefit of the community, to light up the streets and watch over the interests of the citizens.

302. It is possible to have careless workmen?—That is another story. I do not say that the work of the companies was carelessly or ignorantly done, but simply that they did not desire to spend money on better cables.

303. That is not answering the question; does anyone supervise the work that you do for the corporation?—No one, so far.

304. Might it not be advisable, under the circumstances, to have a clause such as this to enable the Minister to inspect in the public interest?—We are at present in rather a haphazard condition. The conference which met, at the instance of the postal authorities, at Hobart have laid down certain rules and regulations *re* overhead wires; those rules and regulations, if adopted by the Government, will have to be carried out by all those erecting overhead wires in the colony of Victoria; in the meantime there are no regulations at all.

305. I want to know if there is any means by which the public safety is ensured in connexion with the wires put up by the council?—That is done by myself.

306. No one supervises you?—No.

307. I understand it is reported that the Government proposes to establish a central station from which to light, not only the Government departments, but the railways as well; will those wires have to go along the streets?—Either that or underneath the streets.

308. Would there be many additional wires required for that?—Not very many—it might be two or four—it depends upon whether they run duplicate mains.

309. *By the Hon. A. O. Sachse.*—Do you think competition among the companies in the city will have a tendency to improve the quality of the electric light fittings?—The fittings are not manufactured by the companies.

310. Take the cables?—The cables are not manufactured by the companies; they are supplied by the home people.

311. If the competition were very keen would there be a tendency on the part of less scrupulous companies to employ cables that were not so well insulated as they should be?—Yes, on account of the company being desirous to make a dividend they are apt to put up cheap material.

312. You think great competition will increase the danger?—I think so.

313. Do you think one large central company could supply the light cheaper than a number of smaller companies?—Yes.

314. On what grounds?—Centralization and general control, under one building and one head. The cost of the mains in the street—the wire costing about £200 a mile—runs into a heavy item if it is duplicated three or four times in one street. Then there is the use of larger compound or triple expansion condensing engines, which would tend to cheapen the cost of production.

315. Would we be right in coming to the conclusion that the underground system should be employed only in connexion with a single service—that it would not pay to have a number of underground systems?—No, certainly not. It would not pay.

316. Is there any probability of our having an underground system if we have more than one supply source?—It is not impossible, but the more companies' wires there are in the streets the less likely we are to go underground. It is simply impossible for the companies to go underground at present; it is so much more expensive.

317. *By the Hon. D. E. McBryde.*—You approve of the underground system?—I certainly do.

318. You have made a recommendation to the corporation to that effect?—I have. I was asked to report on the matter. I formed one of a committee consisting also of experts from the Postal Department and the City Surveyor's Department; we drew up a report on the underground wires for the telephone and the electric lighting as well.

319. *By the Hon. J. Balfour.*—Can that report be furnished to us?—I think so.

320. The objection to the overhead system is the danger?—I think that is the principal objection.

321. You believe there is considerable danger in the overhead wires in the city?—There is considerable danger where there is no proper supervision. If properly supervised, there is not so much danger, but there is much more danger than underground.

322. Beside that, is there not considerable interference with the telephones?—Yes.

323. At certain points they cross?—It is not so much at the points of crossing as when they run parallel with each other.

324. They are on different sides of the street when they run parallel?—Yes, but in narrow streets the induction is considerable. The great objection is the danger, interference with the fire appliances, and the unsightliness.

325. The cost is much greater to put them underground?—Yes.

326. In New York they have to tunnel through rock to put them underground?—In some parts of New York they have.

327. If the corporation had the lighting of Melbourne, do you think they would at some time not very distant put the wires underground?—I think so. The committee were discussing, comparatively recently, the question of placing a section such as part of Collins-street or Queen-street underground, as a start.

328. You have already put a little piece underground?—Yes, a small section.

329. You know the cost?—Yes.

330. *By the Hon. A. O. Sachse.*—Do you think it would be a wise precaution to have some provision in the Bill as to the maximum voltage?—Not in the Bill; that is included in the regulations framed by the conference.

331. Have you any restriction at present as to the amount of voltage?—There is no restriction in Melbourne at all at present as to the amount of potential.

332. *By the Hon. J. Balfour.*—Is there any danger in having no control over the potential?—There is not so much danger because we are using 2,000 volts pressure. If we were to use 5,000 it would not be much more dangerous, because 2,000 would kill a man instantly. 10,000 was used in the London Supply Corporation at the Deptford lighting station, but that has been abandoned since. The Thompson-Houston Company have erected some plant at 5,000 volts for the transmission of power, but the machinery they generally use is 2,000 and 1,000 volts.

333. *By the Hon. A. O. Sachse.*—Do you think any provision should be made in the Bill as to transformers?—That is all contained in the regulations.

334. Is the Governor in Council analagous to the Board of Trade in England?—The recommendation made by the conference was—"That a Board of Control—consisting of, say, three members—be appointed in each colony, under whose supervision all works relating to electric lighting and the transmission of power shall be carried out, in accordance with the rules and regulations approved by the Governor in Executive Council; and that a central or intercolonial board of control—consisting of representatives from the local boards—should also be appointed, to make such amended rules and regulations as may from time to time be necessary, and to deal with matters cognate thereto."

335. You favour the system arrived at in that resolution?—I think that is the most workable. If it is in the hands of the Executive Council it is in the hands of one party to settle what might be a disputed point.

336. You would have one skilled expert under that system?—Yes.

337. Do you know of any skilled expert in Melbourne sufficiently disinterested for the purpose?—Major Marindin is one of the Royal Engineers, and he is the expert to the Board of Trade; if we take the Imperial officer commanding the engineers here, his education involves a considerable amount of electrical work, and I think he would be sufficient, if he were supported by two Justices of the Peace or other gentlemen.

338. With regard to the testing of your meters, how would you propose that should be carried out in the event of disputes between supplying companies and consumers?—That is all dealt with under the order—I would have it all contained in the order.

339. Have you thought out any manner in which that might be carried out in Victoria, or any way in which a test might be made?—There would have to be an appointment made of some expert who would test meters in the same way that an independent man tests the gas meters.

340. You think that is a similar matter?—I think so.

341. *By Mr. Box.*—You have been asked who looks after your wires—who looks after the Postmaster General's wires?—I do not know.

342. I have here the report of a committee consisting of Messrs. James and Smibert of the Post and Telegraph Department, and Mr. Mountain and yourself, representing the City Council, on sub-ways for electric wires. In that report you say—"For electric lighting solely—including provision for private lighting in the future—it may be roughly estimated that a complete system of 'undergrounding' throughout the entire area under consideration will mean the construction of 6 miles of 9-way conduit, 16 miles of 5-way conduit, and 14 miles of 2-way conduit; the cost of which we estimate at £78,080." That was in 1891—do you think the expense of the work would be increased now?—No, it would be rather less; there is a difference in the cost of labour and the cost of material between 1891 and 1895.

343. As far as the present cables in the streets are concerned, do the City Corporation cables compare favourably with the cables used by the companies?—They are equal to the others.

344. *By the Hon. J. Balfour.*—Now that the Metropolitan Board of Works is having the sewerage system constructed, would it not be possible to save a good deal of expense in laying underground cables by using that system, passing the tubes in some way in the top part of their system?—Not through the sewers. The practice at home for undergrounding is all underneath the footways. The conduits and tubing required for electric lighting are comparatively light work; that is generally placed directly under the flagging, say 18 inches below; when the sewerage people start taking up the side walks it might be advantageous then to put down the electric light conduits to save expense in labour, but not at present.

345. *By the Hon. D. E. McBryde.*—In the event of an accident, do you think the Mayor of Melbourne would take the same active measures that the Mayor of New York took?—I am not prepared to answer for the Mayor.

346. *By Mr. Box.*—With reference to the expense of the conduits, does that relate to private lighting as well as to the streets?—Yes, private lighting by the corporation.

The witness withdrew.

John Clayton further examined.

347. *By Mr. Box.*—When you were under examination before, the Committee expressed a desire to hear what the corporation intended to do in the future with reference to the present existing companies who were running their wires under the present agreement; have you any information from the corporation with reference to that matter?—I have not got any formal resolution by the council, but I have got authority from the committee which deals with the matter to say that it has not the slightest intention to interfere with the present wires of the companies.

348. *By Mr. Wood.*—When was this committee meeting held?—Yesterday.

349. How many were present?—Pretty well the whole committee.

350. You attended the meeting?—Yes.

351. Was a resolution passed?—A resolution was passed authorizing me to give that information to this Committee.

352. Did you take a copy of the resolution that was passed?—No; I did not bring the minute-book.

353. Did you bring a copy of the minute?—No.

354. *By the Hon. the Chairman.*—Is it usual to bring up the resolutions passed by committees before the council for confirmation?—Yes; all business is reported to the council for confirmation, and it is only with a view of meeting the Committee's wish that I took the best means I had of letting you have this answer to-day, otherwise I should have had to delay it until the 9th of October before I could get it passed by the council, unless a special meeting of the council were called for the purpose. At the next meeting of the council this resolution of the committee will be brought up for confirmation.

355. The meaning of what the committee have arrived at is, that it is not their intention to interfere with the existing companies?—With the wires of the existing companies. The agreement provides for a three months' notice to remove their wires. The council does not intend to give effect to that clause.

356. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—At any time?—At any time.

357. *By the Hon. the Chairman.*—It is to be continuing?—Certainly. There was never any intention to ask them to remove their wires, unless for public safety.

The witness withdrew.

Mr. Wood was heard to address the Committee.

William C. Kernot examined.

358. *By Mr. Wood.*—What are you?—Professor of Engineering at the Melbourne University.

359. Are you connected with any of the electric lighting companies in the city?—I am chairman of directors and a large share and debenture holder in the New Australian Electric Lighting Company, Limited.

360. When was that company incorporated?—The 1st of July, 1889. I produce copies of the memorandum and articles of association.

361. Your present company is the successor of a previous company?—Yes; that was called the Australian Electric Company, Limited. That company was formed for the purpose of purchasing, taking, and acquiring from the Victorian Electric Company, Limited, the freehold, leasehold, and so forth.

362. When was the first company incorporated?—I cannot give the exact date, the records have been destroyed by fire. It must have been about the middle of the year 1881, rather more than fourteen years ago. It was a small company with a capital of £5,000 only. That merged into the Australian Company, with a nominal capital of £100,000, and that again merged into the New Australian Company, with a capital of £250,000 and enlarged powers. The proprietary has been practically the same, and I have, myself, sat as chairman of directors since the beginning of the year 1882 without interruption up to the present date.

363. When did the present company or its predecessors first commence operations?—The Victorian Company commenced operations, to the best of my recollection, towards the end of the year 1881, by lighting the Eastern Market under contract with the City Council. When the Australian Electric Company was formed it commenced operations, early in 1882. It acquired property, and started the central station—the first central station in Australia. That central station is in a lane off Bourke-street, close to the Bijou Theatre.

364. Did that company do much?—Yes, it did a considerable amount of lighting. It continued to light the Eastern Market. It lit the Public Library, the Royal Arcade, the Victoria Coffee Palace. At one time it lit the Melbourne Town Hall, but not for very long; and it lit several of the theatres—the Opera House, the Theatre Royal, the Princess, and the Bijou. We have had all of them at one time or another.

365. The Town Hall was under contract with the City Council?—Yes.

366. Did the Government afford your company any facilities in any way?—The Government afforded us every assistance and encouragement. As early as 1883 the Government erected poles in the streets at our request, and rented them to us for a small rental. The Government gave us, a good many years ago, the lighting of Government House, also the Observatory. We were not only a lighting but a manufacturing company, and, in that capacity, we fitted up the machinery for lighting the Parliament Houses and the Post Office, and executed a number of orders to the Government for torpedo stores and similar things; in fact, we had a practical monopoly of all that kind of business. We did a considerable business in the early days in fitting up and repairing the electric lighting of steamers, and supplying electric plant to various mines at Walhalla, Bendigo, and other places, where I believe they are still working. All this would be during the years from 1882 up to 1886 or 1887.

367. *By the Hon. F. S. Grimwade.*—You did a large business?—A very extensive business.

368. Was it remunerative?—Not very. We spent a great deal of money in educating ourselves and the public in those days.

369. *By the Hon. D. E. McBryde.*—What rent did those companies pay for the use of the poles?—I do not remember at this moment, it was something very small.

370. *By Mr. Wood.*—When were those poles transferred from the Government to the corporation?—I have a copy of a letter announcing the fact, dated 28th May, 1891, that was after the New Australian Company was in existence.

371. Did you pay the corporation the same amount as you paid the Government for running the wires on the poles?—I cannot say. My recollection is that in each case the rent of the poles was a comparatively trifling matter. It was so small both to the Government and the corporation that we regarded it as a valuable concession. I think it was something like 2s. 6d. per insulator per year, but I am not quite positive.

372. In addition to the wires carried on the poles, did your company carry the wires in any other way?—Yes, at the very first we had wires going over roofs from our Bourke-street station to the Opera House. We also laid a pipe up Bourke-street, extending, I think, from Elizabeth-street to Exhibition-street, and we had the wires in that pipe for some time, but we found the underground wires were troublesome and after a while we removed them. Those were the wires that would go down to the Royal Arcade

in one direction and to the Eastern Market in the other direction, and to various shops that we were supplying. The pipe is still in Bourke-street, but the wires have not been in it for ten years.

373. Did you enter into contracts with the city of Melbourne or any other corporations for the lighting of streets?—Yes, we have arrangements. This is quite recently, however, since the erection of our large station at Richmond.

374. You began with lighting the streets of what municipalities?—Richmond, Prahran, and Malvern. An English company that was associated with us a good many years ago lit up Elizabeth-street with arc lamps. I think that must have been about 1885 or so.

375. Was that by arrangement with the City Council?—Yes; it was the Brush Company; we were working together. It was discontinued after a time as being too expensive.

376. In what municipalities are you at present lighting the streets?—Richmond, Prahran, and Malvern.

377. You formerly lit Melbourne?—The Brush Company lit Elizabeth-street, as far as Latrobe-street; that was quite in the early days.

378. When you entered into this arrangement with the City Council for the lighting of the Town Hall and other buildings, was any intimation conveyed to you that the City Council intended lighting private buildings by electricity?—We never dreamed of such a thing. The lighting of private buildings by the City Council came to me like a bolt from the blue.

379. That is comparatively recently?—Yes, within the last year or two. If it was contemplated before I never heard anything about it.

380. What are the principal public and private buildings lighted by your company in Melbourne?—The Public Library has been lit from 1883 up to the present date. The Eastern Market was lit from 1882 to 1893. Government House is comparatively recent, that is from 1892 to date. The Observatory, from 1891 to present date; the Princess Theatre, from 1884 to the present; Theatre Royal, from 1885 to the present. The Bijou Theatre was lit in December, 1892, the Alexandra Theatre from 1886 to 1891. The Grand Coffee Palace was lit from 1888 to the present, Victoria Coffee Palace from 1883 to the present, Federal Coffee Palace from 1891 to the present, Menzies' Hotel, and many others. Then there are about 150 business establishments and offices of minor note. Then we do a great deal of lighting in the suburbs. In Prahran there are street lamps from 1891 to date—Prahran Town Hall. In Richmond there are street lamps and in Malvern too, and a large number of private residences and business places that are lit. We have altogether several hundred customers, and the business is a large one, bringing in a gross revenue of about £15,000 or £16,000 a year.

381. *By the Hon. F. S. Grimwade.*—Is the street lighting in Prahran done by your company?—Yes; there is no other company in Prahran or Malvern.

382. *By Mr. Wood.*—What rates does your company charge for lighting?—We charge the standard rates which all the companies have agreed upon—that is, 6d. per unit without, or 7d. with, lamp renewals. That is the ordinary rate by meter; but there are a number of cases where we light by contract, and there my impression is that our customers get at us—that is, they really get their light at something like 4d. or 5d. per unit in many cases. I judge this from the extreme reluctance a great many of those gentlemen have to having a meter put in. We are always trying to have meters put in, but they do not like it.

383. How do those rates compare with the rates charged in Great Britain and elsewhere?—They seem to agree with the average rates in Great Britain. As for rates out of Great Britain, I have not the information. I do not think they are higher, and it must be remembered that wages and materials are much more expensive here than in Great Britain. For example, we have had to pay many thousands of pounds of duty alone on the appliances and materials that we have imported, and, further, Melbourne is such a scattered place compared with European places that we have a much greater length of leads for the same amount of lighting. Under the circumstances, it seems to me surprising that we have succeeded in doing the lighting at the rates that we have done.

384. *By the Hon. F. S. Grimwade.*—A good deal of the duty you recover in charging for the fittings?—Yes, the duty on the fittings we charge to the people whom we supply, but there are a great many things that are not fittings; for example, I remember signing one cheque for £3,300 for duty on machinery alone; that was some four or five years ago. I think we must have paid altogether about £5,000 duty on machinery alone, without saying anything about house fittings.

385. *By Mr. Wood.*—Is the quality of light supplied by your company equal to that supplied elsewhere?—It is exactly the same, as far as I can tell, the same machinery, the same lamp. It is a continuous service.

386. You pay municipal rates?—Yes, certainly.

387. What is the called-up capital of your company?—The capital actually paid is £23,588 according to the balance-sheet of December, 1894. That does not represent what we have spent on our machinery by a great deal.

388. You have borrowed money?—Yes, we have £24,000 worth of debentures out, and we also have about £17,000 that we owe on mortgage at the present time. The debentures have only been recently issued under an agreement with our bankers.

389. How much money have you raised altogether by shares, debentures, and money borrowed on mortgage?—£64,000. It must be said that a portion of this we have not received in cash, we have received it in the form of the assets of the old company, but they represent a great many thousands of pounds in the books of the old company. They were handed over to the new company at very much less than they cost, and were paid for in shares.

390. What amount has the company spent in mains, buildings, and other works?—It is rather difficult to say exactly, because the old company gave 5,000 shares for patent rights of the Swan lamps to Mr. J. W. Swan. It also gave the Australian Electric Light, Power, and Storage Company 3,000 shares for patent rights, and £12,000 in shares for plant. This complicates matters somewhat, but I think we may, without exaggeration, claim to have expended, since we began in 1881, something like £110,000.

391. It was in 1891 that the corporation began to take an active interest in electricity?—I believe so.

392. Up to that year can you give the Committee any notion of the amount expended by the company or its predecessors?—We had spent very nearly as much as we have spent now. We have made no large

expenditure since the end of 1890. Our large central station at Richmond was completed about the end of 1890, and at work. The plant at the two lighting stations stands at the present time in our books at £57,297 12s. 10d., and that plant has not been increased by £5,000 since 1891. You may say that in 1891 we had, apart from land and buildings, about £50,000 worth of plant.

393. Your principal building is in Richmond?—Yes, close to the railway bridge going across to South Yarra.

394. Is that conveniently situated to extend your operations, and supply, not only Melbourne, but the suburbs?—It was chosen as the most central and convenient position from which to supply the city and suburbs, and obtain a supply of water without paying water rates, for the purposes of the engines. We draw the water from the river; and further, to a great extent with a view to the ultimate possibility of using Gippsland coal, we are close by the railway. We urge that if it should become profitable to use Gippsland coal we might get it from the railway which passes at the breadth of this room from our premises.

395. Assuming the corporation purchases your undertaking, do you consider that that station of yours would be convenient to the City Council for the purpose of supplying electricity?—I should think it would be. I do not see why it should not. It is not within the city boundary, but it is only a little way outside it at that end, and it seems to me that if the City Council intend to go in for anything like a general electric lighting of even the city itself, they could very well employ their own station in Spencer-street, and our station at the other end, and one or two other stations as well before they got the work done. Our station is very contiguous to a large quantity of excellent lighting in Punt Hill and South Yarra, that is within the city district. I believe it would also command East Melbourne very well, in fact I should think that that station might take everything from where we are at present in that direction, and the present City Council's station could take the other side, and the two together, working their utmost, would not by any means equal the electric lighting of the city of Melbourne.

396. Can you give the Committee any estimate of the proportionate amounts which have been expended by your company in the city proper and the suburbs upon buildings and mains?—The cost of the Russell-place station, land, buildings, and machinery comes to about £16,000. The Richmond station, all taken together, appears to be something like £60,000, including the share of mains for each. The Russell-place station is in the centre of the city, and fully two-thirds of the current originated in the Richmond station comes into the city. The lighting in Prahran, Richmond, and Malvern is very scattered and does not amount to very much, though it spreads over a very long distance.

397. *By the Hon. F. S. Grimwade.*—Is that a third of the whole?—If you count the two stations I think it would be more likely one-quarter than one-third; certainly two-thirds, and possibly three-quarters, of our revenue comes from the city.

398. *By Mr. Wood.*—How many persons does your company employ?—The number varies a little. On the last wages-sheet that I looked at to-day it showed 54 persons; you may say it varies from 50 to 60. We used to employ a good deal more in the good times, but we were doing a good deal of manufacturing as well as lighting, but our manufacturing is almost dead now, so we had to retrench largely and send away a number of hands. The weekly wages cheque runs, as a rule, a little over £100. At one time, during the manufacturing days, it used to be £150 more frequently, and at the present time I do not think it is ever under £100; I think it might be called from £100 to £120.

399. Though there has been a falling off in the amount paid for wages, because you have ceased to do so much manufacturing, has there been a falling off in the area which you light?—That is always increasing.

400. Notwithstanding the bad times?—Notwithstanding the bad times. I may say that our business is changing somewhat in character; we are to some extent losing our large lighting and getting a considerable number of small consumers instead. For example, I do not think they take nearly as much light at the Public Library as they used to, and of late years the theatres have been closed sometimes for a considerable time, but on the other hand the number of small consumers is always increasing.

401. So that, on the whole, the quantity of light supplied has been increasing?—Yes. I think we are sending out more current now than we have ever done before. There is no sign of falling off in the amount of current sent out. The Richmond engines are too heavily loaded; they are loaded beyond what I think is desirable at the present time.

402. Up to the present time your company has not been very successful as regards dividends to shareholders?—I think we paid a small dividend on two occasions; the last one was some years ago. Our present position is this—we entered into a large undertaking about the year 1889–90 for this Richmond station. We had hopes then of getting a considerable amount of capital; we involved ourselves in engagements for machinery, buildings, and so forth, and we were disappointed in getting the capital. The result was that we had to get into debt, partly to the bank and partly to the people who supplied us with machinery, and what profits we have made—and we have made some profits—have always gone into capital towards paying for the machinery. We are making the machinery pay for itself; we are gradually improving our position.

403. Supposing that matters remain as they are—that is, that the city of Melbourne confines itself to lighting the streets of Melbourne and any public buildings that belong to the corporation—have you a reasonable prospect of your company paying fair dividends to its shareholders in the course of a few years?—I certainly think so; we are reducing our indebtedness steadily, and the end of that process would be that we should have a very valuable property with a comparatively small share list, and then we ought to be able to pay fair dividends, assuming we are allowed to go on as at present and that there is the slightest returning prosperity of the colony. I think our prospects are decidedly hopeful.

404. Your first station was the first station in all Australia?—I believe so.

405. Are you acquainted with the electric lighting in other cities of Australia and New Zealand?—I have been in Adelaide, Sydney, and Brisbane.

406. Do you know from information the state of the electric lighting in other places?—I have heard a little about the New Zealand cities.

407. How does electrical enterprise as developed in Melbourne compare with what has been developed in other cities and towns?—There is no comparison. Melbourne is the only place where there is any electrical enterprise worth mentioning. There is no large central station in Sydney supplying current largely to consumers; there are only local installations.

408. *By the Hon. F. S. Grimwade.*—Where does all the electric light come from in Sydney?—A lot of little engines in the cellars; each man has a little engine and dynamo in his cellar; the Palace Hotel here is the same. The Brisbane one is the only public central station that I have seen in Australia outside of Melbourne. I think I have heard there is one in Wellington, but I have not been there. I have been in Dunedin, but there was no sign of anything of the sort there.

409. *By Mr. Wood.*—Before the Act of 1882 was passed in Great Britain, had electric lighting been established on any extensive scale?—Certainly not; there was only a little experimental lighting on the Thames Embankment and on the Avenue de l'Opera in Paris.

410. At that time there were no vested interests to consult?—No, certainly not.

411. *By Mr. Box.*—Are you sure of that?—I can only speak to the best of my knowledge. I was in Paris about 1879; the electric business was years later in any considerable development.

412. *By Mr. Wood.*—Besides your company, there is the Alcock Lighting Company and another company?—Yes.

413. Yours and the Alcock Company carry on operations on a much more extensive scale than the third one?—I believe so. I have not seen the works of the third company for years; it is not a company, but a private venture, so there are no public balance-sheets. It is the establishment of Mr. Draper, it used to be the Union Company; his station is near the hospital, but to what extent the lighting is carried on I cannot say.

414. Is there any reason why the lighting of buildings by electricity cannot be as cheaply and efficiently carried out by companies as by corporations, assuming there is no monopoly given?—My impression is that on the whole the company management ought to be the more economical; we generally find private people do better than public bodies.

415. Have you compared from the Board of Trade returns or any other documents the prices charged by electric lighting companies in Great Britain with those charged by local bodies?—I have an analysis of the Board of Trade returns for the year 1894 published in *Lightning*, 20th July, 1895. There seems to be very little difference in the prices charged. I see public companies charging 6½d., 5d., 4¼d., a little over 6d., and one 7d., while the companies run very much the same.

416. Can you give the Committee any information as to the number of electric stations owned by local bodies or corporations, and the number owned by companies?—I think the numbers are 18 electric lighting systems owned by local authorities and 27 owned by companies.

417. Can you mention one or two very large towns in England where the lighting is done by companies?—Birmingham is lighted by a company, Newcastle-on-Tyne is another town. London is lit by companies, and so is Liverpool.

418. Did you hear the evidence of Mr. Clayton as to the funds at present in the possession of the City Council available for electric lighting?—Yes, that there was £50,000 left.

419. There was £125,000 borrowed, £75,000 was spent and £50,000 was available for private lighting—would that be sufficient, or anything like sufficient, to supply the amount of private lighting which is now performed by these companies?—I do not think it would be sufficient to replace the companies, and the lighting done by the companies is a mere nothing to the lighting that might be done.

420. Have you gone into any calculations as to the expense of lighting, per lamp?—Taking 16 candle-power lamps, and taking the experience of the companies in Melbourne, I think it is something like £6 or £7 a lamp; it would be about £4 for an 8-candle lamp.

421. How many lamps do the companies supply in Melbourne?—I do not know the exact number; it is a very large number.

422. All the three companies do not supply anything like the whole area of the city of Melbourne?—Certainly not. The amount of gas lighting is enormous compared with the amount of electric lighting. You may go miles in many parts of Melbourne without seeing an electric light in a house.

423. *By the Hon. F. S. Grimwade.*—Is it 20 to 1?—I should think there must be at least ten times as many gas-burners as electric lights; that is only an impression, but, after all, it is only in two or three of the principal streets that you see any electric light. You may go two miles from the Post-office up to my residence and not see an electric light in a building anywhere.

424. Have you formed any estimate as to what it would cost the City Corporation to supply private lighting to the extent to which the present companies are at present supplying it?—My impression is that it would be something like £80,000 or £90,000—I have not gone into an exact calculation, that is a rough guess. I go by what the companies have spent, and the city councils cannot buy machinery cheaper than the companies.

425. Is that in lamps or in plant?—That would be building, machinery, and conducting wires.

426. If yours and the other companies are allowed to go on, you anticipate that in the course of a few years you will be receiving dividends?—I hope so. I may say that before the great depression came on our prospects were very hopeful. The depression has kept us back and prevented us growing as we expected, but we have still made some little progress. A comparison between our assets and liabilities is more favorable now than it was four years ago; we have improved and increased our plant a little and at the same time we have somewhat reduced our liabilities.

427. *By the Hon. the Chairman.*—And you have paid the interest?—We have had to pay bank interest all the while on between £30,000 and £40,000; that is where our dividends have largely gone—we were paying 8 per cent. a good part of the time.

Cross-examined by *Mr. Box.*

428. I understood you to say that the City Council are not able to supply the quantity of private lighting which you and the other companies do now supply?—I do not see how they can do it.

429. Then there is plenty of room for both of you?—Undoubtedly.

430. As far as your company is concerned, you need not fear the council in any way?—Unless the council try to take our business from us.

431. The council, as far as your concerned, are in no different position from any other company that choose to come in?—I think they are.

432. You would not object to other competing companies?—It is no use our objecting to other companies.

433. Another company might still come in?—Yes.
434. You think you ought to be bought out?—I think we ought to be allowed to go on or else be bought out.
435. Your company would have no objection whatever to be allowed to go on?—Certainly not.
436. Do you mean by going on that you should still have the monopoly that you have now?—I am not aware that we have a monopoly; we have two other companies competing with us as well as the gas company.
437. Your objection is that the corporation propose to light private houses?—Yes.
438. Because they are going to do that you think you ought to be bought out?—If their lighting does not interfere with us we have no objection, but we fear that it will; we fear their competing against us very differently from the way we fear a company. The City Council has a great power and prestige, and ratepayers may want to placate the City Council.
439. The same thing applies to other councils around Melbourne?—No.
440. You do not want the council to interfere with your position?—No.
441. Whether it is a corporation or another company you think the right thing to be done by that corporation or other company is to buy you out?—It is no use talking about it with another company because they will not do so.
442. But because there is a corporation in the question they ought to buy you out?—They should either buy us out or let us go on.
443. What is the difference between the corporation and a company—do you object to the corporation supplying electricity to private persons because you cannot compete with them?—I do not think there can be a fair competition between a private company and a corporation; we think they may beat us unfairly.
444. You think a company would not beat a corporation?—I do not think they would.
445. Have you taken the trouble to examine the difference in price at which corporations can supply electric light as against private enterprise or private companies?—I have looked through the figures of the Board of Trade returns, and I find they are much about the same, and some of the corporations are losing money.
446. Would you be astonished to hear that in England an average of eighteen municipalities are producing electric light at 4d. a unit, and the price charged is 5½d. per unit, and as to companies, the average cost of production of 52 companies is 4½d. per unit, and the price charged is 6½d., so that eighteen municipalities are supplying electric light at 5½d., and the companies are doing it at 6½d.?—That is just about my calculation.
447. That is to say that the municipalities can afford, rightly or wrongly, to supply electric light considerably cheaper than the companies?—I think I can explain that; it is not considerably cheaper, it is only a small difference. The companies were earlier in the field and have had to buy their experience; they have had to fight the battle and lose their money, and now the municipalities are coming in borrowing cheap money and taking advantage of the experience that the companies have purchased, and then they can do it only 9 per cent. cheaper.
448. You do not object to the corporation competing with you?—I do.
449. Why?—I do not think they can compete fairly.
450. Why will you not let them have a try?—I think they will compete with us with a handicap.
451. You are in the field, you have everything in front of you—are you not handicapped; is it not always the case that in an undertaking beginners generally lose?—Yes.
452. If the beginners generally lose in an undertaking, do you think any other corporation or company coming in should buy the losers out?—I think so. It is what the Government have done with the private railways. We are not losing money now; we are just getting up to the point of doing well.
453. You say that company management is more economical than corporation management?—I think the tendency is that way.
454. Has the proof of the pudding been in the eating; did you ever know in this world any commercial undertaking that did not cost more when managed by a company than when managed by a private individual—a person who has his own interest at stake can beat any company?—I think so. I think a private individual has the advantage of a company, and a company the advantage of a public body.
455. Have you taken the trouble to study the result of municipalization of electric lighting and gas in some of those cities?—I have looked through these figures.
456. Do those figures bear out what you say?—I think they need some qualification or explanation.
457. Has it not been a most marked success in some of the cities in the United Kingdom?—I am told it has been very successful in the case of gas. I have not been able to inquire into all the circumstances, but I have a great difficulty in understanding how a public body can beat a company.
458. You think they ought not to be allowed a chance?—I think it is best not. I am not a socialist.
459. Have you noticed the Bradford experiment?—I think the result is here; it is the second on the list.
460. Has that been a success?—Yes, that seems to be a success.
461. Has Manchester been a success?—Yes, a fair success.
462. *By the Hon. the Chairman.*—At Manchester—what is the profit made?—They distributed in interest, dividends, and so forth, £3,500 on a capital of £128,000; that is about equal to our railways at present. It says here—“Profit, 5 per cent.,” but I do not see how the figures fit in.
463. *By Mr. Box.*—They have reduced the price of electricity in Manchester from 8d. to 6d.?—Yes; they ought to do it for 3d. or 4d. if we do it for 6d. here.
464. My return says—“The revenue for the year in this branch amounted to £26,000, leaving a gross profit of £16,000 on the year.” You say the City Corporation would make a good thing if they bought your Richmond establishment?—If they bought it for what it cost us they would have a very good thing for the money.
465. Cannot the corporation officers supply from their own works electric light all through the city?—Undoubtedly they can for the streets.
466. Is the distance from the central station too great to supply the light?—You can supply light at twenty miles if you like.

467. Then what necessity is there to buy your station?—They would get a high-class station, to a large extent a duplicate of their own, they would be able to do a lot more lighting, and, reducing the distance at which it is done, would reduce the cost a little.

468. There is nothing difficult in the delivery of electric energy from that station?—No, it can be done to a distance of twenty miles, but distance means loss.

469. *By the Hon. F. S. Grimwade.*—Has that loss been discovered?—Yes, we know pretty well what it is—it depends upon the size of the leads; you must either have a certain loss of efficiency or you must sink an extra amount of money in extra sized leads—it is not a large amount, but it is something.

470. *By Mr. Box.*—You think the corporation ought to buy your station at Richmond, instead of leading this electric light from their present station?—I think it would be a good thing to do. I consider that all the electricity they could produce in Spencer-street might be consumed on the west side of Parliament House, and then would not light the town by a long way.

471. Your company was first a very small one?—Yes.

472. It was wound up?—It was absorbed by the second company.

473. What did the second company pay for the small one?—£5,000.

474. What happened to the second company?—The second company was wound up and absorbed in the third company.

475. What did the third company pay in cash to the second one?—The payment was in shares; I think it was 16,000 shares.

476. How much were the shares paid up to?—The shares that were given were £1 shares.

477. They have never received any dividend on those shares from that day to this?—There have been one or two small dividends paid, but very trifling, not worth mentioning.

478. Was the first £5,000 paid in shares?—Yes.

479. Have you a balance-sheet for 1895?—No.

480. You make a return to the Registrar-General?—I believe so.

481. That return shows that altogether in your company you have only 10,894 shares paid up to £1?—I cannot explain that; I cannot go behind this balance-sheet; that is duly audited.

482. I am told that your company has returned to the Registrar-General a total amount of shares paid up of 10,894?—I cannot check that at present. I would say in the first place there were, I think, 16,000 given to the shareholders of the old company in return for the whole of their property, which cost more than double that in actual cost. Then a large number of shares have been forfeited for non-payment of calls. The share account is in a very complicated state.

483. When did you, as chairman of the company, first hear that the City Corporation, and in fact any of the municipalities, rightly or wrongly, were under the impression that they were entitled to light private houses?—I cannot give the date, but it is quite recently.

484. Do you remember making an agreement with the corporation?—Yes.

485. It must have been before that?—No.

486. When your company wished to come into the city?—We have been in the city for the last fifteen years.

487. You were on the house-tops?—We were in the streets. We had poles up several streets.

488. The only poles that you had were put up by the Government?—Yes.

489. Where were they?—Several in Russell-street. I think we had some in Little Bourke-street.

490. Were you electric lighting in the city except on those poles that were subsequently bought by the corporation?—Yes, we ran our wires over the houses in some cases.

491. Was that with the consent of the householders?—Yes, we paid them; we paid them pepper-corn rents. We are doing that now in some cases.

492. You recollect making an agreement with the corporation to come into the city with your lighting wires?—There was an arrangement with the corporation.

493. That was brought before you, as chairman?—Yes.

494. Can you say when your company entered into that?—I have not the date of that.

495. Was it not about 1891?—I think so. I cannot say the exact date.

496. Do you say that you do not know that, either rightly or wrongly, not only the City Council, but the local bodies round Melbourne, informed you that they were also going to light private houses?—I do not know it now.

497. Not that the corporations contend that they are entitled to light private houses?—Do you mean the City Council or the surrounding municipalities?

498. Did you not know perfectly well when you asked to come into the city with your wires, under this agreement, that either the corporation or the municipalities intended to light private houses?—I did not. I have no recollection of hearing of it.

499. You recollect communicating with the council agreeing to the stringent terms imposed upon you?—We agreed to the terms with all the councils—that we were to remove our wires at a certain notice; that we took as a matter of course.

500. You know the agreement that you had with the council?—Yes; this is it—[*producing the same*].

501. You recollect that provision about the three months' notice?—Yes.

502. At that time you were doing no public lighting in the city?—I am not aware that we have any public lighting in the city now.

503. But at the time this contract was entered into you were doing no street lighting in the city of Melbourne?—No.

504. This had reference then only to wires in private houses?—Yes.

505. Look at the last clause but two. You were doing no public lighting then, and you were asking leave to run private wires into the city of Melbourne?—Yes.

506. You say you did not think the corporation was going to do private lighting?—Certainly not.

507. Then how is it possible to explain that clause—that they may take your wires, which were alone for private lighting, if the corporation were not going to do private lighting?—I cannot draw that meaning from it.

508. How could the corporation interfere with you if they were only going to do public lighting and not interfere as private suppliers?—In many ways; they might ask us to remove our wires. We have

often been asked by the Post Office and the City Council to move our wires because they were in the road. That is what I understand that clause to mean; it is a general provision to allow for any little adjustment to suit any special requirement.

509. Did you read any of the *Argus* reports in 1891 of the discussions that took place in the City Council as to private lighting?—I cannot say I recollect it. I may say I was away from the colony a considerable time in 1891. I may have been in Europe or America at the time.

510. Before you went away, do you recollect a scheme being proposed to the City Council that they should form a trust and buy all the companies out?—I cannot call that to mind.

511. Were you present yourself advocating this scheme in the council on the 16th of September, 1891?—That was a few days before I left for England—I cannot call it to mind.

512. The report mentions that you were present with Mr. Fink and others representing the Australian Electric Company—do you remember that?—I cannot call it to mind. I have forgotten the incident, but I do not see the bearing of it.

513. This scheme of yours referred to both public and private lighting?—I presume so.

514. Were you not engaged in doing an enormous amount of private lighting?—Certainly.

515. Then this must have referred to private lighting?—Yes.

516. You wanted the trust to buy the companies out. Your evidence is to the effect that your company was led to employ a large amount of capital under the impression that the cities and corporations never intended to touch private lighting, and you say you had no knowledge of the intention of the city to light private houses; is that so, when you asked the corporations to lend their aid to buy the whole of the companies out, and they point-blank refused?—I suppose they did, but I have no recollection of the incident, and I do not see the bearing of it.

517. Do you remember Mr. Carter making a lot of remarks about private lighting on the 8th of September?—I do not.

518. Do you remember the Alcock Bill being presented to Parliament?—I have some recollection of it, but I was on the eve of leaving for Europe at the time, and was very busy about private affairs.

519. I understood you to say that in 1882, when the Act was passed, there were no companies to speak of in existence in England?—Not to my knowledge.

520. Do you know that the Electric Company, with a paid-up capital of £150,000; the Fitzgerald Company with a capital of £100,000, and the Dublin Company, with a capital of £150,000 were in existence?—I was not aware of it. Were they not manufacturing companies?

521. No; all lighting companies. If that is true, do you qualify your evidence?—I do not deny it.

522. You said there were no companies to speak of in existence. There are three with £400,000 paid-up capital?—Yes. My impression is, they were largely manufacturing companies supplying material to steamers and so forth.

523. The 1882 Act did not take the trouble to protect them at all?—Apparently not.

524. Do you know what the lamp capacity of the station at Richmond is?—I know what the horse-power of the engines is.

525. How many lamps will it light?—It is partly arc light and partly incandescent. There are at present three large alternators which take about 300 horse-power each to drive them; those are reckoned at about 2000, sixteen candle-power each. If you reduce it to eight candle-power lamps you may multiply that by two. There are three alternators in use, and a fourth will shortly be.

526. Are you running at Richmond to the total capacity of the station?—Pretty nearly; we have no stand-by at present.

527. If anything happened the whole thing would go out?—No, a third of it would go out, not the whole of it.

528. Have you noticed this incandescent light lately in this chamber—the Wellsbach?—Yes, it is fair.

529. It is better than the electric light?—No, certainly not.

530. Do you ever go down the streets of Prahra?—Yes.

531. Do you look at the incandescent lights there?—Yes, and the arc lights there too.

532. What lamp capacity are you supplying in Melbourne?—I cannot divide it up. We have our three big alternators at Richmond, the full capacity of which is 2,000 sixteen candle-power lamps each. We have two alternators in Bourke-street with a capacity of about 1,000 sixteen candle-power lamps each—the Ganz alternators; and we have another of about 500 sixteen candle-power lamps. In addition to that, we have an arc plant down in Richmond running 30 or 40 arc lamps. How it is divided I cannot say, but I should say that about two-thirds of the Richmond light comes to Melbourne. That could be ascertained as closely as you wish.

The witness withdrew.

Adjourned to Wednesday next, at Three o'clock.

WEDNESDAY, 2ND OCTOBER, 1895.

Members present:

The Hon. H. CUTHBERT, in the Chair;

The Hon. J. H. Abbott

J. Balfour

J. Bell

F. S. Grimwade

The Hon. A. O. Sachse

Lieut.-Col. Sir F. T. Sargood

N. Thornley

D. E. McBryde.

William C. Kernot further examined.

533. *By Mr. Maddock.*—You represent the New Australian Electric Company?—Yes.

534. Is it not a fact that in every municipality where your company is supplying light, you first applied to that municipality for permission to come in?—I believe so.

535. That is, that you did not in any case come in at the invitation of the municipality, but at your own request?—At our own request, as far as I can recollect.

536. And in every case I believe you made some terms and conditions with the municipalities?—Yes, agreements were drawn up.

537. And I presume, too, that those agreements were approved of, and were satisfactory to your company?—We took them as the best we could get; we should have liked more favorable terms, but beggars cannot be choosers.

538. In any case, did you find the municipalities beat you down in terms?—The municipalities have beaten us down in respect to the price of lighting.

539. Was it that they beat you down as to price only, not as to other terms?—I do not remember them beating us down, but the thing was done in consultation. They decided what terms they would ask of us, and we had no choice but to agree to them.

540. Did you suggest other terms that they would not agree to?—I cannot remember at this time. We did our best to get favorable terms I know, but we had to move diplomatically.

541. Your company supplies the city of Prahran with light?—Yes.

542. Has your company had any complaints as to the nature of the light supplied to Prahran?—There have been the usual small complaints now and then; a lamp being blown out by the wind, or a dirty glass; I can recollect nothing beyond that.

543. Would it be correct to say that the complaints have been constant and persistent ever since your company has been supplying Prahran?—I do not think it would—not to my knowledge. Of course, with a number of lights you will always have small complaints. I know of no important complaint.

544. Have repeated official complaints from the corporation been made to you as to the nature of the light supplied by your company?—Occasionally small complaints have been made to us, but they have been comparatively rare.

545. Have you with you any of the letters of complaint from the corporation?—No, I can get them if you like. The corporation have done remarkably well out of us, I know that.

546. Your desire is that the corporations should purchase the interests of the companies. I think you said at last meeting that the three stations for electric light would be of advantage to the corporations—is that so?—Yes.

547. Is it not a fact that both Birmingham and Manchester are fully supplied from one station?—I am not aware that it is; in fact, I believe that they are only very partially supplied.

548. Do you know whether they have more than one station to supply either of those two large cities?—I do not. I know nothing but what is on that return from *Lightning*, handed in at the last meeting.

549. Do you not take the *Electrical Review*?—Yes.

550. Do you not find there that Birmingham and Manchester are both supplied from one central station?—My reading did not make that absolutely certain. It gave the capital expended, which struck me as being extremely small for a large city.

551. Would you be surprised to know that those places are supplied from one centre?—I do not believe they are anything like fully supplied. I should be astonished to know that they were fully supplied from one centre.

552. Would not one central station be sufficient to supply Melbourne and suburbs?—If it were big enough, but two or three would do just as well, or rather better, as getting nearer to the work.

553. You think they are necessary, taking the size of Melbourne and suburbs?—I do not say it is necessary, but I think on the whole it might be argued that it was desirable—that two stations at opposite ends would be as good as one, if not a little better.

554. Your engines at Richmond, you say, are fully employed?—Nearly.

555. Was not your statement last time that they were too heavily loaded?—Occasionally they are. I may say that the Richmond station is doing about as much as it can.

556. How would you propose to extend the light under those circumstances?—We are extending it. Our engine-room is capable of accommodating three times the lighting power we have.

557. That is, you could put in additional engines?—Yes; and we are doing that at the present time.

558. Then the way in which you would supply and extend your light would be to add more engines?—Yes, until we fill up that station, and then we should like to get a station at the other end of the town.

559. Is it a fact that the A. U. Alcock Electric Light Company and yourselves have agreed on the price at which you supply light?—Yes, we are working together at present at a very low price.

560. *By the Hon. the Chairman.*—What is that price?—6d. a unit without, or 7d. with, lamp renewals, which is wonderfully low when you consider the circumstances.

561. *By Mr. Maddock.*—Have you many customers at 6d.?—Yes, all our meter customers are paying 6d. without, and 7d. with, lamp renewals.

562. Do you remember Mr. Draper issuing a circular, offering to supply electricity at a price lower than you are doing, about the beginning of this year?—I think I have some dim recollection of it. There were several discussions or disputes.

563. He issued a circular offering to supply light to customers at a less price than you generally?—I will not say it was not so. I remember something about it. I do not see how he could do it.

564. Is it not a fact that you and the other company met together and forced Mr. Draper to withdraw that circular on terms of underselling him and cutting him right out?—I cannot say that—I do not remember that.

565. Was not that the result, that he withdrew the circular?—I think Mr. Draper could explain that better than I can. I had nothing to do with it personally, and my recollection of it is very vague. It was a matter that was left to our executive officers.

566. Was not it a matter of intense importance to your companies?—I do not know that it was, because Mr. Draper's plant is very small, comparatively.

567. You are aware, I suppose, that the municipalities at home, in every case where they have works, supply private light?—I cannot say that I am certain of it in every case.

568. Have you any doubt of it whatever?—I cannot possibly say; they may for aught I know—I believe that some of them do.

569. Do you know one single municipality at home that has an electric light order that is not doing it?—No, I cannot name one.

570. Have you any reason to imagine that the municipalities here would be on a different footing from the municipalities at home?—The municipalities at home have not displaced private works that I know of.

571. Have you any reason to suppose that the municipalities here would act differently from the municipalities at home?—(*The Hon. the Chairman objected.*)

572. *By Mr. Maddock.*—When you established your electric light works here, I suppose you were going on English precedent—you had English example before you?—I hardly know that we had, fourteen years ago—we certainly had very little. We were amongst the pioneers, it seems to me.

573. Where did you get the ideas from?—I did not start it. If you subpoena the Honorable James Service he might tell you something about it—he was in it at the beginning, I came in a little later. It seemed to me a useful public improvement, and a thing to be supported, and then it grew.

574. *By Mr. Wood.*—You have been asked about the single station in Birmingham and Manchester, do you know anything about it really?—I have never visited the electric station in either Birmingham or Manchester.

575. Can you tell the Committee whether the area of Melbourne and suburbs is greater or less than the area of Birmingham and Manchester?—From a few short visits to those towns my impression is that they are much more compact places than Melbourne, with a much denser population—Melbourne is a singularly scattered place.

576. At the last meeting you were asked as to the percentage of current in Melbourne and the suburbs respectively, and I think you have some more detailed information on the point?—I answered then from my general information. I now have the exact figures for the past three and a half years. As to the amount of money paid by consumers in Melbourne and in the suburbs I can give it for every half-year, or the aggregate sum. The aggregate sum is within a very little of £50,000 for Melbourne and £10,000 for the suburbs in three and a half years. This shows the revenue—[*handing in following return*] :—

		LIGHTING REVENUE.					
		Melbourne.		Suburbs.		Total.	
		£	s.	d.	£	s.	d.
Six months ending—							
30th June, 1892	...	7,564	16	8	1,137	14	8
31st December, 1892	...	8,143	1	4	1,416	9	6
Year 1892	...	15,707	18	0	2,554	4	2
30th June, 1893	...	7,180	1	2	1,438	5	3
31st December, 1893	...	6,934	12	10	1,461	13	8
Year 1893	...	14,114	14	0	2,899	18	11
30th June, 1894	...	6,571	4	11	1,573	18	4
31st December, 1894	...	6,770	10	10	1,629	7	9
Year 1894	...	13,341	15	9	3,203	6	1
30th June, 1895	...	6,523	12	8	1,719	17	0
Total 3½ years ending 30th June, 1895	...	49,688	0	5	10,377	6	2

There is a small correction necessary to this return; our officers have counted South Yarra and Jolimont as suburbs, whereas they are within the city boundary of Melbourne. If that correction were made it would make the Melbourne amount a little more and the suburban a little less, so you may say £60,000 for Melbourne and £10,000 for suburbs in 3½ years. The return commences with the beginning of 1892, and goes on to the 30th of June, 1895.

577. Then you were asked a question as to the companies, Nos. 1, 2, and 3—you were asked as to the number of shareholders in company No. 2?—I made a little mistake there.

578. A question was put to you as to accidents; your company have been at work for fourteen years?—Yes.

579. How many fatal accidents have there been during that time?—Three.

580. One was that referred to already in the course of this inquiry—the accident in Russell-street?—Yes.

581. How did that take place?—The circumstances of that accident were these :—It took place on the 28th of May, 1892. A violent thunderstorm took place, our wires in Russell-street, struck by lightning, fused, and fell to the ground. A crowd collected, and the people were warned not to touch the wires on any account; however, in spite of the warning, one man persisted in interfering with the wires; he got a violent shock, and was unable to let go. A second man tried to remove him and fell dead—it was the second man, not the man that interfered with the wires, who fell dead. On the *post-mortem* taking place, that man's heart was found to be in such a state of disease and degeneration that the slightest thing would have killed him. That is the only accident to a member of the public.

582. The wire gave visible signs of being dangerous by emitting sparks?—It was sparking all over the road, according to the evidence we obtained—it was madness to touch it. As to the two other accidents, one was just about the end of 1891. A man named Conway was killed by a fall from a pole. The account of the inquest is in the *Herald* of the 4th of January, 1892, and the conclusion arrived at was that there was no evidence of electric shock.

583. The third accident was at the works?—The third accident occurred on the 17th of December, 1890. An electric expert in our employment, named Patison, was killed in our engine-room. He was killed by doing a most extraordinary and unnecessary action which, if he had thought for a moment, he would have known to be fatal. In fact, if the man had tried to kill himself he could not have done it better. At the inquest we were exonerated from all blame altogether—the man must have been mad when he acted as he did.

584. Have you at the works the means of checking or taking note of defective insulation?—Yes, we test the wires from time to time to see if there is leakage.

585. Your company has been asked once or twice by the City Council to remove wires for purposes of conveniencing the council or some other such cause?—Yes.

586. Do you remember whether there have been frequent applications to you to remove the wires because they were unsafe?—I do not remember any such application. I hold in my hand a letter from the City Council complaining that the insulation of certain wires of ours that had been up a number of years was not good, and asking us to rectify them—the date of the letter is the 9th of April, 1892. It mentions certain places where they consider our wires were not altogether safe. We did at once what they required; not that that is an admission on our part that things were dangerous, but simply that we wanted to cultivate friendly relations.

587. As far as you remember, that is the only instance?—That is the only letter. I made inquiry at our office, and this is the only letter I have found in which there is any complaint of an absolute defect in our work. The other letters only ask us to remove the wires from one pole to another, which we did in many cases to suit the convenience of the City Council.

588. Some evidence was given by Mr. Clayton as to possible danger to the employés of the city in handling wires, either for repair or any other purpose, on account of the wires of the company running on the same poles—what is your opinion on that?—I believe in most, if not in every instance the city wires occupy the lowest position on the poles, consequently the city employés could reach those without any danger from the wires above. Where wires do not occupy the lowest position on the poles, no doubt care will have to be exercised, but in the first place there are times when the current is off, which may be ascertained by inquiry, and when the current is off the wires may be touched with perfect impunity.

589. That occurs every Sunday for several hours?—Yes, with our wires.

590. Supposing that on a week day it was necessary to remove a wire, what would be the course to ensure its being removed with perfect safety?—If it could be arranged to stop the current, that would be done, but if the current were not stopped, nevertheless the wires could be dealt with by using proper care. I do not think the care required in handling live wires is any greater than that necessary on the part of people working amongst machinery in motion.

591. As to the engine-power which you had in 1890?—In the year 1890 we had eleven distinct steam engines devoted to the purposes of electric lighting in our two stations, and those eleven engines were capable of exerting 1,570 indicated horse-power. It is a larger power now; we have more engine-power than the City Council has at the present time.

592. *By the Hon. the Chairman.*—What is the present power?—They are the same engines in use, but we have about 300 horse-power more coming into use in the course of the next two or three months. We shall then be up to 1,870 horse-power if all the engines are in use at one time.

593. *By Mr. Wood.*—I understood you to say that the rate you supply at is 6d. a unit?—Yes.

594. Did Mr. Draper on behalf of his company offer to supply at less than that?—My recollection about that is not very clear. I know there was some talk early this year about electricity being supplied at a low rate, but I did not pay a great deal of attention to it. I knew that we have the best machinery obtainable, and felt confident we could supply it as cheaply as anybody.

595. *By Mr. Box.*—You know that point I asked you about when we last met, about the meeting of the City Council?—Yes.

596. You went there as the spokesman of the deputation—you were not then supplying public lighting at all in the public streets?—Not in the city.

597. Were you doing that at Prahran?—Certainly.

598. That was in September, 1891?—Yes.

599. And not in Melbourne?—We are not doing it in Melbourne now.

600. You were doing private lighting alone in Melbourne?—Yes, and the Eastern Market.

601. I understand your point is, that to do anything for the City Corporation is public lighting?—That is a matter of definition.

602. I understand you to say that you never knew and never dreamt that the council were going to do private lighting?—No.

603. You went to the City Corporation about a trust solely with reference to private lighting—your suggestion to them was that a trust should be formed to do both?—I believe so. I do not remember the thing very clearly.

604. Did you not say that in your speech?—I may have said it.

605. That you heard the City Corporation were going to commence starting their own works?—I may have said that.

606. In the face of what was going on then, you understood they were going to do the lighting in the streets only?—Certainly. That was my impression from the amount of money they were obtaining. I could not draw any other conclusion.

607. How much have they put into it?—A little over £100,000.

608. That is not the limit they could put in?—I do not know of any limit, but I looked on the scheme as a scheme for street lighting, and on the money obtained as a reasonable sum for doing street lighting.

609. What capital have you got expended in your company?—I think it is £77,000.

610. How many municipalities are you lighting now, as well as private lighting?—We do not light municipalities; we do a little lighting here and there where we can pick up a few crumbs. We will light for anybody who will pay us.

611. How many municipalities are you lighting?—We are doing a little bit of lighting in Richmond, rather more in Prahran, and a trifle in Malvern. The capital expended in land, buildings, and plant is £77,632 16s. 2d.

612. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—Does this £77,000 odd cover the whole expenditure?—We took over the works of the old company at a very low rate.

613. *By the Hon. the Chairman.*—Does that include the money borrowed on debentures?—Here is our balance-sheet, 31st December, 1894:—Capital paid, £23,588; loans secured, £39,943. That has been since largely turned into debentures. Total, with the other items, £80,279 liabilities at that date, and

when we have taken over the property and assets of the other company at less than half their true value, and at certainly something like one-fourth of what they cost, including patent rights and so forth, it brings the amount up to something like £100,000.

614. *By Mr. Box.*—Does that £80,000 include the shares which you paid for those properties?—Yes; the 8,000 odd shares paid up to £1 that we gave to the old company.

615. How many paid-up shares are there?—At the present time a great many of them have been forfeited. The capital paid up altogether on the shares is £23,588. There are a few calls outstanding, but that is practically the number of shares.

616. I am informed, according to your return set out at the Registrar-General's, that the whole amount of the shares paid up is £10,894?—All I can say is, this is our balance-sheet signed by a competent auditor.

617. No doubt, but the officer who fills in the Registrar-General's return of the number of shares states the truth, I suppose?—Yes. A large number of our shares have been forfeited.

618. Are there not only 10,000 fully paid-up shares?—Very likely.

619. Eight thousand of those went to buy the old company out?—Yes. I can put in a complete statement of the state of our share capital if the Committee desire it. The fact is, we have works as extensive as the City Council.

620. As well as I can get at it, the amount of money your company has put into this venture amounts to £23,588, including the £8,000 which went in those shares?—Yes.

621. That is the money you have paid into it as shareholders?—Yes, but in other ways also, for instance debenture-holders.

622. You borrowed money and put it into that?—I am liable at present for £12,000 on debentures. I have an enormous responsibility in connexion with this thing.

623. *By the Hon. the Chairman.*—I suppose that £30,000, the secured loans, is to be repaid some time or other?—Yes, certainly.

624. Did I understand you to say that the contract entered into with the corporation of Prahran was a beneficial contract to that corporation?—Yes, I think so. We did street lighting for them on very low terms. We did some gratuitously—we gave them some lights for nothing, and gave a great many more at a very low rate. We did not expect to make much profit out of them, but we wanted to get our wires through.

625. I suppose conditions were laid down by the corporation of Prahran, just the same as the council of the city of Melbourne prepared conditions and asked the company to accept them?—Yes.

626. The company is in the position of either accepting the conditions or ceasing to supply the lighting?—Yes; we were at their mercy. I think on the whole they treated us very well, but still we were in their hands.

627. I understand you have been supplying light at the rate of 6d. a unit in some cases and 7d. in others?—The standard price now with all the companies is 6d. per unit if the consumer pays for the lamps, and 7d. if the company supplies the lamps—the lamps have to be renewed about every 1,000 hours of lighting.

628. How does that charge contrast with the charges in England?—Very favorably.

629. What is the average price in England?—According to the figures I handed in on the last occasion I think 5d. to 6d. Some are higher than ours and some a little lower, but the electric publications each year give statistics. Considering that we have to bring the bulk of our stuff half round the world, and have to pay enormous duties on it, and have to deal with a town that is very scattered, compared with most of the English towns, it seems to me marvellous that we can succeed as well as we do at a price nearly the same as the average English price, practically.

630. *By the Hon. J. Balfour.*—You have not been dividing any profits?—We have not been paying any dividends for some time, and we have paid but very few. On two occasions we paid a small dividend, but too small to be worth mentioning. Our profits have been going to the reduction of our liability and for new machinery. We have been extending the station and reducing our external liabilities for some years.

631. Is there any depreciation in the machinery in consequence of new inventions?—Not that I know of. We are very fortunate in having obtained a large plant which is of a type that is now generally accepted as being permanent. There is nothing, that I know, of any serious importance that has come in since we obtained our plant at Richmond. It is practically an up-to-date plant at the present moment, and we keep it in good order; we do not allow it to run down.

632. *By Mr. Maddock (through the Hon. the Chairman).*—You said that you had supplied free light to Prahran—for what period was that supplied; was it from the beginning of the agreement?—I cannot tell exactly whether they are paying for them now, but I remember when we started with Prahran it was arranged that we should give them certain arc lights free.

633. I believe that was for a period of three months only?—Yes. I know we have been pressed down in price in Prahran.

634. Was not the condition distinctly imposed that there should be three months' service of those arc lights for your coming into the city of Prahran?—I cannot say certainly whether it was or not. I do not know whether they held that as a *sine qua non*. I remember that at the time we considered we were offering them a little inducement.

635. You said you have supplied light extra cheap to Prahran: was not the price for an arc lamp £25 a year, and for incandescent lamps, £5 a year?—Yes, and I think that you will find that the Gas Company was charging more at the time. The price has been considerably reduced since then.

The witness withdrew.

Alfred U. Alcock examined.

636. *By Mr. Wood.*—You are connected with the Alcock Electric Lighting Company?—I am managing director and electrical engineer. I expected the chairman of the company, Mr. Mountain, here to-day, but he is not well enough to attend. We commenced operations on the 1st of September, 1889, as a public company.

637. You produce the memorandum of articles of association?—Yes—[*the witness produced the same*].

638. Did your company succeed some previous company?—Yes; a private concern carried on by Mr. H. U. Alcock twelve months before.

639. You have heard the evidence of Professor Kernot as to the state of electric lighting in Melbourne and suburbs—how was it at the time you commenced operations?—The Australian Lighting Company was the only one in operation. They were supplying a few lights for Bourke-street, the theatres, and the Eastern Market.

640. What were your first operations?—The Opera House and a number of shops in Bourke-street, and some street lights in the centre of Russell-street.

641. How were those wires carried?—The majority over the house-tops. We had a few carried down Little Bourke-street on Government poles.

642. Had your company contracts with any municipal corporations?—In Richmond, Collingwood, and South Melbourne we supplied street lights, Richmond and Collingwood in 1890, and we have just lately supplied South Melbourne. We supplied the two lights in front of the market six months ago, but not the streets generally.

643. In the other towns did you supply the streets generally?—Along Bridge-road, Richmond, we supplied incandescent and arc lights, and arc lights in Collingwood.

644. What are you doing in Melbourne and suburbs?—We supply a number of the theatres, the Opera House, the Alexandra, the Melbourne Club, the Australian Club, the National Bank, and the Bank of Australasia; the three arcades, the *Age* and *Herald* newspaper offices, and a number of shops and various hotels in the city.

645. What rates do you charge for lighting?—By meter and by contract; we charge 6d. to 8d. a unit by meter, and we have a contract for street lighting for municipalities.

646. What is your opinion of the quality of the light supplied by your company?—I consider it is good.

647. What is the called-up capital of your company?—£21,037 10s. 0d. called up, and £27,232 10s. 0d. uncalled.

648. Have you raised any money by debentures?—£45,000 by loan and secured mortgage.

649. What amount has your company spent on mains, buildings, and other works?—£14,245 0s. 7d. in buildings, freehold; machinery, £32,646 10s. 5d., and £20,353 3s. 7d. on mains, total, £52,999 14s. 0d.; with depreciation, £51,709 5s. 3d.

650. How much of this amount had been expended by your company prior to 1891?—For the whole of those works we had expended £21,000, up to the 31st of August, 1890. The whole of our arrangements were made for this work prior to that date. We had expended nearly a third of our present capital prior to August, 1890.

651. What proportion of the expenditure of your company has been in buildings and mains in the city of Melbourne, and in the suburbs?—Practically the whole of our works are occupied in supplying Melbourne.

652. Your works are situated in Richmond?—Yes, Burnley-street.

653. Can you inform the Committee what your company pays in salaries and wages?—We pay 42 employes £3,195 in wages and salaries per annum.

654. Is your company making a profit at the present time?—Yes, we are making a profit on our working account. By the last return, 1894, the revenue was £13,600 odd; working expenses, £7,000; and profit made, £6,000 odd. Ratio of expenses to revenue, 54 per cent.; the profit is equivalent to 8·9 per cent. on the capital invested.

655. If matters remain as they are, if the city of Melbourne supplies merely the lighting for the streets, do you anticipate that the prospects of your company will improve?—If we can carry on that way, we certainly have hopes of recovering all the capital invested.

656. Notwithstanding the bad times, has your company been doing fairly well?—Yes; considering the times it has done exceptionally well.

657. There has been no falling off in that respect?—No.

658. Was your company officially informed in any way by the city of Melbourne that it contemplated lighting private buildings?—No, never.

659. You have heard the evidence of Professor Kernot as to the fact that, in his opinion, companies can carry on electric lighting as economically as corporations—do you agree with that?—Judging from the returns of the Board of Trade it appears so. In the United Kingdom in 1894, taking the same system, high tension, as operated by the companies here, four companies in London have expended £2,483,864, on which they earned £65,647, equal to 2·6 per cent. on capital invested; eleven companies in the provinces have expended £502,044, on which they earned £21,553, equal to 4·28 per cent. on capital invested; eight local authorities have expended £305,473, on which they earned £5,789, equal to 1·9 per cent. on capital invested.

660. Do you see any objection to carrying the wires of more than one company on the same poles?—No. Certainly it is preferable to have one wire on the one pole, but still there has been no danger. We have carried the wires four years now, and there has never been any difficulty in carrying them that way. There is no necessity to have any accidents if precautions are taken.

661. How many branches have been put up by the City Council on the poles?—Seven arms to carry fourteen wires—that is, seven circuits.

662. Have poles been put up with that number of arms in streets where at present there are nothing like fourteen wires?—Yes, those poles have been erected within the whole area of the city, whether in the main streets or in the areas outside the city proper.

663. Has the city done that lately, in some instances?—They have done it in every case where they have erected a pole.

664. You heard the questions asked at the last meeting of the Committee about the competition between a company and the corporation. Professor Kernot stated he was of opinion that it was not a fair competition—is that your opinion also?—Yes, we could not possibly compete with the corporation; they have the right of the road and they are interested parties—they could block the progress of the companies.

665. Can you give the Committee an instance of a building which your company had to light with electricity, and with which the City Council interfered?—Yes, there is one case, the Conservatorium of Music; they applied to us for lighting, and we took their order and applied to the council to carry the wires. They gave us no permission, and we have not received permission to this day, and have had to disappoint the people. It appears that the City Council were at the time in competition with us for that lighting; that was in March of this year. Our secretary is better acquainted with the details of that matter than I am.

666. You can give some information as to the Victoria market, I believe?—We have applied to run wires up that way, but have received no permission so far—that was some time ago—the last twelve months.

667. Then, in your opinion, city corporations can obstruct the operations of electric lighting companies?—Yes, it will be their interest. They will want to get the cream of the business from the companies.

668. As to the supervision of the City Council over the wires in the different companies, have you, at your works, appliances for testing the wires to see whether they are properly insulated or not?—Yes, we take every precaution to test the wires. We have means of indicating any leak to earth. We have inspection once a fortnight over all the mains. In the case of stormy weather, we take extra precaution. As a proof, the mains have been erected four years; they are the heaviest cables for electric power in the colony, weighing over 2 tons per mile. They have been up four years, working night and day, transmitting 400 or 500 horse-power, and we have never had cause to make any alteration in them since they were erected. They have given every satisfaction and have not required renewing; in fact, they are as good to-day as the day they were put up.

669. If proper precautions are taken, can the wires be taken down from a pole, although other wires may be on the same pole?—Yes, we have done that in many cases—I agree with Professor Kernot on that point.

670. Is there any other point you wish to give information about?—I think not.

Cross-examined by *Mr. Box*.

671. You would have a number of companies here competing with one another over one limited area?—The public would gain by that; they have done so already.

672. There would be no danger in a number of companies supplying electric light in a limited area?—No, with proper supervision. Taking the experience of the past five years, I cannot see there has been any danger.

673. And no necessity for any such thing as to have public provisions for the safety of the public where electric lighting companies are in operation?—I do not say that.

674. If they were all managed like the Alcock company you would say that?—Perhaps so.

675. If they were not it might be desirable to have them under legislative constraint?—Perhaps so.

676. You know a great deal about these matters—is it not understood in England to be best not to have more than one local company in a limited area; they do not like it?—No, they consider it is better to have one company in one area. The Board of Trade reserve the right to protect the public and to bring another company in for competition.

677. As a matter of practice, apart from a manager's point of view, you admit that the Board of Trade have insisted on having one only in the one area?—Yes, and from a practical point of view that is the best way.

678. I understand you to say that if a municipality enters into competition with your company you must inevitably be greatly damaged—you cannot compete against a municipality?—I cannot see the fair competition of it.

679. As a matter of practical result you cannot compete?—If we were on the same basis we certainly could; but the corporation do not have to pay rates, and they have the expenses distributed over their present officers.

680. They do not have to pay dividends?—No.

681. They get their capital cheaper than a company?—Yes.

682. If they were managed as well as your company is would not it inevitably result in a great saving to those who used the light?—If it is managed as well as a company.

683. It must result in a considerable saving to the ratepayers?—That has to be proved.

684. On the general facts, if it is managed like the Alcock Company, it would be a saving?—Yes.

685. And it would cut you out?—Yes.

686. What do you want; do you want to be bought out by the City Council?—One of two things. If the corporation are going to do the work they should compensate the companies, or let the companies go on as they are doing, without the competition of the corporation. The companies have expended their money so far in developing the business; the corporation have had nothing to do with the sowing, and they want to reap the harvest.

687. Then the corporation would not be allowed to sell private lighting in competition with you?—No, we think it would not be just.

688. The same thing applies to every public monopoly—gas, trams, light, water, everything. If the competition occurs the same conditions come about, do they not?—I do not quite understand the question.

689. Why did you come into competition with the Australian Company?—That is a different thing; we are on a different basis—we are two private concerns.

690. You would have thought it hard for them to come and say—"Before you are allowed to run wires you must buy us out"?—It is not the same case.

691. Why not?—Every individual has the right to trade—the corporation has no right to trade against the individual. The companies would not have spent their money if they had thought the corporation was going to undertake private lighting.

692. I suppose that argument has been used in every case where there has been opposition to a Bill in Parliament. What about water; is the corporation to supply water to private people, or only to water the public streets?—I cannot see the point.

693. Have you borrowed any money?—Yes.

694. When did you borrow it?—We started borrowing about 1890.

695. Did you borrow it all then?—We borrowed it as we required it.

696. When did you first come into the city of Melbourne?—We started as a private concern in 1888.

697. When did you come into conflict with the corporation of Melbourne?—Only lately, the last twelve months; since this petition.

698. When did you enter into that agreement; did not your company enter into an agreement that the corporation were to be allowed to erect poles?—We signed an agreement by which we were allowed to attach our wires to the corporation poles; that was the 16th of July, 1891.

699. Under that agreement you can be sent out of the city with three months' notice?—Sent off the poles.

700. Your company promoted the Bill in Parliament?—Yes.

701. Was that opposed by the City Council?—Yes, and the Gas Company.

702. What did they do it for?—Competition.

703. I suppose the City Council did it out of pure devilment; you were only doing private lighting?—Yes.

704. What in the world did the city corporation attack you for?—I cannot tell you.

705. Did you not know at that time that they intended to do private lighting?—No.

706. Was not that Bill before Parliament opposed on the ground that the City Corporation were intending to do private lighting?—I never understood it that way, and never heard of it.

707. Did you ever read anything about your own company's Bill?—Yes.

708. Did you read the speeches in *Hansard*?—No.

709. Did you read the papers?—Yes.

710. Do you mean to tell the Committee that you did not know that what you read in the newspapers alone showed amply, from the speech of Mr. Carter (one of your directors) in the House, that the corporation were going to do private lighting in the city of Melbourne?—No, I am not aware of that.

711. Do you say that you did not gather from Mr. Carter's speech in the Legislative Assembly that the corporation of Melbourne were going to do private lighting?—I have no recollection of Mr. Carter's speech. Mr. Carter has always stated he has been opposed to the City Council doing electric lighting.

712. Do you mean public and private lighting?—I have spoken to him about it; he never mentioned private lighting.

713. Then he objected to public lighting?—We always understood his objection was to the corporation doing any electric lighting at all.

714. Was not a distinction made between private and public lighting by Mr. Carter in the House?—I do not remember it. There was such strong opposition that we withdrew our Bill, understanding that the Government were going to introduce an Electric Lighting Bill to control electric lighting for the safety of the public.

715. There was a division in the Assembly on your Bill?—I believe so.

716. Do you know the numbers?—No.

717. Thirty-one to seventeen, is that right?—I cannot remember.

718. After that division you withdrew the Bill?—Yes.

719. I understand you were never officially informed that the City Council contemplated private lighting?—I have no recollection of it.

720. I also understood you to say that you were never officially informed that the corporation contemplated doing private lighting?—I was not.

721. Were you ever informed any other way, other than officially?—I do not recollect.

722. At that date, what position did Mr. Carter occupy in your company?—He was a director in 1890; I cannot tell the exact date, and he resigned.

723. You say you have paid 8·9 per cent. on the capital invested?—No, I said we have earned that, we have paid no dividends.

724. *By the Hon. the Chairman.*—What did you do with that £6,000 profit that you made in 1894?—We reduced the liabilities and increased the machinery.

725. *By Mr. Box.*—When did you borrow this £45,000?—We started borrowing in 1890.

726. How much had you expended up to July 1891, when you presented your Bill to Parliament?—I cannot tell exactly now; about £30,000.

727. Have you borrowed any money since?—Yes, as the works proceeded we gradually borrowed the capital to pay for them.

728. Your rates, you tell us, are from 6d. to 8d. per unit—is that by the meter?—Yes.

729. There is a very great difference between 6d. and 8d.?—We realized 6·35 as the unit last year; that was the average. We charged as the rate of the company, 6d. The rate is 6d. without lamps, and 7d. with lamp renewals; 8d. was the old rate.

730. You say all your works are occupied in supplying Melbourne?—Nearly 90 per cent. is obtained from Melbourne. We supply Richmond, Collingwood, and the city of South Melbourne with very little lighting. We are just extending the work there, but it is so scattered there is very little business.

731. Do you say that all the poles put up in the city are for seven arms?—All those I have seen.

732. Do you know how many there are?—I could not tell you.

733. I am informed there are only 500 that have seven arms out of the 3,700 that exist?—I did not know that.

734. How many lamps are you supplying now in Melbourne?—About 16,000 lamps equal to eight candle-power.

735. How many arc lamps?—About 100 out of that.

736. *By Mr. Maddock.*—You have an agreement, I think, with the city of South Melbourne?—I do not think there is any agreement signed.

737. Do you draw a distinction between the signing of an agreement made between you?—No.

738. Then I repeat the question; you have an agreement with the city of South Melbourne?—Yes, we have an agreement.

739. That agreement was made when you desired to come into the city of South Melbourne?—No, we were in previously. It was only when we wanted to erect poles that we obtained permission to do so in South Melbourne.

740. Do you know that agreement specially provided for the right of the city of South Melbourne to do private lighting?—I do not recollect that.

741. It says—"Nothing herein contained shall in any way deduct from or prejudice the right of the council to establish works," that is quite plain?—Yes.

742. "And the said company shall have no right to interfere with the free right of the said council with regard to any arrangement for," &c., "or for the supply of any electric or other light to or for any person or premises which the said council may desire"?—I do not recollect that agreement.

743. Is not that your agreement with the city of South Melbourne, dated 1893?—Yes; we objected to that. That is not the agreement I refer to. We also had an agreement sent in lately which we did not sign.

744. I am instructed that this is the agreement that was handed to you, and that it was upon the terms of this agreement that you came into the city of South Melbourne?—We were in the city of South Melbourne prior to that agreement. We carried the wires over the house-tops and had a central station.

745. You desired to erect poles and the terms were made showing the conditions on which you could erect them, and giving the council the right to purchase those poles, and to other companies the right to attach wires to those poles—

746. *Mr. Wood.*—I am told the company objected to sign that agreement.

747. *By Mr. Maddock.*—Do you make a distinction between a document that you have agreed to and a document that you have signed?—That document was never agreed to.

748. Have you any agreement at all apart from this one?—

749. *The Hon. the Chairman.*—This is not an agreement.

750. *Mr. Maddock.*—It contains the terms that the council think they agreed to.

751. *The Hon. the Chairman.*—The witness says his company did not sign it, and you will have to prove it some other way.

752. *Mr. Maddock.*—This is not signed either by the company or the corporation, but I say also on behalf of the corporation that this is the agreement that they understood was in existence between them. Here, I understand that the representative of the company practically repudiates this, which is a new position for the corporation.

753. *The Hon. the Chairman.*—Why did the corporation allow the poles to be put up until the agreement was signed?

754. *Mr. Maddock.*—They trusted to the honour of the company who had received this document, and they have never received any notice from the company that they objected to the terms of it. That agreement was prepared in 1893, and has been unsigned ever since.

755. *The Hon. the Chairman.*—Is there any approval indicated on it on the part of the company, in writing?

756. *Mr. Maddock.*—No, and no alteration in pencil or otherwise. The company have put up the poles and paid the rent. The town clerk received the document from the company personally, and it was understood it was agreed to, and there has been under this agreement a further application by the company to extend the poles, and that has been granted subject to an agreement between them.

757. *By the Hon. the Chairman (to the witness).*—Can you give any explanation of this?—I cannot just now, because I do not know all the transactions in the case.

758. *By Mr. Maddock.*—You have told us that if the corporations supply electricity the benefit will be to the ratepayers?—That is a matter of course.

759. I presume that there are a very great many more ratepayers to be benefited than there are individual shareholders in a single company?—I suppose so.

760. *By Mr. Wood.*—Personally, you do not know why this agreement was not signed, or whether it was objected to?—It came before the board sometime ago, and I think there were some objections to it. I cannot remember the circumstances of the case.

761. Do you know how it got back into the possession of the corporation of South Melbourne?—No, the secretary would know that.

762. You have been asked whether your company objects to a Bill for the proper supervision of the wires of companies—have you any such objection?—No, certainly not.

763. Do you object to any public Bill on the subject?—No. I think it is important there should be a Bill.

764. *By Mr. Maddock.*—Is it not a fact that your company was asked to do street lighting in South Melbourne, and it stated that owing to lack of capital it could not do so?—We may have stated that.

765. Is it not a fact that identically the same thing happened between your company and the representatives of the city of Fitzroy?—We are doing no lighting in Fitzroy; we have never been approached by them to do lighting.

766. Have you approached Fitzroy with a view to coming into their city?—Yes.

767. And then did they not ask you on what terms?—They wanted us to light the whole of the streets; it would take a lot of capital, and we told them we had not capital at that time.

768. *By Mr. Wood.*—Did you ever understand from Mr. Carter that the city corporation contemplated private lighting?—No, I never did.

769. From conversations with him latterly, did he inform you?—He said he was going against the corporation doing electric lighting, and he referred to the late Mr. Lang stating that he had not any idea of private lighting.

770. It was never conveyed to your mind by anything Mr. Carter said that the corporation contemplated doing private lighting?—No.

771. *By the Hon. the Chairman.*—Do you remember when those corporation poles were put up with the seven arms?—They were erected along the Sydney-road within the last two years.

772. What was the object of putting up the seven arms?—The only conclusion I came to was that they were intended to carry extra wires—they would carry fourteen wires.

773. Was there not also another class of pole with fewer arms?—I believe there are some smaller poles with a less number of arms. I think there are five arms on the poles along Wellington-parade—they would carry ten wires.

774. *By the Hon. J. Balfour.*—Do you think there is much risk to life in consequence of the wires being overhead?—With proper precautions, where you have not many wires to control, they can be carried overhead with safety.

775. As the electric lighting of the city becomes more extensive, will it not become more dangerous?—It will be preferable where there is a thickly-populated area to place the wires underground.

776. Is there not even now occasional interference with the telephone wires where the lighting wires cross them?—Yes, we have to specially insulate the wires where they pass through the telephone wires.

777. And still there are complaints of interference?—Not so very many.

778. *By the Hon. J. H. Abbott.*—Has any objection arisen through carrying the wires on the house-tops?—No, we carry a number of wires on the house-tops. This is one method by which they are carried in London—[*producing a paper*].

779. *By the Hon. D. E. McBryde.*—You say you charge from 6d. to 8d. per unit, and you have private arrangements besides—what are those private arrangements?—Those are for lighting by contract. Where a consumer has fixed hours for lighting we charge him a contract rate—say 5s. per month per 16 candle-power light.

780. *By the Hon. J. Balfour.*—Are the wires in London underground?—Yes.

781. *By the Hon. D. E. McBryde.*—The corporation objected to allow you to light the Conservatorium of Music?—Yes.

782. Their motive for doing so was that they wanted to do it themselves?—It looked like it. I understand they made an offer to do it.

783. In order to prevent you from lighting it they would not allow you to use their poles?—Yes, we had to supply kerosene lamps to keep faith; we could not supply any other light.

The witness withdrew.

Walter J. Anderson examined.

784. *By Mr. Wood.*—What are you?—Secretary of the A. U. Alcock Electric Light and Motive Power Company—I have occupied that position for the last nine months.

785. Do you know anything of this draft agreement that has been referred to?—Yes, it was placed in my hands. After looking through it I referred it to the board and said there were many clauses in it that were quite objectionable to our business. The board referred it back to Mr. Alcock and myself to examine; in the meantime the town clerk of South Melbourne called in and saw me.

786. What took place?—I saw him again afterwards and handed it to him, saying that we were still considering the matter.

787. He took it away?—Yes.

788. Did you ever get it back again?—I expected to get it back but I never did—that would be two or three months ago. That is all I know about the agreement.

Cross-examined by *Mr. Maddock.*

789. How long have you been secretary of the company?—Since December last.

790. How long have your poles been up in South Melbourne?—They were up before that.

791. This agreement in 1893 was also before you were secretary?—Yes.

792. You put up your poles under the agreement I presume?—There was a friendly arrangement that an agreement was to be entered into.

793. Even three months ago when the town clerk saw you about it you only told him you were still considering it?—Yes.

794. You did not tell him even then that you objected to it, only that you were still considering it?—Certainly not.

795. *By the Hon. the Chairman.*—If you and your directors objected to it why did you not point out to the town clerk the portions of the agreement that you objected to?—We took it as a whole.

796. There were some portions of it that you had no objection to?—Certainly.

797. Other portions you did object to as being too stringent?—Yes.

798. Why did you not tell the town clerk there was some objectionable matter in it?—I expected to get it back again. I do not act without instructions from my board; I am only the secretary.

799. You had not made a copy of it?—No, we had no copy of it whatever. My objections would be laid before the board for consideration, and then the matter would be laid before the South Melbourne council. Mr. Alcock and myself were considering the recommendations to lay before the board, and then the matter would be brought before the town clerk. Until then I would not give him the slightest hint of what my objections were.

800. *By the Hon. J. Balfour.*—Did you originate the objections when you became secretary?—I originated them when the agreement came into my hands.

801. Had the agreement been considered by the board before?—I do not know.

802. *By the Hon. the Chairman.*—What were the objections that you took?—Clause 15 was one I objected to.

803. *By Mr. Maddock.*—When you had this agreement before you the second time was it not then before the company with a view to their making application for further extension under this agreement, which application you did make without stating any objection?—We made application for an extension under an agreement.

804. Which application has been granted by the council?—Yes, that was an agreement for the future.

805. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—What agreement do you refer to?—An agreement to be come to.

806. Was there anything in your letter to lead the council to suppose that you were referring not to the agreement that had been drafted three years before, but to some future agreement?—That was my opinion.

807. Would your letter indicate that to the council?—I do not think so; there was no agreement in existence.

808. There was an agreement under discussion?—Yes.

809. *By the Hon. the Chairman.*—Do you remember the purport of your letter?—Yes; it was practically in the terms stated—that I applied for the right to erect poles under an agreement between the company and the council.

810. Not under the existing agreement?—No, because they knew perfectly well there was no existing agreement beyond a verbal one; the terms were to be drafted.

811. You can produce that letter?—Yes.

The witness withdrew.

Mr. Wood said that concluded the evidence he intended to call.

Mr. Maddock was heard to address the Committee.

John Hinde examined.

812. *By Mr. Maddock.*—What are you?—Town Clerk of Prahran.

813. Has the report of the Municipal Conference been before the city council of Prahran?—Yes.

814. What action was taken on it?—The report was adopted by the city council.

815. Can you tell me the wish of the city council of Prahran with reference to this Bill now under consideration?—Mainly that there should be such an amendment of clause 5 as would provide for the companies submitting to the council their application for an order before it was granted.

816. That a company should not get the right to light without the permission of the council?—Yes.

817. What electric light companies are there in the city of Prahran?—One only; the New Australian Electric Company.

818. How many agreements have they?—Two.

819. What is the date of the first agreement?—11th April, 1890.

820. Did the company come into Prahran at the request of the council or at their own request?—On the application of the company.

821. When was that application made?—The first application was made 3rd January, 1890. I have a letter from the New Australian Lighting Company, Limited, bearing that date [*reading the same*]. There was another application subsequent to that.

822. The outcome of that application was this agreement?—Yes.

823. This agreement is sealed by both the corporation and the company?—It is.

824. What are the provisions of clause 19 of the agreement?—“Nothing herein contained shall give the company more than a permissive right to erect, lay down, and maintain the posts, wires, lamps, pipes, conduits, and appliances, and this agreement may be determined at any time by the council giving the company six months’ notice in writing determining this agreement, and if no such notice is given this agreement is not to remain in force for a longer period than seven years from the date hereof, and the company shall at the expiration of such notice, or at the expiration of the said period of seven years, as the case may be, remove all posts, wires, lamps, and appliances from the streets of the council (except such as may have been purchased by the council), and shall restore the said streets to the same condition as they were in before such posts, wires, lamps, and appliances were erected or laid down, and to the satisfaction of the city surveyor.”

825. Was there any beating down of the company in its terms when this agreement was entered into?—I believe not; I was not town clerk at the time, but I never heard of any.

826. *By the Hon. the Chairman.*—Is that a contract for lighting the streets?—Yes; it gives to the company the right to do private lighting also. Clause 21 says—“It is hereby declared and agreed, that these presents are upon the express condition that nothing herein contained shall prevent the said company from supplying private consumers with the electric light on their line of mains during the time that this agreement shall remain in force and not be determined by the council, under the provisions hereinbefore contained, or expire by effluxion of time as hereinbefore provided, it being distinctly understood that such concession has been considered by the said company in fixing the rate to be charged for lighting of the public lamps and municipal buildings, and is part of the consideration granted and allowed by the council for the works undertaken to be done by the company hereunder.”

827. *By Mr. Maddock.*—Has the company done its work satisfactorily within the city of Prahran?—There have been complaints from time to time of the manner in which the work has been done.

828. Have you copies of the letters of complaint sent to the company?—Here is one of the 25th of April, 1891—[*reading the same*]. That appears to be a general complaint with regard to the incandescent lamps of the city—that was written by the city surveyor and engineer.

829. *By the Hon. the Chairman.*—Was that complaint attended to?—I believe the light was improved at the time. There is another complaint on the 18th of June, 1891—[*reading the same*]—that is also signed by the engineer and surveyor. I have the reply here to that letter from the company—[*reading the same*]. On the 15th April, 1893, there is a complaint with regard to the lighting of the library.

830. Nearly all those complaints were attended to?—I think so.

831. *By Mr. Maddock.*—What was the most recent complaint?—The last one is dated 13th September, 1895, and is addressed by the city surveyor to the secretary of the New Australian Electric Company—[*reading the same*].

832. *By the Hon. the Chairman.*—Did you make any deductions on account of the company not carrying out its contract?—No, except in the cases where lamps were found to be unlighted.

833. How much did the deductions amount to?—A very few pounds; the deductions are provided for in the contract. There is no penalty for the bad state of the light; it is only in case of the light going out.

834. *By Mr. Maddock.*—There is no provision for a penalty if the light is not up to standard?—No.
835. What proportion of the city of Prahran is lighted by electricity?—There are 16 arc lamps, 106 incandescent lamps, and 460 gas lamps.

836. Has the corporation ever refused permission to the company to extend when it has desired to do so?—Never.

837. Is the corporation prepared to abide by the agreement so long as the company does its part?—Yes.

838. As a matter of fact has the corporation given the company notice to terminate the agreement?—It did so on the 16th May, 1895.

839. Why was that done?—A certain number of members of the council have felt dissatisfied with the lighting, and the council desired to have a free hand at the end of the year to make terms with the company. A similar notice was given last year, and the contract was then extended for this year. I cannot say what will be done next year.

840. Was that notice in any way given in view of the present Bill?—It was not.

841. What does clause 11 of the agreement refer to?—That deals with the right of the council to purchase the poles of the company.

842. Upon what terms?—The clause reads:—"The council may at any time purchase the whole or any of the posts erected by the company upon payment to the company of the actual cost of such post, subject to a deduction of ten per centum of such cost for every year or fraction of a year during which such post shall have been erected."

843. So that in eleven years these posts will virtually become the property of the council?—Yes; under the terms of the agreement.

The witness withdrew.

James Street examined.

844. *By Mr. Maddock.*—What are you?—A councillor of the city of Footscray.

845. Was that city represented at the Municipal Conference appointed to deal with the subject of electric lighting?—Yes.

846. What is the wish of your council so far as this Bill is concerned?—Simply that they should be second to the Government in the Bill—that is to say, that they should have authority before any private company. They consider that clause 5 in the Bill should be altered so as to bring that into effect.

847. *By the Hon. the Chairman.*—Which of the companies is Footscray lighted by?—None at present; it is lighted with gas by the Footscray Gas Company.

848. You have made an arrangement with the Gas Company?—Yes; there is no electric light in the district at the present time. The opinion of the council is, that the electric light being a new thing in the district at the present time, they should endeavour to get such legislation as will be for the benefit of the ratepayers and citizens of the various municipalities. They think corporations should have the power to refuse permission to private companies if they think it will be detrimental to the interests of the ratepayers. It is simply from a public point of view.

849. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—How long should that power be exercised by a corporation; should they have the power to object for all time to any one else doing it and yet not do it themselves?—No; the corporation want to have a prior right to establish these works.

850. For what time?—Say within twelve months.

851. *By the Hon. F. S. Grimwade.*—Do you anticipate lighting Footscray with electricity?—Not in the near future, but before any company takes it up.

852. *By the Hon. the Chairman.*—Has the council taken any steps in the matter?—Not at present; they were in communication with various lighting companies a year or two ago with a view to getting cheaper lighting than they were getting, but the local Gas Company were alive to their own interests and so lowered the price that the council were able to deal with them for a term; the term expires in 1896.

853. The arrangement you have made with the Gas Company is satisfactory so far?—For the present.

854. In the case of the city of Footscray no company has the right to supply electric light, either for public or private purposes?—They have never applied for it yet.

855. You stand in a different position to the other municipalities?—Quite, we adopt the broad principle of obtaining the best possible terms for our citizens, independent of any private arrangement.

856. You stand in the same position as those boroughs and municipalities that have not granted concessions to any private company?—Exactly. We think we ought to have a right second only to that of the Government.

857. Because there is no company established for the lighting of your city?—Yes.

858. *By the Hon. J. Bell.*—There are no vested rights to consider?—Not as far as electricity is concerned; there are as far as the local Gas Company is concerned.

859. *By the Hon. the Chairman.*—Would you consider, if your council had granted a concession to a company to light your city with electricity, that you ought to come into competition with that company?—That I am not prepared to answer.

860. *By the Hon. J. H. Abbott.*—Your council wish to be supreme, as regards the opening of streets and the erecting of electric light posts, over every company, and that it should not be left to the Governor in Council?—Exactly; after the Government has carried its lines through the council should be the next in command.

861. *By the Hon. the Chairman.*—If the council were not prepared to supply the electric light, do you think it would be fair to put the council in such a position that they could in an arbitrary manner refuse their consent to any company coming in?—I think the proper way would be to take the voice of the people. If the majority of the ratepayers were desirous of having the electric light or any other light established I consider the council should then be led by the people to a certain extent.

862. Suppose the council made up its mind not to incur the expenditure, do you think it ought to have the right to refuse permission to any company to erect works in the municipality?—I think so, until the people had an opportunity of expressing their views.

863. You would ignore the Governor in Council altogether?—I am not prepared to say that. I think the council should come next to the Government in having the opportunity to provide the light.

864. But supposing the council are not willing to supply the light, or are not able to supply it, do you think that in an arbitrary manner they ought to withhold their consent from a company that is willing to undertake the work?—I do not think so for one moment.

865. Do you think in that case it would be sufficient to give the council an opportunity of being heard before the Minister, whose duty it would be to carry out the Act?—That is exactly what we require.

866. *By Mr. Maddock (through the Hon. the Chairman).*—In your opinion is it the wish of your council that legislation here should be consonant with legislation at home?—Yes, I think it should be on the same basis as the English legislation. We have gone through the Bill very carefully, and that is the decision the conference arrived at; and, after the matter was explained to our council, it was unanimous in approving of the action of the conference.

867. *By the Hon. the Chairman.*—Have you read the English Acts bearing on the subject?—I have seen extracts only; I have not read the full Acts.

868. You have not looked at the Act of 1882?—Not the whole Act—I have heard extracts bearing on this matter read out, and we considered they should be inserted in the new Bill.

869. *By the Hon. J. H. Abbott.*—Do I understand that your council desire that no company should be empowered to act in your district without the consent of the council?—Decidedly.

870. *By the Hon. A. O. Sachse.*—In your opinion, if your council have authorized a company to operate in your city, would you be justified in curtailing the privileges that have been granted?—Decidedly not.

The witness withdrew.

Arthur Batson examined.

871. *By Mr. Maddock.*—What are you?—Surveyor to the city of Fitzroy.

872. Is there any electric light company operating in Fitzroy at present?—No electric light company has erected poles in the city of Fitzroy—the A. U. Alcock Company has been allowed to cross the boundary road, Smith-street, with a lighting wire in four or five cases; the wire goes from the Collingwood side, where it is attached to houses, to the buildings to be supplied on the opposite side of the road.

873. It runs directly into the buildings to be supplied?—Yes. There is one other case in Victoria-parade where, without the consent of the council, a wire has been carried over the houses to a shop in Brunswick-street.

874. In the case of those wires coming into the city has the council been applied to for permission? In every case, except the one I have mentioned, the council has been applied to either by the tenant or owner of the premises, or by the company.

875. On what terms has permission been granted?—During the pleasure of the council only.

876. Has that been made perfectly clear and distinct?—Yes.

877. And the company has been content with that?—The Alcock Company has accepted the terms.

878. Did not an instance occur in your city where the company came in without permission, and the council insisted upon application being made?—Yes.

879. The application was then made and consent given?—On the terms I have stated.

880. There is no electric street lighting at all done in your city?—No, only gas.

881. Did you at any time communicate with the Alcock Company with a view to ascertaining whether the streets could be lighted by electricity?—We made inquiry about two years ago, and we were told then that the power at the disposal of the Alcock Company was such that they were not prepared at that time to enter the city. We also wrote to the other electric companies, and I think we got no response whatever from them.

882. There was another electric light company that applied for concessions in your city—the Yarra Water Power Company—what concession did you grant to that company?—The company was never really formed, it was only a promoters' company. It is about two years and a half since the council considered the conditions under which they would be allowed to enter the streets; an application came from the promoters of the company. I think Mr. J. S. Butters was one of the principal men in it.

883. What conditions did you make with them?—We gave them two years within which they might come into the city—that time has expired, and they have not come in.

884. I believe the city of Melbourne has poles on your boundary?—There is a line of poles on the western boundary of our city for about two miles. It is on the boundary road between our city and Melbourne, and by arrangement the poles have been erected by the city of Melbourne on our side of the street; we have arranged with the corporation of Melbourne to light that boundary road.

885. Has any period been fixed?—No agreement has been signed yet, nor has the lighting been carried out, but there is a preliminary agreement that the arrangement shall last for five years on certain terms.

886. May we say that the desire of your council is to preserve the control of the streets to the corporation?—My council is very desirous that in the Bill no company shall be allowed to come into the city without the consent of the council. They are also very desirous that their own powers to establish electric lighting works shall not be restricted in any way.

887. *By the Hon. the Chairman.*—Do they want their powers increased?—They have none at present practically—there is no machinery.

888. Have they any power under the law at present?—There is the Local Government Act under which we can buy works or put them up to light our own streets, but the council desires larger powers than that—it desires to be allowed, either by itself or in conjunction with other municipalities, to erect lighting works both for public and private lighting.

Cross-examined by *Mr. Wood.*

889. Is this wire that is carried across the street carried at a sufficient height not to interfere with traffic?—Yes.

890. Under what authority did your council grant permission for that wire to be carried across the street?—The council claims under the Local Government Act to have the care and management of the streets.

891. This wire does not interfere with the streets in any way?—Yes; it is a projection over the streets; we have power to prevent unseemly obstructions.

892. What does it obstruct?—It is technically an obstruction.

Cross-examined by *Mr. Bow*.

893. Is it the intention of the city of Fitzroy to establish electric works itself, or to join any other municipal body in the work?—Not at present.

894. You wish to keep the control over any company that comes into Fitzroy?—Yes.

895. The council does not intend to allow any one to have the run of Fitzroy?—They would like to have a word to say in the conditions.

896. The city of Melbourne have got poles running along two miles of your boundary?—Yes, the poles are in our territory; the City Corporation will supply the light.

897. *By the Hon. F. S. Grimwade*.—Will you pay them for that?—Yes, so much a light.

898. What street is that in?—Nicholson-street.

899. *By Mr. Wood*.—Does the boundary run in the middle of the road?—Yes.

900. *By the Hon. the Chairman*.—Does your council claim the right to exclude all companies that have not obtained its consent?—I do not know that I would be justified in saying that the council go as far as that; they certainly desire that they shall be heard before any order is given under this Bill to any company.

901. Do you think they would be satisfied with being given an opportunity of stating their objections before the Minister?—Though the point has not been actually settled, I would say that they would not assume a dog-in-the-manger style altogether, so as to exclude any company from coming in under proper restrictions, and go without the light altogether.

902. If at first the council were not disposed to give their consent, and an opportunity was afforded to them to come before the Minister and state their objections, do you not think the power of appeal from the council should be vested in the Minister?—Certainly.

903. *By the Hon. F. S. Grimwade*.—Will this arrangement by which the City Corporation will light that street cost less than to light it with gas?—It is not less; there is a difficulty in comparing lighting by arc lamps with the light which gas lamps give, but taking the whole length of the street we are paying considerably more; we are paying an average of £6 per arc light.

904. Will that cost more than gas for the whole two miles?—Yes, gas would cost us about £80 for that street, and this will cost £125.

905. You are willing to pay more to get a better light?—Yes.

906. *By the Hon. J. H. Abbott*.—Do I understand that your council would be content with the Minister's decision as to whether a company should enter the city or not?—The council would like to have to a large extent the power of granting permission to enter the city; they want the right to appear before the Minister and urge their objections.

907. Would they be satisfied then?—I do not think they would then be actuated by such a dog-in-the-manger spirit as to exclude the companies altogether.

908. *By the Hon. J. Balfour*.—Supposing the council were not prepared to erect the electric lighting apparatus themselves, and a company were willing to do it, would you consider it fair that the company should be allowed to enter the city under certain conditions, and that the corporation should be allowed to take over the works on certain terms afterwards, if necessary?—Yes.

The witness withdrew.

Mr. Wood read the correspondence between the A. U. Alcock Electric Lighting Company and the South Melbourne Council.

Arthur J. Arnot further examined.

909. *By Mr. Maddock*.—Have you searched to ascertain whether there were electric light companies in existence prior to the passing of the English Act of 1882—that is companies working from a central station and supplying light?—I have, and I have made the following extracts from the *Electrical Review* for the first half of 1882:—"Examination before Select Committee, 1882. Dr. Siemens said that at Godalming eight private houses were supplied with incandescent lamps, and the public streets and other places were lit by arc and incandescent lamps. At Chesterfield (8th October, 1881, before Bill) the Hammond Company erected installation for private and public lighting; two engines, each of 60 horse-power, and two dynamos, 15 miles of circuit. Arrangements are being made for extensive lighting of private houses, shops, &c."

910. *By the Hon. the Chairman*.—Can you say whether the Board of Trade dealt with that company?—There was no notice take of the existence of these companies as far as I can judge by the evidence before the committee—it was simply that they were required to apply for an order.

911. But did the company get the order?—I have not followed it out to see if it got the order or not; in any case they had to apply for the order in the ordinary way.

912. *By Mr. Maddock*.—There were no reservations in the Bill in favour of those companies that were in existence before the Bill came into force?—No.

913. *By the Hon. the Chairman*.—Who made the application for the order—the company or the municipality?—The company was working in Godalming prior to the Act being passed. In 1882 the Commissioners of Sewers in London invited tenders for lighting certain districts in London with electricity from sunset to sunrise for a period of twelve months. In 1881 the Commissioners of Sewers had made arrangements with the Electric Light and Power Generator Company to light with electricity for the year at a cost of £2,930. The district included Southwark Bridge, Queen Victoria-street, Queen-street, and Queen-street place. In April, 1821, Siemens Brothers, Limited, had a station in Swan-lane and Thames-street, and they had 120 horse-power for arc lighting.

914. How did the Board of Trade deal with those companies?—I cannot say if an application was made.

915. *By Mr. Wood.*—You know that Godalming is a very small place?—Yes.

916. What company was supplying it?—I believe it was the Hammond Company.

917. Do you know how Chesterfield was lit?—Arc and incandescent—there were two arc circuits.

918. *By Mr. Box.*—Were there any other companies besides those at Godalming and Chesterfield that had interests involved before the passing of the Act of 1882?—Yes, there was the Anglo-American Brush Company with a capital of £40,000 in £10 shares—that was principally a manufacturing company. Then there was the Electric Lighting and Power Generating Company with 150,000 shares, the Great Western Electric Light and Power Company with 25,000 shares, the Hammond Electric Light and Power Supply Company with 24,980 shares, and the Indian and Oriental Electrical Storage Company with 40,000 shares. Nearly the whole of these companies manufactured as well as supplied.

919. Did they supply at all?—I am not prepared to say—the supply work was principally done from isolated plants—at the same time we have this reference to the streets of London which were lit by the Anglo-American Brush Company. Some of these companies have been in existence since 1879 and 1880.

920. In the Bill of 1882 there is not a word said about those companies having rights as against anybody else?—Nothing at all.

921. There is nothing in the Bill giving them a right to get an order?—Nothing at all.

922. They had to come in like everybody else and ask for an order?—Exactly. In the *Electrical Review* of 14th January, 1882, it says—"The Electric Light in Edinburgh.—With last night came the termination of the contract between the town council and the Anglo-American Brush Company for the lighting of Princes-street and the bridges with the electric light." In the same journal on 4th March, 1882, it says—"The Commission of Sewers and Electric Lighting Bills.—The Acting Remembrancer (Sir T. J. Nelson) said he had to ask the Commission to authorize the signature of five petitions against the various Electric Light Companies' Bills before Parliament."

923. Were any of the companies you have mentioned supplying electric light before the Act of 1882 came into force?—I know of my own knowledge that the Hammond and the Brush were.

924. Do you know how long before that date they had been doing so?—Not much more than a year.

925. The thing was in its infancy?—Yes.

926. *By Mr. Wood.*—What district was the Hammond Company lighting?—It had been lighting Chesterfield.

927. Under a contract with the corporation?—Yes.

928. Do you know how long that contract was for?—I cannot say.

929. How long was the contract of the Brush Company in London for?—I think it was for about a year; I am not certain.

930. Those companies were merely experimental ones, and contracts were taken for a year to see how electric lighting would answer?—The companies had expended money in the districts referred to.

The witness withdrew.

Adjourned to Wednesday next, at Three o'clock.

WEDNESDAY, 9TH OCTOBER, 1895.

Members present:

The Hon. H. CUTHBERT, in the Chair;

The Hon. J. Bell
J. Balfour
F. S. Grimwade

The Hon. D. E. McBryde
Lieut.-Col. Sir F. T. Sargood.

Francis Wilson Niven examined.

931. *By the Hon. the Chairman.*—What are you?—Chairman of the Ballarat Electric Supply Company, Limited.

932. Has the company been long in existence?—Not quite twelve months.

933. Did it obtain a concession from the council of the city of Ballarat?—A concession for seven years.

934. Have you a copy of the agreement between the city and the company?—No, but will send one at once.

935. Have you read the Bill now before the Committee?—I have gone through it.

936. Does your company generally approve of it?—We do, with the exception of one or two clauses.

937. To what part of the Bill do you wish to direct our attention?—I simply wish to make a general statement. When we started the Electric Lighting Company on Ballarat we did so in the face of very great difficulties; we had a strong opposition against us, and it is my opinion that the electric light would never have been an accomplished fact on Ballarat if it had been left to the councils to start it, because the councils had the votes of the ratepayers to consider, and those vested interests which were so strong for us to fight would not have been fought at all by the councils; they would have shirked it. Therefore I consider the clause in this Bill which gives the city council full power to appropriate the work done by private people after those private people have really done all the hard work and established the undertaking as a going concern is unfair. Of course it is just possible that in course of time the city council might have brought forward a better lighting scheme than we have done, but I do not think it would have been within this century, therefore the clause giving the council that power is very detrimental to progress. We have started the business in a small way, but even in the twelve months we have got it on to a paying

basis ; we have not made any profit out of it yet, but we hope to do so in the second year. We have only got a seven years' tenure, and on the strength of that we could not possibly borrow any money ; we made the attempt and failed—we could only issue a little over 3,000 shares where we ought to have issued 20,000 without any difficulty, and because of that we are rather weak in finances. The 42 years' tenure that it is proposed to give us by this Bill would enable us to borrow money probably as cheaply as the municipal councils could do. The only argument that can be advanced in favour of the municipalities carrying on such an undertaking as this is the fact of their being able to borrow money more cheaply than anyone else, but I believe that if we had this 42 years' tenure we would be able to borrow as cheaply as they can.

938. What have the profits been for the year?—We cannot reckon any profits as yet, because we are giving a number of lights for nothing to the public.

939. *By the Hon. D. E. McBryde.*—Is the gas supply of Ballarat in the hands of private parties?—Yes.

The witness withdrew.

Ferguson H. Tuthill examined.

940. *By the Hon. the Chairman.*—You are a director of the Ballarat Electric Supply Company?—I am.

941. Have you made yourself acquainted with the provisions of this Bill?—Yes.

942. Does your company generally approve of the Bill?—Yes, with two exceptions, one of which is the right given by clause 6 to the corporations to do private lighting. The company does not object to any other company getting an order, provided they go through the proper form in getting that order ; but they object to any corporation having the right of private lighting.

943. Why do they object?—For two reasons. They think it is unjust to private companies which have had the enterprise to start works in the face of great difficulties, having no certain tenure, that corporations should come in and compete against them without compensating them ; and they also think it would kill private enterprise ; it would be a bar to others doing the same thing. We judge very much by our own experience. We went to some trouble two years ago to start our works in Ballarat, and if the corporation have the right to compete with us we feel it would be unjust.

944. Would it be unfair for the corporation to compete with you at the end of the term for which you hold the licence?—We only have a licence for seven years at present, that being the term allowed by the Local Government Act. When we got that licence and erected works and laid mains we expected, if there were no Act of Parliament in the meantime, that the licence would be renewed, and if this Bill is passed we would come under the clause giving a tenure of 42 years. With that we would be perfectly satisfied. We have an agreement with both the city council and the town council allowing us to erect posts and run cables for seven years in the streets of Ballarat city and town, and in return for that concession we give them a certain number of street lights free for one year.

945. At present it is overhead lighting?—Yes ; our agreement also allows us to run mains.

946. *By the Hon. F. S. Grimwade.*—Does your agreement allow you to run lines underground also?—Yes, but we have not done so yet, the corporations would prefer that.

947. *By the Hon. the Chairman.*—What is your next objection?—Clause 26 contains a veto which we think ought not to be vested in the councils. We think if an order is once obtained no corporation should have the right of vetoing the order ; but under the first sub-clause of clause 26 it is necessary, notwithstanding that an order has been obtained under clause 5, to obtain the consent of the municipal council before running wires overhead. The company think that is a veto which ought not to be allowed to a council, because they could nullify the order by refusing to give their consent. It might not be convenient to a company to run underground mains, and we think sub-clause 3 of clause 26 would be quite sufficient to protect the municipalities. We object to sub-clauses 1 and 2.

948. Do you read clause 26 to apply to companies now in existence?—I did read it so. I would be very glad to find that it did not.

949. *By the Hon. F. S. Grimwade.*—You think you will want a new licence at the end of the seven years?—I think so ; I may be reading the section wrongly.

950. *By the Hon. the Chairman.*—Is there any other clause you take exception to?—No ; on the whole the company approves of the Bill introduced by the Government.

951. *By the Hon. J. Bell.*—Your company objects to the corporation competing with it, does that mean for all time?—For the 42 years.

952. You think the city of Ballarat should not be permitted to undertake any lighting by electricity?—Yes, because by clause 39 they have the right of taking over the works at the end of the 42 years—it is only giving a concession for 42 years to an enterprise that would otherwise never have been started on Ballarat.

953. Do you not think the seven years' tenure is sufficient?—No, we proved that by going to the public for money and being refused. The public will not give us money on that tenure.

954. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—As a matter of fact you started with that tenure?—Yes, on private money ; we have issued 14,800 shares, and they are practically held by 108 shareholders.

955. *By the Hon. F. S. Grimwade.*—How much is called up?—About 12,000 shares are fully paid up to 10s., but they were given to the syndicate that found the money, and that only represents about £1,500.

956. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—May it not be argued that the very fact of the public not caring to take up these shares is a reason why the corporation should be allowed to undertake the business, seeing that they can borrow money easily?—Our experience is that the public objected to give the money because there was no certain tenure for the undertaking. We would have had no difficulty whatever in getting the money if we could have assured the public that we had a tenure equal to the English tenure.

957. Is it not a fact that the public know that electric lighting companies have not paid?—I hardly think that is a fact. With the term of 42 years given in England the companies are beginning to pay very well, but until they got a certainty of tenure they did not pay at all ; they were all worked at a loss.

958. *By the Hon. F. S. Grimwade.*—You object to the right of councils to oppose you, but you do not object to other private companies?—No, I do not think we could go so far as that; we would give a fair field to all outsiders—we only object to the councils.

959. *By the Hon. D. E. McBryde.*—Why do you make the distinction?—We think the corporation could swamp an enterprise like ours, speaking of Ballarat particularly, whereas no private company could now swamp us—they would not be on any better footing than we are. The corporation of Ballarat, starting to-morrow, with its command of capital, would shut us up in six months, and our outlay would be lost. Though we really started the enterprise and educated the public to the light, the corporation would get the benefit of that and would swamp us through their command of capital.

960. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—Could your company borrow money as cheaply as the corporation?—I am inclined to think we could; I do not think there would be any difficulty in getting money if we had a tenure of 42 years.

961. *By the Hon. the Chairman.*—You say there are 14,800 shares, 12,000 of which were given to the syndicate fully paid up?—Yes, they originally contributed about £1,500.

962. On the remaining 2,800 shares how much has been called up?—I think the last call will make it 3s.

963. Then altogether about £2,000 has been called up?—Yes, but we have expended a good deal more than that on the works.

964. At what rate do you supply private individuals?—We have a fixed rate—we do not sell by meter, the undertaking is not large enough. We charge £3 per year for incandescent lights with no limit as to time except twelve o'clock. We charge £30 per year for the arc lights in the streets or to private persons—one or two private persons have taken arc lights from us. The incandescent lights are sixteen candle-power.

965. *By the Hon. F. S. Grimwade.*—What happens after twelve o'clock?—We nominally stop the supply after twelve, but as a fact we really run them until one o'clock, but twelve is the limit to the consumer. We have made a special contract with one or two of the shopkeepers of Ballarat who only light on Saturday nights, and we give it to them at half price, but that only applies to three or four.

966. Does your company do all the electric lighting of Ballarat?—Yes.

967. Are there no private dynamos?—Mr. Oddie has a small one connected with the School of Arts with four or five lights in an upstairs room. We light the railway stations and the shunting yard; we have 25 arcs supplied to the railways and they get a slight concession from us—they get them for £25 to £30 a year each.

Cross-examined by *Mr. Bow.*

968. I understand you to say that your company has issued 14,800 shares?—Yes.

969. How many of those shares were given away?—Twelve thousand were allotted to the syndicate that originally found the capital, and they are fully paid up.

970. By how many people are the remainder held?—There are 108 shareholders altogether—about 90 would hold the balance.

971. How many do you hold?—I think it is 300.

972. How many does Mr. Niven hold?—I am not quite sure.

973. You consider the ratepayers of the city of Ballarat should not be allowed to institute electric lighting for the whole of the ratepayers because it would interfere with the interests of about 90 people?—No, I think the ratepayers of Ballarat are very anxious indeed to see this company prosper.

974. You do not believe in municipalization?—That is rather a general statement—I do not think the municipality could work the business any better than a private company.

975. The same thing would apply to gas?—The corporation of Ballarat does not supply the gas.

976. The corporation of Ballarat has power to erect gasworks and light private houses, and charge for it?—They have under the Local Government Act, but they have not attempted to do it.

977. They have not the power under that Act to work the electric light?—No, I do not think so.

978. Do you think the Local Government Act that gave them that power ought not to be in existence?—It has not been taken advantage of.

979. Have you any knowledge of the success of municipalization, both in electric light and gas, in England?—I have heard of one or two that are said to be very successful.

980. If that work is successful it relieves the ratepayers?—I am not in a position to say it does.

981. Do you say a company can get money as cheaply as a corporation?—Speaking for Ballarat, we could get the money as cheaply as the corporation.

982. Have you the same security to offer to the lender?—If this Bill becomes an Act of Parliament we have power to make an arrangement to-morrow to get all the money to light Ballarat.

983. Do you mean that any lender of money would lend to your company as liberally and at the same rate of interest as to the city of Ballarat?—I think we can get the money just as cheaply.

984. You object to clause 26?—Yes.

985. It is very objectionable to have to go to the persons who have charge of the streets and get their consent?—No; the objection I take is that it gives the corporation power to nullify the order; under that clause they may refuse consent.

986. Having got your order, you must go to the corporation and get their consent?—Yes.

987. Is that improper?—Yes, because the corporation is heard on the application for the order.

988. There is only one electric company in Ballarat, but suppose there are five and a sixth comes on to the field, you think the corporation ought to have no say as to what part of the city the sixth company is to operate in?—Yes, the corporation would have a say in that when the new company applied for an order.

989. This Bill gives you the order?—Yes, but you are supposing that a sixth company starts—that sixth company would have to get an order, and the corporation would be heard when the company applied for the order.

990. Having got the order the company is to go at large over the whole city?—The order may be a restricted order, but if it is not a limited order the corporation should not have the right to step in afterwards and limit it; I hold that the company should have all the scope given to it by the order.

991. If the order is given without restriction does not it go over the whole municipality?—Yes.

992. Have you read enough of electric lighting to know that it has proved most detrimental to have a number of companies in one district?—Yes, but that is guarded against by requiring each new company to come and get an order.

993. Would not your excision in clause 26 amount virtually to handing over to your company, after you got your order, the whole lighting of Ballarat and the power to do what you liked in the streets?—No, any other company may come and ask for an order.

994. As far as the ratepayers are concerned you can go where you like and do what you like?—The order would tell us what we could do.

995. Have you looked at the order?—I have looked at the form of order in England, and that order provides for the streets that the company can go through; that is what is called the model order.

996. You know that clause 26 is almost exactly the same in the English Act?—Almost.

997. In England you must get the consent of the municipal authorities before you get the order?—My recollection is that it is not quite the same in England in that respect. I think it is slightly different, it is not a verbatim copy.

998. Sub-section 2 of clause 8 is the same as in the English Act, is it not?—Yes.

999. The order limits the district into which the company may run the electric lighting?—Yes; there is a schedule for the streets in the model order.

1000. Do you say that the ratepayers of Ballarat have no right as a corporation to institute electric lighting until the 42 years are up?—Wherever there is at present an undertaking.

1001. Do you supply the whole of Ballarat?—We are prepared to do so as soon as we get a proper tenure. We have a capital of £100,000 in 200,000 shares.

1002. Will that do it?—It will go very near it; and then there is power to issue debentures in addition.

1003. You are solicitor to this company?—I am.

1004. Have you sent the usual returns to the Registrar-General?—The secretary has, I presume.

1005. By this return I see that there are 15,000 fully paid-up shares issued to the syndicate?—Yes, but they have not all been taken; 15,000 were provided for in the articles of association, but some of the syndicate dropped out, and therefore the shares were not given to them. Each syndicate share carried 150 shares fully paid up in the present company.

1006. Did they not think they were worth taking?—On the contrary they did take them, but there were not sufficient syndicate members; there were supposed to be 100 syndicate members, but there were really only 80, so those other shares were not taken up.

1007. And the balance are spread over about 90 persons?—There are 108 shareholders altogether.

1008. According to your return there are only 40 shareholders?—That is not the final position of the company; since the 14th of October, 1894, the date of the return from which you are quoting, we have issued nearly 3,000 shares to purchasers.

1009. This return shows 15,000 shares in the Ballarat Electric Company, and it accounts for all the 15,000—were there any more shares issued?—Yes, the 15,000 shares were the shares originally given to the syndicate, but as there were only 80 syndicate members instead of 100 those remaining shares are held by the company.

1010. It says—"Number of shares since the commencement of the company, 15,000"—are those shares still out?—There are 14,800 shares now out, because of those 15,000 shares there were 3,000 or 4,000 that could not be taken by the syndicate at all, because they had dropped out, and they have now been issued to the public and paid for by the public up to the number of 4,800, so there are really 200 short of the 15,000. The amount of money invested in the undertaking is £5,010; there are 25 arc lights supplied to the railways, 21 arc lights supplied to the city and town corporations of Ballarat, and five arc lights supplied privately, making 51 altogether; the exact number of incandescent lamps installed up to date is 379, to 41 consumers. Our present monthly revenue is £170, and every month it is increasing a little, according as we increase the installations. Our expenses now are well covered by the revenue—during the last three or four months the revenue has a little exceeded the expenses, but any excess of revenue has been applied to the works, it is not divided among the shareholders—we keep on extending the works.

The witness withdrew.

George Smibert examined.

1011. *By the Hon. the Chairman.*—What are you?—Telegraph engineer and chief electrician in the postal department.

1012. Have you directed your attention to clauses 31 and 32 of the Bill under the headings "Protection of Public Electric Telegraph Lines" and "Restrictions as to placing Electric Lines, &c."?—Yes.

1013. Mr. Arnot was examined as a witness before this Committee, and he gave the following evidence—[Questions 229–30, *ante*]:—

By Mr. Box.—Now go to section 32, sub-section 4; there is an omission from the Bill there, is there not?—There is.

There should be a proviso in that clause?—Yes; or something else put in that will convey what I think necessary. In the latter part of sub-section 2 of section 4 of the English Act it says—"Provided that nothing in this sub-section shall apply to the supply of electricity through any electric line or work laid down or erected under and subject to the provisions of any licence, order, or special Act, or which may be used in accordance with any conditions or regulations prescribed by the Board of Trade, by or in pursuance of any notice given by them under this section." That latter part of the clause is the loop-hole; in the event of a telephone company erecting wires after the erection of electric light wires which have been properly erected, it would be rather hard in the event of a single telephone wire or a few wires being erected subsequently to the erection of the electric light wires, that the company or council should be instructed by the Postal Department to make alterations or deviations from their work on account of the erection of those telephone wires."

Do you agree with Mr. Arnot that the proviso in the English Act ought to be inserted here?—Not the proviso in the English Act. In the next question he suggests what would suit the requirements here, and I agree with that.

1014. He goes on—[Question 231, *ante*]:—

“ This proviso preserves the right of the electric light company in case the Postmaster-General wants to put another telephone wire up?—Quite so. I put it as an addition to sub-section 4—‘Provided that nothing in this sub-section shall apply to the supply of electricity through any electric line or work laid down previous to the erection of the telegraph line or lines so affected, and which electric line has been erected or laid down in accordance with the provisions of any order issued under the authority of this Act.’ I think that is all that is necessary.”

You would approve of that?—Yes, I think it is only fair that when an electric light wire has been erected under certain regulations and provisions, and no telegraph or telephone wire is in the vicinity at the time, provision against interference should be made by the owners of the telegraph or telephone wire when it is erected—any special provision to protect it should be made to the wire subsequently erected.

1015. So that if the Postal Department wished to put up another wire, and in consequence of that wire being put up a company or corporation were put to any expense, that expense should fall on the Postal Department?—I should say, the first wire having been erected under an order, and according to regulations and provisions in the first place, the expense should fall upon the party erecting the subsequent wire, whether it was the Postal Department or not.

1016. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—What is your special objection to the proviso in the English Act?—It refers to licence, orders, and special Acts which are not provided for in our Act at all. I think the proposed clause would suit the requirements of this Act very well—better than the one in the English Act.

1017. Wherein is the provision of the Imperial Act faulty?—It says “ or work laid down,” it does not say “ previously executed ”—“ previous to the erection ” is in the amended edition, whereas in this edition it does not say so—that is a point which is not made clear in the English clause, and which the new clause makes much clearer. The electric wire must have been in position previous to the wire it is desired to put up before the clause would apply.

1018. *By the Hon. the Chairman.*—Is there any other information you can give the Committee bearing on this particular portion of the Act?—I would like to say generally that the great object in protecting the Postmaster-General’s wires arises from the fact that the telephone wires especially are so subject to induction from the electric light wires running in their vicinity. In the city of Melbourne we have been enabled by arrangement to keep the electric light wires and the telephone wires on opposite sides of the street in nearly all cases, but when there is only a short distance between them the induction between the electric light wires and the telephone wires is so great as to amount to an interruption of the telephone wires. At night when the electric light wires are working there are wires connected with doctors and others that are almost unusable—there is a noise almost like a fog horn. This arises from the induction from the electric light wires, the currents upon the electric light wires being very heavy, and those upon the telephone wires being almost infinitesimal. This induction is felt to great distances, as in our widest streets, so that the wires of the Postmaster-General should be protected from it. That can be done by a special arrangement of the electric light wires. Some such agreement was entered into between the Postmaster-General and the City Council, but in many cases the City Council departed from the agreement, and instead of erecting the lead and return on the same poles and crossing them at certain places, they have in many cases erected ring circuits, that is, the wire continues up one street and down another, following on until it comes to the other end. If the two wires were on the same pole the effect upon the neighbouring telephone wires would be equal and opposite, and the one would exactly counteract the other.

1019. *By the Hon. F. S. Grimwade.*—Was that done for economy?—Yes, it is using one wire instead of two.

1020. *By the Hon. J. Balfour.*—Did you not enforce the agreement with the council?—There was only a tacit agreement between the officers of the department and the officers of the council at the conference.

1021. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—Do you mean that it is necessary to have careful inspection of the corporation wires to see that they do the work properly?—We have no power to interfere at present except by injunction—the department can take out an injunction against the City Council or any of the companies and stop them.

1022. *By the Hon. D. E. McBryde.*—Have you ever considered the advisability of having all the overhead wires placed underground?—Yes, it is desirable that they should be; it is purely a matter of expense. With telephone wires that is to some extent impossible; the trunk wires and the main wires running throughout the city could be placed underground, but as the telephone wires have to be brought to every house, and the electric light wires, if it became general, would have to be brought to every house, they would necessarily have to be brought above ground to make the connexions. Generally, however, it is quite practicable to have them underground—it is purely a matter of expense—it would be an extra cost per mile.

1023. *By the Hon. F. S. Grimwade.*—Have you estimated that?—No; whenever the matter has been gone into the question of expense has always quashed it.

1024. *By the Hon. J. Balfour.*—If the electric light wires were placed underground there would be very little induction to the telephone wires overhead?—It would all depend upon how they were placed; if the wires were placed in concentric cables, that is a bundle of wires forming one circuit, with insulation between them and another bundle of wires outside arranged in a concentric form, the one forming the lead and the other the return, the effect upon the neighbouring cables would be nil. Again, two cables forming the lead and return might be laid in the same conduit and twisted with a long twist, so as to have an equal and opposite effect upon the neighbouring wires.

1025. Have you many complaints just now of interference with the telephones?—A considerable number. Since the electric lights have been lit upon the St. Kilda road I have received complaints from the Blind Asylum and the Alfred Hospital about the unworkable nature of the telephone wires after the lights are lit.

1026. *By the Hon. the Chairman.*—Have you studied the science of electricity for many years?—I have been 39 years in the Telegraph Department, and nearly all that time I have been engaged in electrical work. There is, of course, another remedy, that is to duplicate the telephone wires, and each circuit would then consist of two wires, the lead and the return, which would be, if placed underground or overhead, twisted or crossed at several points to form a spiral round each other; that is a matter of expense and trouble.

It would alter the whole system, and as the telephone system was in existence on the single wire system in the city before the electric wire installations took place, we asked the City Council and the companies to erect their wires in this fashion, that is, lead and return on the same poles and arranged symmetrically, and they agreed to do so, but for some reason they have broken from the arrangement to some extent.

1027. *By the Hon. J. Balfour.*—Occasionally the telephone and electric wires must cross?—Yes.

1028. Then there must be some induction?—No. At the point of crossing there is no induction; it is only when they run parallel. The only danger when they cross is the danger of contact.

1029. That could be avoided with proper insulation?—Even proper insulation is not sufficient, because in damp weather the surface of the insulation becomes coated with a film of moisture, and the end of the wire is bound to be made bare where the connexions are made. Some of our repairers have received severe shocks through touching the wires.

1030. Is there not some risk to persons using the telephones?—No, for the simple reason that the wires in the coils of the telephones are very fine copper wires, which any current sufficient to give any shock would melt. The repairers do get shocked. Three of our men had very serious accidents, they received shocks through touching wires which were in contact with some of the electric light wires, and they fell to the ground.

1031. Even though the wires were insulated?—Yes; those accidents took place some time ago. There have been no recent accidents, because the insulation and the erection of the wires have been better attended to, and better work has been put up.

1032. *By the Hon. J. Bell.*—And the workmen have more experience?—Yes; and they are more careful.

1033. *By the Hon. D. E. McBryde.*—When you find your wires are being interfered with by the electric light wires, what action do you take?—In some cases—such as the City Council—they have complied with our request to run double wires in some of the main streets; that is, to run the lead, and return on the same poles; but this should have been done throughout; it would not then have affected our wires in the way it has done.

1034. *By the Hon. J. Balfour.*—Has the department complained to the companies?—Yes, frequently.

1035. What is the reply?—That they would endeavour to comply with our request, but in many cases they have not done so; we have no power to compel them.

1036. *By the Hon. D. E. McBryde.*—That applies to all the electric light companies?—Yes. Our great bugbear is the induction from the electric light wires. There is, of course, the danger of contact at the crossings. This I have endeavoured to provide for by specifying that a length of india-rubber tubing should be drawn over the insulation, and battens or split bamboos tied over that, so as to prevent any abrasion should the wires come into contact, but in damp weather if any wire is in contact even with such an arrangement as that there is a leakage over the surface of the electric light wire, which is communicated to the telephone wire, and renders it useless. They use on their wires 10 or 20 amperes, whereas we use only the thousandth part of an ampere.

1037. Were it not for the expense you would be inclined to have all wires underground?—Yes; it is only a matter of expense.

1038. *By the Hon. J. Balfour.*—Is it because water is so good a conductor that this leakage happens?—Yes, water is a good conductor.

Cross-examined by *Mr. Box.*

1039. I understand you to be in favour of having all the electric lighting wires put underground?—Yes.

1040. It would be much easier to put them underground where you have, perhaps, one company in a district than if there are four or five?—Decidedly.

1041. It would be very expensive in Melbourne as situated now?—Yes, it would.

1042. Are you also in favour of having one or two companies or undertakers in a district, or a greater number?—I should certainly say it would be far preferable to confine companies to one district for the sake of economy, because it is the same as with gas works, there is an economy in the leads and pipes. Where one company can supply a district it would be desirable that that company should be given the privilege of supplying that district, and other companies should be debarred from entering that district unless the original one failed in carrying out its undertaking.

1043. During the time the Melbourne corporation has been using this electric current, have you had any complaint in the dealings between your department and the corporation as to interference by the wires of the corporation?—Yes, considerable complaints from the induction.

1044. There has been no complaint by your department as to bad workmanship?—No, I cannot say that.

1045. Or as to crossings?—The distance between the wires at crossings is scarcely sufficient because in variations of temperature the wire sags down, but if the provisions of the regulations put in here were carried out as nearly as possible, so that at the points of intersection the wires should be supported on poles, the sagging would not affect it so much because it takes place at the bottom of the curve.

1046. Some of the companies have stretched their wires from house to house—have you happened to be in Pelham-street lately?—No.

1047. What is the distance that you and other gentlemen of scientific attainments allow as the span of a wire from house to house?—The limit should be about 150 feet.

1048. If the Australian Electric Company are putting up one of those cables in Pelham-street with a span of 70 yards on a curve, that is against the regulations that you would suggest?—Yes, that is too wide a span.

1049. Such a span as that from house to house cannot be supported?—There would be a great sag; it could be supported, but the sag would be so great in all probability as to render it dangerous.

1050. What is the opinion of the department as to the advisability of the companies fastening cables on house walls, as to the safety of it?—Under certain restrictions it would be quite safe to go from house to house; the wire must be a certain distance, 6 or 7 feet from the building, properly supported and properly insulated.

1051. With a limited span?—Yes.

1052. You have laid down that span in clause 18 of the proposed regulations?—Yes, it says 200 feet.

1053. It is not right that any company should cross Pelham-street on a curve with a cable with a span of 70 yards?—I should say that was too great a span—that has not come under my notice.

1054. *By Mr. Wood.*—If there is a straight line, you may have a span of 200 feet?—Yes.

1055. But if there is an angle at the point of support, it ought not to exceed 150 feet?—No.

1056. You have not seen this span that is spoken of?—No.

1057. Are you aware that in some towns of the old country the corporations have made subways that will carry a good many wires?—Yes.

1058. That would be practicable in Melbourne?—Yes; it is merely a matter of expense.

The witness withdrew.

Alfred Clayton examined.

1059. *By Mr. Maddock.*—What are you?—Town clerk and city surveyor of Richmond.

1060. I believe you have two electric light companies in Richmond?—Yes, the New Australian and the A. U. Alcock companies are both in Richmond.

1061. Are they both running in your city?—Yes, and they both supply light to the council and the public of Richmond.

1062. The council has an agreement with each of them?—Yes, the agreement with the New Australian Light Company is dated 6th June, 1890, and that with the A. U. Alcock Company the 21st April, 1891. They are precisely similar—they are very short.

1063. What is the term for which the companies have the right to run through Richmond?—The agreement was for lighting so many lamps at a certain fixed rate per lamp—the rate is £5 per annum for each lamp.

1064. Was that for incandescent or arc lamps?—There was no agreement as to that; the price for arc lamps is not in this agreement. That was subsequently agreed to at £25 per annum, but it has since been reduced to £20 I believe.

1065. *By the Hon. F. S. Grimwade.*—Is there any fixed time for lighting?—Yes, from sunset to sunrise all the year round; they have to maintain them. They have the use of the lamp pillars, and they have permission to erect poles in certain streets. They are under a penalty if the lamps are not kept lit.

1066. *By Mr. Maddock.*—What is the term of the agreement?—It says—“This agreement shall be for the term of two years, but each party shall be at liberty to terminate this agreement by giving six months’ notice to the other.” The agreement is allowed to run on as long as the terms are kept. The price of some of the incandescent lamps has been reduced because they are not kept lit all night now—they have been reduced to £3 10s. per annum.

1067. *By the Hon. J. Bell.*—Practically, it is a six months’ tenure now?—Yes, we can give them six months’ notice at any time.

1068. *By Mr. Maddock.*—So far as the corporation is concerned, so long as the companies fulfil their part of the agreement there is no wish that they should go out?—No, there is no wish on the part of the council for the companies to go out; they have always been very well satisfied.

1069. How did you divide the district between the companies?—The council decided they would only allow one company in each part of Richmond, and the companies have never applied to cross the boundary. One goes along Bridge-road and the other along Swan-street. One company has extended as far as the top of Church-street hill. There is no absolute boundary between them, but the council would not favorably entertain an application from one company to be allowed to cross the other company’s wires.

1070. Was it at the request of the corporation or at their own request that these companies commenced operations in Richmond?—The companies commenced in Richmond of their own accord.

1071. There was no invitation from the council?—No.

1072. There was no reference whatever, good, bad, or indifferent, to private supply in your agreement with the companies?—No, there is no reference at all to private supply.

1073. I believe you have had some experience in England in electric lighting?—Yes, I was one of the pioneers of electric lighting at home; I had a lot to do with it.

1074. What is your opinion with reference to the necessity for there being some control over these companies—we have nothing corresponding to the Board of Trade here, but should there not be some control?—There should be control, no doubt.

1075. You think companies dealing with such a power as electricity should be under some control and be regulated?—Certainly.

1076. What arrangement have you in your city for preventing the electric light wires from interfering with the other wires?—The electric light poles are on one side of the street and the telegraph poles on the other.

1077. So far as the corporation of Richmond are concerned, they desire to keep the control of the streets?—Most certainly; the council has no wish to have two or three competing companies in one street.

1078. It wishes to retain the control of its own streets?—Yes.

The witness withdrew.

Thomas Gittus examined.

1079. *By Mr. Maddock.*—You are a councillor of the city of South Melbourne?—Yes.

1080. Your council has considered this Bill?—Yes.

1081. What is the opinion of your council with reference to the Bill?—The proposed amendments agreed to at the Conference of Municipalities were submitted to my council along with the Bill. The council referred the matter to a committee which went carefully through it and adopted the recommendations of the conference.

1082. You have only one company in your district?—Yes, the A. U. Alcock Company.

1083. That company came in at their own request?—Yes; they wished to supply certain shop-keepers with light, and they asked permission to do so.

1084. Their agreement with you contained the terms upon which the council agreed to their coming in?—Certainly, the matter was dealt with by the council. They wrote to the council asking for permission to come into certain streets—it was referred to the Works Committee, and the Works Committee and the representative of the company agreed to the conditions. Those conditions were sent to our solicitors and the solicitors of the company, and they approved of the conditions by letter to us.

1085. The document that was sent to the solicitors is the one that was produced here at the last meeting?—Yes.

1086. Can you tell us the terms of that agreement?—It was to be for not more than seven years.

1087. It provided for the corporation itself erecting works and supplying light, both public and private?—Yes, we reserved to ourselves the right to treat with any other person or company or to do the work ourselves.

1088. Did you have a conversation recently with a representative of the company with reference to the lighting of the streets of the city?—Yes, our council was considering the advisability of lighting the streets of the city with the electric light, and a letter was sent to the company asking their terms. Receiving no reply, and feeling interested in the subject, I waited upon the company at their offices in Swanston-street. I saw the secretary and Mr. Mountain, and the information they gave me was that the company could not consider it—it was too large a contract; they had not the funds.

1089. The company applies to you whenever it wishes to make extensions into the city?—Yes, from time to time.

1090. So far these applications have always been granted?—Yes, subject to the agreement.

1891. The council has no intention of refusing permission?—No.

1092. The council wishes the agreement to be maintained?—So far as I am aware it does.

Cross-examined by *Mr. Wood*.

1093. In your municipality as in Richmond, I believe the poles were put up by the company?—Yes.

1094. Do you know when the company first put up poles in South Melbourne?—I think it was in 1891. The company first commenced to light South Melbourne about the latter part of 1890; I know they had the wires on private houses before they had the poles erected, because our attention was called to the fact that the company had the wires attached to the houses without the consent of the property-holders, and we were asked to interfere.

The witness withdrew.

Frederick George Miles examined.

1095. *By Mr. Maddock*.—You are Town Clerk of South Melbourne?—I am.

1096. You hold in your hand an extract from the terms of an agreement between your council and the A. U. Alcock Company containing some four or five clauses?—Yes, this is taken from our agreement.

1097. Will you give us the correspondence leading up to that agreement?—The first letter is dated 13th November, 1890, from Mr. S. Stains, Secretary of the A. U. Alcock Electric Light and Motive Power Company, asking for permission to erect poles for carrying electric light wires in South Melbourne. The reply is dated 29th January, 1891, and states that the council will agree to the poles being placed in the streets "subject to the company agreeing to and complying with the conditions set forth in the agreement accompanying." There are eleven clauses in the agreement.

1098. Following on that, what took place?—On the 16th February, 1891, a further letter was received from the secretary, Mr. Stains, stating that his board would be most happy to sign an agreement based on the terms of the copy forwarded. That was replied to on the 21st of May, 1891.

1099. Is it correct that the agreement, which was produced in draft here at the last meeting, was submitted to the solicitors for the company and approved?—Yes.

1100. Have you any letter from the company agreeing to the terms of that agreement?—Yes. On March, the 24th, I wrote that with reference to the agreement with the company the council had decided that they would agree with the company on the points on which a difference existed on the following terms:—Allowing the company six months' instead of three months' notice; and as to the rent of the poles, that one-half should be paid to the company, and the other half to the council. They replied that they agreed to the alterations and amendments of the proposed agreement between the council and the company, and asked to be notified when the agreement was ready for completion.

1101. Those amendments had no reference to private lighting?—No, only the two points I have mentioned.

1102. You have heard nothing to the contrary since that date?—No.

1103. The company and the corporation have been working under that agreement ever since?—Yes. There have been letters since then, but they only tend to show the confirmation of the agreement; there have been letters up to this year, 1895.

Cross-examined by *Mr. Wood*.

1104. In those terms and conditions which were sent in your letter to the company in 1891 there is no reference made to private lighting?—Not that I am aware of; the whole application, as I understood it, was for private lighting.

1105. There was no reference to contemplated private lighting by the corporation?—No.

1106. When did the corporation first entertain the idea of private lighting?—Some time last year a conversation took place respecting lighting the streets.

1107. Has the corporation ever considered the question of lighting private houses?—No.

1108. *By Mr. Maddock*.—They have reserved that right in their agreement?—Yes.

1109. *By Mr. Wood*.—Their reservation of the right to do private lighting was first made last year?—No, from the first the understanding was so.

1110. Not in 1890?—The council has never given up what they might consider their right to do private lighting.

1111. In the agreement of 1891 there is no reference to private lighting by the council?—I do not think so.

1112. Nor any reservation of the right to do private lighting?—No; that was embodied in the agreement of 1893.

1113. The company have been lighting the streets of your city for some time?—No, it was only private lighting at first.

1114. When did the company begin lighting the streets?—There is no public lighting by the electric light in South Melbourne at all.

1115. The company began in 1890, and in 1894 the council first reserved the right?—No; the council from the first retained its right of electric lighting.

1116. Without any special reference to lighting private houses—is there anything in these terms and conditions of 1890 and 1891 that would suggest to the company that your council contemplated at any time lighting private houses?—I am not aware that there is, but, knowing the mind of the council, I may say that they always reserved to themselves the right.

1117. There was nothing in 1890 or 1891 to bring to the knowledge of the company the fact that your council reserved to itself the right to do private lighting?—I do not know if there was any thing official, but conversation and interviews may possibly have done so.

1118. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—Under what Act do you claim the right of private lighting?—We do not claim the right, but we reserve it under any Act that may be passed; we have not got it under the Local Government Act.

1119. *By the Hon J. Balfour.*—Was there any reply to the letter from the secretary of the A. U. Alcock Company of the 29th March, 1893, asking when you would have the agreement ready?—I do not think so.

1120. You were satisfied to leave it in the draft form?—There was nothing more done in regard to it at that time. Other applications were made afterwards for poles, which were granted subject to that agreement which had been virtually agreed to.

1121. Has it been executed?—No, it is in the form of a draft; since that we have had letters from Mr. Anderson, the present secretary.

1122. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—You do not contend that the City Council of South Melbourne has power to light privately at present?—Not at present, but we do not wish to divest ourselves of any possible right to come. A Bill dealing with this matter has been introduced to Parliament before, and, in anticipation of its being dealt with by Parliament, the council did not wish to lose any of its rights.

1123. *By Mr. Maddock.*—You wish to preserve your rights by this agreement?—Yes, clause 15 deals with that.

1124. Have you ever actually consulted your solicitors as to whether you had this right to do private lighting or not?—I cannot recollect that we have.

1125. The right of the corporation to do private lighting has never been questioned as far as you know?—No.

The witness withdrew.

Mr. Maddock said that completed the evidence he proposed to call.

John Clayton further examined.

1126. *By Mr. Box.*—Do you produce the Notice-paper of the City Council of Melbourne for to-day?—Yes; the 10th Order of the Day is as follows:—

To consider and order upon the report of the Public Works Committee, No. 112, informing the council that, when under examination on behalf of the council before the Select Committee of the Legislative Council on the Electric Light and Power Bill, the Town Clerk was asked by the Chairman as to the intention of the City Council with regard to requiring the removal of the electric light wires, belonging to the three electric lighting companies, now erected on the poles of the corporation in the streets of the city. The Town Clerk, having consulted the Electric Light Committee with regard thereto, was authorized to state that the council has no intention of requiring the removal of such wires unless necessary for the public safety. The committee now recommend approval of their action.

That Order of the Day was adopted to-day.

1127. *By the Hon. the Chairman.*—Was that reservation discussed by the Council relative to the power to remove the wires in the event of there being any danger to the public?—That was the expression I used—it was in view of the public safety only.

1128. Is the Committee to understand that the permission is to be continued to these companies, and not to be determined unless on account of the public safety?—Those words are put in, following up one of the clauses of our agreement, giving us power to call upon them at any moment to make any alterations necessary for the public safety—that was why those words were added.

The witness withdrew.

Mr Box was heard to address the Committee.

Adjourned.

MONDAY, 14TH OCTOBER, 1895.

Members present :

The Hon. H. CUTHBERT, in the Chair ;

The Hon. J. H. Abbott

Lieut.-Col. Sir F. T. Sargood

D. E. McBryde

The Hon. F. S. Grimwade

J. Bell

N. Thornley.

George Smibert further examined.

1129. *By the Hon. the Chairman.*—In connexion with our deliberations a question has arisen with regard to the carrying capacity of the wires used by the existing companies. At present they supply a certain number of arc and incandescent lights, but, suppose those companies were called upon to double or treble those lights, will those wires be sufficient to carry the power?—I am not in a position to say positively, but it is very unlikely that the companies would put up larger wires than their present requirements. The main leads are the wires which come from the supply station and run through with a large sized conductor, and as the number of lights to be supplied tapers off they generally put a smaller lead, just on the same principle as the reticulation of water pipes.

1130. *By the Hon. F. S. Grimwade.*—Supposing a company puts up a main lead to supply 50 houses and in that same district they want to increase the supply, would those leads carry enough for 100 houses?—Not without they were put up with a view to a large increase.

1131. Do the existing companies put up for present requirements only?—I think so, they would have to put up extra leads or larger ones for increased business.

1132. What is the expense in those leads?—The copper wire.

1133. *By the Hon. the Chairman.*—We were considering this question—a company having made an agreement with the council has the right to put up one main lead ; if the demand for electricity increased along the route of this main lead, we were in doubt as to whether the one main lead would be sufficient to give the increased demand?—I think in that case the company would have to put up extra leads.

1134. Have they the right to do that under the existing agreements?—I cannot say.

1135. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—I was informed that it was really a matter of engine-power behind the wires in connexion with one company?—In that case they may have made provision. A wire overburdened with current simply heats and burns away the insulating material, thus becoming dangerous, therefore the capacity of a wire is limited.

1136. *By the Hon. J. H. Abbott.*—It would be better to duplicate the wires than do that?—Yes.

1137. *By the Hon. Lieut.-Col. Sir F. T. Sargood.*—A large wire would be more economical than two small ones?—Yes.

1138. *By the Hon. the Chairman.*—Would the second line have to be put up on a second bracket?—Yes.

1139. *By the Hon. D. E. McBryde.*—Duplicating would be much more expensive than one large wire?—Yes ; it would be more economical to put up a large lead in the first place, but having one lead up it would be more economical to duplicate in the second.

The witness withdrew.

The Committee deliberated.

Adjourned.

1895.
—
VICTORIA.

LEGISLATIVE COUNCIL.

STANDING ORDERS COMMITTEE.

REPORT

ON

OFFICIAL PRECEDENCE.

Ordered by the Legislative Council to be printed, 26th November, 1895.

By Authority:
ROBT. S. BRAIN, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 30TH MAY, 1895

8. STANDING ORDERS COMMITTEE.—The Honorable H. Cuthbert moved, That the Honorables the President, S. Austin, J. Balfour, S. W. Cooke, J. M. Davies, N. FitzGerald, Lieut.-Col. Sir F. T. Sargood, J. Service, N. Thornley, and A. Wynne 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.

TUESDAY, 17TH SEPTEMBER, 1895.

12. STANDING ORDERS COMMITTEE.—The Honorable H. Cuthbert moved, by leave, That the Honorable W. I. Winter-Irving be a Member of the Standing Orders Committee.
Question—put and resolved in the affirmative.

TUESDAY, 29TH OCTOBER, 1895.

6. OFFICIAL PRECEDENCE.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the question of official precedence in this colony be referred to the Standing Orders Committee for consideration and report.
Debate ensued, during which the President announced that he had received a letter from the Clerk of the Parliaments which he read as follows :—

Sir,

Parliament House, Melbourne,
29th October, 1895.

Referring to the reception of His Excellency Lord Brassey on Friday last, I would feel deeply indebted to you if you would be so good as to read, this day, to the Legislative Council the following statement :—

1. That I was absolutely unaware that I would be called upon to take any part in the procession to accompany Lord Brassey from St. Kilda to Melbourne until I saw it publicly notified in the Melbourne Press of the morning of the 8th October instant.

2. That I never applied for a position in such procession, and further that I never had the least desire to take part in the same.

3. That I neither directly nor indirectly claimed precedence over Ministers or Members of Parliament on the occasion referred to, and never expressed in any way whatever, either directly or indirectly, a wish that precedence over any one should be allotted to me in connexion with the function to celebrate the arrival of Lord Brassey.

4. That I rode in the carriage with yourself, the Honorable the Premier, and the Honorable the Attorney-General, as I was specially requested to do so.

5. That during the whole of my service in this Parliament—nearly 30 years—I have never claimed precedence over any Minister of the Crown or Member of Parliament ; and further, if such precedence had been allotted to me I should have felt it to be my duty to have declined the same.

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

GEO. H. JENKINS,
Clerk of the Parliaments.

The Honorable the President of the Legislative Council.

- Question—That the question of official precedence in this colony be referred to the Standing Orders Committee for consideration and report—put and resolved in the affirmative.

REPORT.

THE SELECT COMMITTEE of the Legislative Council on Standing Orders, to which was referred, on the 29th October last, the question of Official Precedence in this Colony for consideration and report, have the honour to report to your Honorable House as follows :—

After careful deliberation on the question of Official Precedence in this Colony, your Committee have come to the conclusion that it is advisable that your Honorable House should approach His Excellency the Governor on the subject, in order that the views of the Legislative Council may be known to His Excellency in the event of any action being taken to definitely settle this question, more particularly as affecting the status of the Honorable the President.

Your Committee therefore have drawn up the following Address to His Excellency the Governor, which they have now the honour to submit for the consideration of your Honorable House:—

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

MAY IT PLEASE YOUR EXCELLENCY :

The Legislative Council of Victoria desire most respectfully to bring under the notice of Your Excellency a question of precedence arising out of the proceedings originally proposed to be observed on the occasion of the landing of Your Excellency on the 25th October last.

When the first order of procedure was published by the Government, the President of the Legislative Council noticed that the position allotted to him was subordinate to the whole of the Ministers, and also to the Honorable the Speaker.

The President thereupon wrote to the responsible Minister, and took exception to the position assigned him. In reply he was promised by the Minister that the President's "proper place" would be given to him.

On the day preceding the arrival of Your Excellency a new table of precedence was published, in which the President observed, that while his status had been allowed so far as the Honorable the Speaker was concerned, it was still intended that all the Ministers should rank above the President. The President demurred to this proposal, and declined to concur therewith. Eventually a compromise for the occasion was arrived at, and the President was accorded a similar position to that granted to the Honorable the Premier, and was given precedence of the other Ministers.

Since that time the leader of the Government in the Legislative Council has verbally intimated to the Council that the Government might propose to approach Your Excellency on the question of official precedence, and, it is presumed, tender Your Excellency certain advice as to the status of the President. The Legislative Council therefore feel that Your Excellency should be informed of the views and wishes of the Council.

The Legislative Council claim for their President that he should rank immediately after the following Imperial Officers, viz. :—His Excellency the Admiral in command on the Australasian Station, and His Excellency the Lieutenant-Governor of the Colony of Victoria (when there is one); and the Legislative Council contend that this position is justified and conceded to their President by section 10 of *The Constitution Act Amendment Act 1890*, and section 11 of the *Supreme Court Act 1890*, as follow :—

Section 10 of The Constitution Act Amendment Act 1890—“The Legislative Council and Legislative Assembly of Victoria respectively and the committees and members thereof respectively shall hold enjoy and exercise such and the like privileges immunities and powers as, and the privileges immunities and powers of the said Council and Assembly respectively and of the committees and members thereof respectively are hereby defined to be the same as, at the time of the passing of ‘*The Constitution Statute*’ were held enjoyed and exercised by the Commons House of Parliament of Great Britain and Ireland and by the committees and members thereof, so far as the same are not inconsistent with the said Act, whether such privileges immunities or powers were so held possessed or enjoyed by custom statute or otherwise.”

Section 11 of the Supreme Court Act 1890.—“One of the said Judges shall be styled ‘The Chief Justice of the Supreme Court of the colony of Victoria,’ and until Her Majesty’s pleasure be known he shall have rank and precedence above and before all persons whomsoever in Victoria excepting the Governor and Lieutenant-Governor thereof, and except all such persons as by law or usage take place in England before the Lord Chief Justice of England.”

Hence it follows that, as the Victorian Constitution (like that of Great Britain) embraces two Houses of Parliament, the respective heads of the two Houses hold corresponding rank in their respective spheres to that enjoyed by the Lord Chancellor as Speaker of the House of Peers, and by the Right Honorable the Speaker as chief officer of the House of Commons.

The rank and precedence of these two great officers of the Imperial Parliament are clearly defined by law and usage.

With the exception of the Archbishop of Canterbury the Lord Chancellor takes rank immediately after the Royal family; therefore, by analogy (there being no State Church in Victoria, and no ecclesiastical precedence), the President of the Legislative Council of Victoria ranks next after the Queen’s Representatives, viz., His Excellency the Admiral and His Excellency the Lieutenant-Governor (when there is one).

The status of the President of the Legislative Council and that of the Honorable the Speaker of the Legislative Assembly (so far as the Colony of Victoria is concerned) is further defined by Rule No. 43 of the Standing Rules and Orders of the Legislative Assembly, and by Standing Order No. 238 of the Legislative Council, as follow :—

Rule No. 43 of the Standing Rules and Orders of the Legislative Assembly—“When a joint Address shall be ordered to be presented to the Governor by both Houses, the President and Members of the Council, and Mr. Speaker, with this House, proceed to the Government House, and being admitted to the Governor’s presence, the President of the Council (with Mr. Speaker on his left hand) shall read the address to the Governor.”

Standing Order No. 238 of the Legislative Council—“When it is ordered that an Address in which the Assembly joins the Council be presented by the whole Council, such Address shall be presented by the President, and such Members as may be named by the Council, together with the Speaker, and the Members appointed by the Assembly.”

Further, all official documents and official procedure recognise the President as the senior officer.

By Imperial precedent the rank of Ministers, if they are commoners, is below that of the Right Honorable the Speaker of the House of Commons.

The Legislative Council therefore humbly pray that Your Excellency will not sanction any order or regulation which will prejudicially affect the privileges of the Legislative Council and their President.

26th November, 1895.

1895.
—
VICTORIA.

REPORT

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON

USURIOUS MONEY-LENDERS;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE, MINUTES OF EVIDENCE, AND
APPENDICES.

Ordered by the Legislative Council to be printed, 19th December, 1895.

By Authority:

ROBT. S. BRAIN, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 3RD SEPTEMBER, 1895.

14. USURIOUS MONEY-LENDERS.—The Honorable D. Melville moved, pursuant to amended notice, That a Select Committee be appointed to inquire into and report upon the monetary transactions of Mr. David Henry and other usurious money-lenders, and generally to inquire into and report upon similar transactions, such Committee to consist of the Honorables J. Bell, Dr. W. H. Embling, S. Fraser, D. E. McBryde, E. Miller, A. O. Sachse, N. Thornley, S. Williamson, and the Mover, with power to send for persons, papers, and records, and to move from place to place; three to be the quorum.

Debate ensued.

The Honorable J. M. Davies 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, 17th September instant.

TUESDAY, 17TH SEPTEMBER, 1895.

15. USURIOUS MONEY-LENDERS.—The Order of the Day for the resumption of the debate on the question, That a Select Committee be appointed to inquire into and report upon the monetary transactions of Mr. David Henry and other usurious money-lenders, and generally to inquire into and report upon similar transactions, such Committee to consist of the Honorables J. Bell, Dr. W. H. Embling, S. Fraser, D. E. McBryde, E. Miller, A. O. Sachse, N. Thornley, S. Williamson, and the Mover, with power to send for persons, papers, and records, and to move from place to place; three to be the quorum—having been read—

Question—put and resolved in the affirmative.

TUESDAY, 8TH OCTOBER, 1895.

4. PETITION.—The Honorable G. Godfrey presented a Petition from David Henry, financier, praying that he may have leave to appear and be heard by himself, his counsel, agents, and witnesses before the Select Committee on Usurious Money-lenders.

Petition read and ordered to lie on the Table.

The Honorable H. Cuthbert moved, That the Petition be referred to the Select Committee on Usurious Money-lenders, and that the Committee have power to hear counsel (to such extent as they shall think fit) on behalf of such petitioner.

Debate ensued.

Question—put and resolved in the affirmative.

REPORT.

THE SELECT COMMITTEE of the Legislative Council appointed to inquire into and report upon the monetary transactions of Mr. David Henry and other usurious money-lenders, have the honour to report to your Honorable House as follows :—

Your Committee have met frequently and taken a considerable amount of evidence from persons who voluntarily submitted themselves for examination.

Nearly the whole of the complaints made to the Committee of usurious dealings had reference to David Henry's transactions, and consequently your Committee's attention was directed more particularly to inquiring into them.

The evidence placed before your Committee tends to show that the business carried on by the money-lender named in the order of reference, David Henry, is of a very extensive character in the way of making advances on legacies, reversionary interests under wills, &c. Henry has made a special feature of this class of business, and spends, according to his own evidence, over £1,000 a year in advertising, which is undoubtedly the means of inducing a large number of people to seek his assistance financially.

Your Committee find that Henry's business is almost invariably transacted on these lines :—A person who is urgently in want of immediate funds goes to Henry's office and produces letters or documents showing that he is entitled to receive money under a will, or in some other way, from England or elsewhere. A small advance is usually made in the first instance on the strength of these documents, and afterwards, when satisfactory inquiries have been made as to his *bona fides*, a further advance is given, and the applicant is called upon to sign what is evidently a stereotyped letter, directing Henry's solicitor to prepare an assignment by way of mortgage for the sum advanced, *plus* a bonus which seems to have been fixed at from £3 to £5 for every £1 lent. Thus, if a man is given £30, less attendant expenses, he is charged £150 (taking the higher rate) and interest at the rate of from 10 to 30 per centum per annum in addition, based on this latter amount. Further, the solicitor is asked in the letter to make no mention in the deed of any part of the sum stated being for bonus money, and directed to insert a clause in the deed under which the borrower agrees to pay 5 per centum on all moneys collected. It was urged on behalf of Henry that the interest provided for in the deeds was seldom or never enforced, but was simply put in as a lever to compel trustees to settle quickly. Your Committee found, however, that in some instances interest as high as 30 per centum per annum had been charged, not only on the amounts actually lent, but on the heavy bonuses in addition.

Borrowers who appeared before your Committee complaining of excessive charges on the part of Henry were met by the production of the legal documents previously referred to, which showed that they had signed away, in most instances, all their right, title, and interest in property coming to them. The witnesses stated, however, that they were under the impression they were assigning only a portion of their legacies. On the other hand, Henry asserted that the borrowers made no complaint, and were quite content with their bargain so long as they could get money from him, but directly the advances were stopped they cried out that they had been defrauded. It was also asserted by Henry that in every instance the contents of the deeds were explained, and in some cases letters signed by the borrowers (but drawn up in Henry's office) were put in to show that Henry's solicitor was instructed by them to prepare the deeds.

The evidence satisfies your Committee that persons who go to a money-lender doing Henry's class of business are, as a rule, quite ignorant of legal forms, and are apparently ready to sign anything in order to raise money. Their necessitous condition tends to make them the dupes of any designing money-lender, and it is evident to your Committee that, once a borrower gets into the hands of one of these men by getting a small loan, he is gradually drawn on by advances being made to him from time to time until practically the whole of the money coming to him is swallowed up in bonuses and interest. In order to show the exorbitant charges made, two accounts handed in by Henry's counsel in connexion with the cases of Harrison and Stevenson are subjoined to the Minutes of Evidence. (See Appendices A and B.)

Your Committee recognise that the securities taken by money-lenders of the Henry type are such as would not be accepted by any ordinary financial firm, but, at the same time, they are of opinion that the interest and bonuses charged in most of the cases laid before them are exorbitant, as the risk, after the first small advance, is greatly minimized by the systematic inquiries made and the legal and other precautions taken to prevent the moneys coming due being paid to any other person. Moreover, the borrower is frequently compelled to take out a life policy in favour of the lender to cover the amount of the loan, and also to have all letters addressed to the lender's office, in order that remittances may be under his control.

Your Committee, in conclusion, are of opinion that steps should be taken to prevent the continuance of such a system of usury as has been disclosed by this inquiry, and therefore recommend that legislative action should be initiated for the purpose of compelling money-lenders of this class to register their transactions and put reasonable limits to their charges so that proper supervision may be exercised over them.

19th December, 1895.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 24TH SEPTEMBER, 1895.

Members present:

The Hon. A. O. Sachse	|	The Hon. D. Melville.
D. E. McBryde		

The Clerk read extract from the Minutes of the Proceedings of the 17th September, referring to the appointment of the Committee.

The Hon. D. E. McBryde was called to the Chair.

The Committee deliberated.

Ordered—That Mrs. Mashiter be asked to give evidence at the next meeting, and that David Henry be summoned subsequently.

The Committee adjourned until Tuesday next, at Three o'clock.

TUESDAY, 1ST OCTOBER, 1895.

Members present:

The Hon. D. E. McBRYDE, in the Chair;		
The Hon. D. Melville	|	The Hon. N. Thornley.
Dr. W. H. Embling		

Anne Mashiter examined by the Committee.

Ordered—That at the next meeting of the Committee the following witnesses be called:—David Henry, C. J. Barrow, and a representative from Messrs. Malleon, England, and Stewart, solicitors to Mrs. Mashiter.

The Committee adjourned until Tuesday next, at Three o'clock.

TUESDAY, 8TH OCTOBER, 1895.

Members present:

The Hon. D. E. McBRYDE, in the Chair;		
The Hon. D. Melville	|	The Hon. Dr. W. H. Embling.
N. Thornley		

The Clerk read a letter from C. J. Barrow, dated 3rd October, 1895, asking, as solicitor for David Henry, that his client be not called as a witness until after a Petition was presented to the Council praying that he might be heard by counsel before the Committee.

David Henry made application to the Committee in terms of the above letter.

The Hon. Dr. W. H. Embling here entered the room and took his seat.

The Committee-room was cleared.

The Committee deliberated.

The parties were called in.

The Chairman stated that the Committee had decided they would go on with the examination of Mr. Henry as a witness.

Mr. Henry asked that the evidence be not published, in accordance with Standing Order No. 205.

The Chairman stated that the Committee had decided that the proceedings should be open to the public.

Charles James Bayles examined by the Committee.

David Henry examined by the Committee.

The Committee adjourned until Tuesday next, at Three o'clock.

TUESDAY, 15TH OCTOBER, 1895.

Members present:

The Hon. D. E. McBRYDE, in the Chair;		
The Hon. Dr. W. H. Embling	|	The Hon. J. Bell
A. O. Sachse		E. Miller
N. Thornley		S. Fraser.
D. Melville		

The Clerk read extract from the Minutes of the Proceedings of the 8th October, referring to the hearing of counsel by the Committee.

The Committee deliberated.

The Committee adjourned until a quarter-past Seven o'clock.

The Committee met in accordance with adjournment.
The Hons. A. O. Sachse, N. Thornley, E. Miller, and S. Fraser here entered the room and took their seats.

The Committee deliberated.

The Committee adjourned until Wednesday, 23rd October instant, at Three o'clock.

WEDNESDAY, 23RD OCTOBER, 1895.

Members present:

The Hon. D. E. MCBRYDE, in the Chair;	
The Hon. D. Melville	The Hon. A. O. Sachse
E. Miller	J. Bell.

The Committee deliberated.

Ordered—That David Henry's solicitors be notified of the names of witnesses to be examined by the Committee.

The counsel and parties were called in.

Mr. Bryant, instructed by Mr. Barrow, appeared for David Henry.

David Henry further examined by the Committee.

Ordered—That W. H. Carter, George Cooke, James Haldon, and John Green be called as witnesses at the next sitting of the Committee.

The Committee adjourned until Wednesday next, at Three o'clock.

WEDNESDAY, 30TH OCTOBER, 1895.

Members present:

The Hon. D. E. MCBRYDE, in the Chair;	
The Hon. D. Melville	The Hon. J. Bell.

The Clerk read correspondence from E. S. Harrison, F. G. Palmer, Alfred Leech, R. P. Lord, and John Robertson.

The counsel and parties were called in.

George Cooke examined by the Committee.

Witness cross-examined by Mr. Bryant.

David Henry further examined by the Committee.

James Haldon examined by the Committee.

John Green examined by the Committee.

The Committee adjourned until Wednesday next, at Three o'clock.

WEDNESDAY, 6TH NOVEMBER, 1895.

Members present:

The Hon. A. O. Sachse	The Hon. E. Miller
D. Melville	J. Bell.

In the absence of the Chairman the Hon. A. O. Sachse was called to the Chair.

The Clerk read a letter from H. G. Stevenson.

Ordered—That the letter stand over.

The counsel and parties were called in.

Harry B. Bald examined by the Committee.

Witness cross-examined by Mr. Bryant.

Andrew Barr examined by the Committee.

Witness cross-examined by Mr. Bryant.

Alfred Leech examined by the Committee.

Witness cross-examined by Mr. Bryant.

Mr. Bryant was heard to address the Committee, and handed in correspondence between Leech and Henry.

Witness further cross-examined by Mr. Bryant.

Witness further examined by the Committee.

Ordered—That F. G. Palmer and J. Green be examined at the next sitting of the Committee.

The Committee adjourned until Wednesday next, at Three o'clock.

WEDNESDAY, 13TH NOVEMBER, 1895.

Members present:

The Hon. D. E. MCBRYDE, in the Chair:	
The Hon. D. Melville	The Hon. E. Miller.
J. Bell	

The Clerk read a letter from E. S. Harrison.

Ordered—That he be called as a witness.

The counsel and parties were called in.

John Green further examined by the Committee.

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Leslie John Park examined by the Committee.

Witness examined by Mr. Bryant.

Witness cross-examined by Mr. Green.

John Green cross-examined by Mr. Bryant.

Witness further examined by the Committee.

James Haldon further examined by the Committee.

Ordered—That James Haldon, E. S. Harrison, W. H. Carter, T. W. Lloyd, and H. G. Stevenson be examined at the next sitting of the Committee.

The Committee adjourned until Thursday, 21st November instant, at Three o'clock.

THURSDAY, 21ST NOVEMBER, 1895.

Members present :

The Hon. D. E. MCBRYDE, in the Chair;

The Hon. D. Melville
J. Bell

The Hon. A. O. Sachse.

The Clerk submitted a letter from John Green, which the Committee declined to have read, and from Patrick Murray, on which no action was taken.

The counsel and parties were called in.

Edward S. Harrison examined by the Committee.

Witness cross-examined by Mr. Bryant.

David Henry further examined by the Committee.

The Committee adjourned until Wednesday next, at Three o'clock.

WEDNESDAY, 27TH NOVEMBER, 1895.

Members present :

The Hon. D. E. MCBRYDE, in the Chair;

The Hon. D. Melville
E. Miller

The Hon. J. Bell
A. O. Sachse.

The counsel and parties were called.

Mr. Bryant asked that T. N. Whyte, solicitor, be heard in connexion with the statements made by E. S. Harrison at the previous meeting.

The Chairman said there was no necessity for Mr. Whyte to be heard.

George Allen examined by Mr. Bryant.

Witness examined by the Committee.

The Hon. J. Bell here entered the room and took his seat.

John Green asked to be allowed an opportunity of rebutting evidence given by Leslie J. Park, manager of the Colonial Mutual Life Assurance Society, and was informed he could put his statements in writing.

James Haldon further examined by the Committee.

Witness cross-examined by Mr. Bryant.

The Hon. A. O. Sachse here entered the room and took his seat.

Cross-examination of witness continued.

Thomas W. Lloyd examined by the Committee.

Ordered—That W. H. Carter and H. G. Stevenson be examined as witnesses at the next sitting of the Committee.

The Committee adjourned until Wednesday next, at half-past Two o'clock.

WEDNESDAY, 4TH DECEMBER, 1895.

Members present :

The Hon. D. E. MCBRYDE, in the Chair ;

The Hon. D. Melville

The Hon. A. O. Sachse.

The counsel and parties were called in.

Edward S. Harrison further examined by the Committee.

Witness cross-examined by Mr. Bryant.

Henry Gore Stevenson examined by the Committee.

Witness cross-examined by Mr. Bryant.

The Committee adjourned until Wednesday next, at half-past Two o'clock.

WEDNESDAY, 11TH DECEMBER, 1895.

Members present:

The Hon. D. E. MCBRYDE, in the Chair;

The Hon. D. Melville

Dr. W. H. Embling

The Hon. E. Miller

A. O. Sachse.

The counsel and parties were called in

Thomas W. Lloyd further examined by the Committee.

Witness cross-examined by Mr. Bryant.

The Hon. E. Miller here entered the room and took his seat.

The Chairman read a telegram from the clerk of courts, Colac, *re* Parkes's verdict in Harrison's case.

Mr. Bryant read a statement from T. N. Whyte, solicitor, on same subject.

Henry Gore Stevenson further examined by the Committee.

The Committee-room was cleared.

The Committee deliberated.

The Hon. A. O. Sachse here entered the room and took his seat.

The counsel and parties were called in.

The Chairman stated that the Committee did not intend to hear any more evidence.

Mr. Bryant handed in certain documents showing losses made by David Henry in his business.

Mr. Bryant was heard to address the Committee.

The Committee adjourned.

WEDNESDAY, 18TH DECEMBER, 1895.

Members present:

The Hon. D. E. MCBRYDE, in the Chair;

The Hon. D. Melville

E. Miller

The Hon. A. O. Sachse

Dr. W. H. Embling.

The Chairman submitted the Draft Report, which was amended and agreed to.

The Committee deliberated.

Ordered—That the Chairman report to the Council.

The Committee adjourned.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

TUESDAY, 1st OCTOBER, 1895.

Members present:

THE HON. D. E. MCBRYDE, in the Chair;	
The Hon. Dr. W. H. Embling	The Hon. D. Melville.
N. Thornley	

Mrs. Anne Mashiter examined.

1. *By the Hon. the Chairman.*—What is your occupation?—Market gardener.
2. What do you know of the matter, as to money lent to your late husband by Mr. David Henry?—I did not know anything about it till Senior Constable Ryan read the letter, in the house, that was found on my husband after he committed suicide—that was the first I had heard of David Henry. I knew my husband was borrowing money, but I did not know from whom.
3. Since your attention has been drawn to this matter, has anyone been near you?—There were two of David Henry's lawyers came. I did not take much notice of what they said. I told them I had put the matter in my lawyers' hands and would have nothing to do with them. Messrs. Malleon, England, and Stewart are my lawyers.
4. Did the two who came to see you make any suggestions to you?—Not that I can remember. I was surprised at their coming under the circumstances.
5. Then you were entirely unaware where the money came from that your husband got?—I was. I had no idea he had anything to do with David Henry.
6. *By the Hon. Dr. W. H. Embling.*—When your husband left you for the last time, did you notice anything in his manner—had he been complaining or worrying?—He only seemed quiet, as he had been before. He would not do anything except drinking, and he would lie down quiet—it did not seem to be anything unusual.
7. He did not seem to have anything on his mind?—Not that I noticed, and I had no idea that he had. I asked him, only a few days before, when would Mr. Hennell, the treasurer for the church, get his money, and he said—"Next week;" that was the day before, the 18th of July. I never thought any more of the matter—I had no idea he was going to commit suicide.
8. What was the money for Mr. Hennell?—He was the treasurer for the church; it seems that Mr. Mashiter had £16 of the church's money.
9. *By the Hon. the Chairman.*—You were not aware what the arrears were, as far as the church funds were concerned?—Not before my husband committed suicide—I had nothing to do with the church business.
10. *By the Hon. D. Melville.*—Your husband never mentioned any amount that he owed Mr. Hennell?—No.
11. Were there any bills found in the house to indicate how much the indebtedness to David Henry was?—No, the only thing was the letter that was in his pocket when the body was found.
12. Messrs. Malleon, England, and Stewart have the whole affair in hand?—That is only on my side—I put it into their hands. Mr. Mashiter made over all to me, whatever there is; he made a will last December.
13. *By the Hon. the Chairman.*—Do you know the name of the solicitors who called on you?—I understood a Mr. Barrow was David Henry's solicitor. One of those who called on me was a young man, and the other a middle-aged stout man. I just went to the door at the time.
14. *By the Hon. Dr. W. H. Embling.*—Do you remember what they said to you when you first met them—did they ask for you?—Yes.
15. What did they say then?—They got talking about this affair then.
16. Did they say they had come from anybody?—I cannot remember the words because I was rather put out.
17. What excited you?—I was rather taken aback, because all the trouble seemed to have come on me at once.
18. Why would not you let them into the house?—I knew they were from David Henry and would not have anything to do with them—they did not ask to come into the house.
19. Did they say to you what they had come for?—To see me, and I said I had put the matter in my lawyers' hands and had nothing to say to them. I told them I had never paid such interest, that I had borrowed money on legacy and had never paid more than 8 per cent. Looker and Sons were my agents, and I never paid more than that for money lent on property.
20. You told them that?—Yes.
21. Did they say anything about the interest?—No, not that I can remember.
22. You told them they charged too much?—Yes, I told them that I had done all the business myself and had had money from home.
23. *By the Hon. D. Melville.*—What was the amount of interest you complained of that they had overcharged?—What Mr. Henry had charged. According to the accounts I saw in the paper it is 300 per cent. I think, if he charges that, it is something terrible, but I only know what I have seen in the papers.

The witness withdrew.

Adjourned to Tuesday next, at Three o'clock.

TUESDAY, 8TH OCTOBER, 1895.

Members present:

The Hon. D. E. MCBRYDE, in the Chair ;

The Hon. D. Melville
N. Thornley

The Hon. Dr. W. H. Embling.

William James Bayles examined.

24. *By the Hon. the Chairman.*—What are you?—A solicitor, member of the firm of Malleon, England, and Stewart.

25. Your firm are the solicitors for Mrs. Mashiter?—Yes.

26. What do you know of this case?—On the 22nd of July a young man named Edgeley called at the office, and informed us that Mrs. Mashiter wished a representative of the firm to attend at the inquest to be held that afternoon. From what Edgeley stated it appeared there was no doubt that Mr. Mashiter had committed suicide, and as Mrs. Mashiter was in poor circumstances we decided that it would be unwise for her to spend any money in having a legal representative at the inquest, as the matter of David Henry's claim in her husband's interest in some property at home would not be gone into there. We wrote to that effect to Mrs. Mashiter, and this young man Edgeley took the letter out. Subsequently to that Mrs. Mashiter sent in Mr. Mashiter's will, by which she was appointed sole executrix, and made a certain statement about a claim made by David Henry on some property that she stated was coming to her husband in England. On the 14th of September I attended at Mr. Henry's office for the purpose of obtaining information about this property. Mr. Henry and one of his clerks were present at the interview. I asked Mr. Henry for the information with regard to this property at home, and also as to the claim that he made on the property. He told me that he would be very pleased to afford me every information. He told me the name of Mr. Mashiter's brother at home, and gave me his address; he also told me the amounts that he had lent to Mashiter, now deceased, and his claims, which coincided with the report that is set out in the Attorney-General's speech in the House—the same figures. He also told me that, from inquiries he had made at home, he had ascertained that the brother at home had a claim against the property of some £400, lent a great number of years before, the interest on that amounting to some £300; altogether he understood the brother had a claim of £700 on the property. He asked me if we would do anything to have the property realized at home on behalf of the executrix of the will. I stated that I would do nothing as to proving the will unless it was for Mrs. Mashiter's benefit, and I would certainly not make title for anybody else. On the 16th of September we wrote to Mr. Benjamin Mashiter, of Eaton Chapel, Lancaster, England, advising him that we had been consulted by Mrs. Mashiter. We forwarded a cutting of the Attorney-General's speech, and asked him for full particulars of that claim, and also stated to him that we would not take out probate on behalf of Mrs. Mashiter unless it was for Mrs. Mashiter's benefit—that if there was nothing in the property we were not going to make title for Mr. Henry. That is all I know of the matter.

27. *By the Hon. N. Thornley.*—There has not been time for you to receive an answer to that letter?—No.

28. *By the Hon. the Chairman.*—Messrs. Malleon, England, and Stewart were not the solicitors for the late Mr. Mashiter?—No; our only connexion with Mrs. Mashiter was that we acted on behalf of some estate at home on which some small sum of money was coming to Mrs. Mashiter, and she received that from us. I understand that is why she came to us in her trouble.

29. Did Mrs. Mashiter say anything to you recently about Mr. Henry's solicitors calling on her?—I do not remember it.

30. *By the Hon. D. Melville.*—Have you filed in your office the claim of Mr. Henry in this matter?—No.

31. No claim has been sent in to you?—No. We have not taken out probate. The only knowledge I have is from what I have seen in the newspaper, and Mrs. Mashiter's statement, and from what Mr. Henry told me in his office.

32. *By the Hon. the Chairman.*—There are no other members of your firm who can give further evidence?—I understand not.

The witness withdrew.

David Henry examined.

33. *By the Hon. the Chairman.*—What are you?—Financier; money-lender.

34. What is your firm?—Just myself.

35. What do you know of this Mashiter case?—I have a statement which I will read—*[reading]*—“On the 8th September, 1894, I lent deceased £30 on his interest under his father's will, and he agreed to pay me £100 as bonus for such loan, out of which I agreed to pay, and have paid, all legal and notarial charges in respect of the security both here and in England, and also for a power of attorney to my London agent to act for the deceased. The only evidence upon which I lent the money was two letters held by the deceased, and my risk was consequently very great.”

36. *By the Hon. N. Thornley.*—Have you the letters?—They were sent home to my agent for identification. “On the 26th October my agent wrote me a letter—*[handing in a file of letters]*—in which the following paragraph occurs:—‘It will require very judicious handling to make the most out of this property, and it may be that considerable risk must be run in the way of expenditure to get the best value out of the estate.’ On the 2nd November my agent wrote me that it would be necessary to construct or obtain the use of an adjoining sewer, which would cost £300 or £400. A question was also raised as to whether a brother of deceased was entitled to claim interest amounting to nearly £400 on moneys advanced to deceased some twenty years ago. On the 16th November my agent wrote—‘It is quite impossible at present, and I do not know when I shall be able to give you, any idea as to the value of Mr. Mashiter's interest, but I will keep you advised as to the progress of the matter.’ On the 19th December I advanced deceased a further sum of £30, for which he agreed to pay the same bonus”—(he offered the £100 himself

to induce me to lend it)—“and out of which I also paid legal and notarial charges. On the 28th February a similar transaction took place, and I charged deceased the same bonus as I had done on previous occasion, as my risk was just as great. I did not even then know whether the £400 interest claimed by the brother would have to be paid. My expenses in England were continually increasing, and it was extremely improbable that I would ever get anything like the full amount of my securities. Deceased was under no obligation to continue borrowing from me. If he had chosen to do so, and could get the money elsewhere on better terms, it would have been a very easy matter to pay me off. The deceased was on the occasion of each transaction aware that I was running a big risk. He had seen my London agent's correspondence, and he was willing to pay me for that risk and the costs I was paying here and in England. On the 28th May I gave the deceased the sum of £5, and on the 2nd July the sum of £10. I cannot say when anything will be paid, as the property is vacant land in an over-built watering place. Unsuccessful attempts have been made to effect a sale, and costs of surveyors, auctioneers, &c., incurred by me. I have seen the newspaper reports of the letters left by deceased, but do not understand his figures of £32 12s. 6d., which I have not charged him. You will observe that the statement of account signed by deceased is dated 2nd July, and that his letter is dated 17th July. I understand he committed suicide on the 19th July. I may say that the legal and other work in England has already run into considerable expense. I have not yet received a penny on account of my claim, and it may be a very long time before I do.” (Some of the letters from my agent will inform you that it may be years before I receive anything. The letters from his brother say he is unable to do anything with it.) “Furthermore, I would point out it is my invariable custom to make reasonable and proportionate allowances to borrowers when transactions are satisfactorily wound up.” We charge a bonus to provide for contingencies that may turn up. I may have a lawsuit with his brother yet for the £400 due to him. I knew there was some money that he owed, but I was not aware there was £400 interest. It is only vacant land (when I lent the money first I thought it was houses), and there is no chance of selling anything for some time to come. I refused to lend any more money. He wanted another £30, and I would not lend him any more. He felt very much annoyed. I was disappointed in the whole thing, and I said—“If you can borrow the money elsewhere, I am prepared to take the actual money advanced to you and my legal expenses paid to Mr. Barrow and to my agent in England. If you will pay that, I will accept that without profit at all rather than do any business with you.”

37. *By the Hon. the Chairman.*—You advanced £105, for which you make a claim of £442 odd?—No, £425. That is a bonus for profit. I was prepared to take that from him, and I am prepared to take that now from any gentleman who likes to take the security over. I should be very pleased to take the money I actually advanced and my expenses out of pocket; so I do not make a shilling by it. Those things look very large on the face of it, but you never get those big bonuses; there are always such a lot of expenses, and in some cases we never see it at all. For your information, if you want to go into the matter of money-lending, I have a few items of my total losses through forgeries and other things. I have lost in one case £700. I have about £5,000 of losses here. We take the risk, and in some cases we get paid and sometimes not. Out of three cases sometimes we only get paid in one. You will find in the letters Mashiter disputes his brother's claim, but there is proof on them that he has borrowed money. He worried me so much the last time that I said I could not advance him any more in the face of the letters, and if he brought my own money I would be very glad to accept it. Then I saw nothing more of him until I heard he had committed suicide. About the cheques he disputed, I have them here, and can show them, and I have every other voucher. I mentioned something about, when I heard the report, that he was annoyed at my not giving the other £30. I heard that letters were found on him, and I was blamed in connexion with this affair. I consulted Mr. Barrow, my solicitor, and sent my clerk and his clerk out to inquire what was the cause of his committing suicide, and I found he was pressed for church funds, and he came in for this fresh money; and that was the principal reason he did it—the fear that they would take out a warrant and have him arrested. I never troubled him for any money. I never asked him for a penny more; I only refused to lend more, as I thought the security was no good.

38. With what object did you send those men out when you heard he had committed suicide?—To find out the cause why he did it. There was a rumour that he embezzled the church funds, and I sent out to ascertain. I sent to Mrs. Mashiter to ask her to give any information, but she would not give any.

39. That is the only time you sent anyone?—I think they went out twice.

40. What was the object the second time?—I could not get any information, and then they hunted up the Rev. Mr. Hennell. He was not to be found, and they saw Mrs. Mashiter.

41. *By the Hon. N. Thornley.*—What is the nature of this property at home?—It is land. My agent's and his brother's letters describe it more minutely than I can. It is in a watering place called Morecombe.

42. What has your agent told you about the value of this land?—He does not say the value. He says it is very hard to tell whether you can sell it at all. He says it will have to be a few years before there is a demand for it.

43. *By the Hon. the Chairman.*—Has he not mentioned any price?—No, there is no value mentioned. They have surveyed it, and tried to sell it twice by auction.

44. *By the Hon. N. Thornley.*—Had they any offer?—He does not say they had an offer at all.

45. Had he any instructions from you to reserve?—There is no reserve. They could not get an offer, and now the land cannot be sold at all without getting a sewer made which would cost £300 or £400.

46. On what security did you go on advancing those large sums unless you had something to guide you from your agent?—We ran the risk.

47. What did you regard as the security?—We run the risk of those things. Mashiter always said the land was very valuable; he did not say what it was worth.

48. Did he never mention any sum at all?—I do not recollect it.

49. Who is your agent?—Mr. Thomas Henry Meynell.

50. What is he?—A solicitor.

51. What does he charge you for the work he has done?—He has not furnished his account yet. I expect it will come to something very considerable.

52. Have you any idea of your indebtedness to him?—Not for this matter; I have no account for it yet; he has not sold the property yet.

53. What has he done?—He has inquired into the matter and furnished particulars to the other claimants.
54. Has he told you about the title?—No, he only said it had been put up twice for sale.
55. Do you mean to tell the Committee that this solicitor in writing to you has not told you that the title was a good, bad, or doubtful one?—He has not mentioned it; but he would not deal with it if he thought the title was not good. The letters give all the details.
56. Have you any reason to doubt the title being a good one?—No, but the property is not a good one.
57. You mentioned that the brother claims some £300 in principal and £400 in interest. Is that an encumbrance in any way?—Yes.
58. Then you do know something about the title?—I mentioned that before. I can only say what I know. My solicitor mentioned about the encumbrance.
59. Is that a legal encumbrance, does he tell you?—I suppose it is.
60. You are a financier—do not you know, as a matter of fact, whether that £700 is a legal encumbrance or not?—It is a legal encumbrance, but he said he was trying to induce the brother to take less, but he has not succeeded.
61. How much do you expect to have to pay?—With the auctioneer's expenses and surveying, and the solicitor, there might be about from £60 to £80, or a little more.
62. How many letters has he written you?—About a dozen.
63. Are all the letters that your agent has written to you on this matter before the Committee now?—I believe so—[*examining the letters handed in*]—I did not attend to this business. I have a clerk that attends to it.
64. You can send them if they are not there?—If there are any missing I will send them to you.
65. Has he sent you any telegrams?—No. That is all the letters there are.
66. In advising this agent, did you instruct him to place any encumbrance, or lodge any caveat against the dealings in this land, and if so, for what amount?—I did not instruct him; he knows his business. He generally gives notice.
67. Did you tell him that your claim was so much?—Yes.
68. That was money owing to you?—Yes.
69. You mentioned a clerk of your own and of Mr. Barrow's; what are their names?—Mr. Barrow's clerk is Mr. Taylor, and my clerk's name is Mr. Mann.
70. You said just now that you had lost about £5,000; what time does that cover?—Within the last three or four years or so.
71. Will you tell us how much you have made?—I do not think I have made much more.
72. You have just come out about square?—Yes, lately.
73. During the time you lost the £5,000?—I could not tell you.
74. It is an appalling experience for a financier to be looted that amount in five years?—We have not made much the last few years, it very little over coming out square. We have had more losses for two or three years back.
75. You say that Mashiter was very indignant at the last interview that you would not advance him another £30; what did he say?—He said he wanted the money and made sure I would lend it, and that there was plenty of security for it, and I said—"You can see the letters. In the face of that I cannot lend any more." I showed him all the letters.
76. Did he offer another £100 for £30?—Yes. He would have been very glad to have half-a-dozen more credits at the same rate.
77. For the first £30, who named the £100 as a bonus?—I might have named it myself. He said—"I will give the same bonus if you lend me £30 more."
78. Supposing the property is worth it, you have £300 in it as a bonus?—Yes.
79. What interest did you charge?—I did not charge any interest.
80. On the £30?—No; there is only the £100 bonus.
81. There is no interest on the £30 running on?—There is a provision for interest, but it is never charged.
82. Is there a provision for interest?—Yes; the provision is 10 per cent., but we never charge it.
83. Where is that document setting that out?—Here are the documents. I do not see anything mentioned about interest.
84. *By the Hon. the Chairman.*—In advancing the money what did you consider the value of the property at home to be?—He told me it was worth over £700.
85. Did you take his word for it?—I had no idea.
86. Did you telegraph to England?—No.
87. Did not your agent at home advise you as to the probable value of the land?—No. Mashiter said that it was worth double as much as my claim was, but I had to take his word; I had nothing to go by.
88. In other words it was £800?—He said it was worth that, but I had no proof of that.
89. Was that including the other charges that were on the property?—I did not know anything about the £700 then. I only had news about that £400 in one of the last letters.
90. *By the Hon. N. Thornley.*—You have told us there is interest, but apparently, according to this document, it is not set out; is there any other document where it is set out?—There is a power of attorney that has gone home, I believe that provides for interest.
91. You have charged interest at 10 per cent.?—No, I have not.
92. *By the Hon. the Chairman.*—Here is a statement that the interest charged, 10 per cent., amounted to £32 12s. 6d. That is the statement that Mashiter made?—That is not correct. It is provided for, but we never charge the 10 per cent.
93. *By the Hon. N. Thornley.*—As a matter of fact, do you say that in your dealings, notwithstanding that your bond allows you 10 per cent. on every occasion, you never charge it?—On most occasions we allow the interest to go.
94. You told the Committee that you never charged it. Are you in the habit of foregoing that interest?—I am.
95. Do you ever charge it?—I might have charged it once or twice in particular cases.

96. *By the Hon. Dr. W. H. Embling.*—If persons come here and say you have charged it they will not be correct?—In some cases I have charged it, but almost invariably we forego it.

97. *By the Hon. N. Thornley.*—Why do you put it in if you forego it?—It is a proviso in the form of the deed.

98. But it cannot be so attractive to a borrower to put "Interest 10 per cent." as if you said "That is all you have to pay." Why do you put it in if you never charge it?—It is put in the form of the deed and filled up. The form of the deed says "10 per cent."

99. It is your practice to have it in the bond and never take it?—I do not say "never," but in a good many instances we never charge it.

100. Have you many transactions in the course of a year?—Yes.

101. How many—about?—Sometimes we have six in a month and sometimes more.

102. During the three years that you lost the £5,000 how many transactions did you have—about?—I could not tell you.

103. Six a month would be about 300 in the three years; would it be about that number?—I could not tell you.

104. Would it be 100?—I daresay it is 100.

105. If it was a hundred, in how many cases out of that hundred did you forego the interest of 10 per cent.?—At least ninety out of the hundred where a bonus is paid.

106. So you only charged the 10 per cent. on 10 per cent. of the hundred?—Yes.

107. As to the money that you advanced in December, 1894, I see on the document that the witness has not signed?—I have a cheque here for it, perhaps it was omitted.

108. Where was the witness; who was present except Mashiter?—I cannot recollect that now.

109. There is the "witness" written in but there is no name?—Perhaps it was forgotten to be witnessed.

110. It is on this document you intend to get your £100 bonus and your £30 as well. On 25th February there is a stamp cancelled; who cancels those stamps?—I suppose the party who signed it.

111. Then there is no witness to that either?—Then that is my clerk's mistake.

112. Did Mashiter receive the money?—Yes.

113. And he quite understood about the £100?—Yes.

114. Who is there besides you to tell us this?—The managing clerk.

115. But the only two persons we know on the document are you and Mashiter, and Mashiter is dead—there is no signature of a witness?—The clerk took that and I have the cheques endorsed by Mashiter for it.

116. I am dealing with the documents you have handed in. The form is the common one on those documents. Mashiter acknowledges that "I this day received so much money from Mr. Henry," and it makes the total sum so much. All that is set out without a witness?—I will look into that.

The witness withdrew.

Adjourned to Tuesday next, at Three o'clock.

WEDNESDAY, 23RD OCTOBER, 1895.

Members present:

The Hon. D. E. MCBRYDE, in the Chair;	
The Hon. J. Bell	The Hon. E. Miller
D. Melville	A. O. Sachse.

Mr. Bryant appeared on behalf of Mr. David Henry.

David Henry recalled and further examined.

117. *By the Hon. D. Melville.*—How long have you been established in this particular business?—Between fifteen and twenty years. I had a jeweller's shop at first, and I bought land in the early times, and then I went into the other business.

118. Are there many people in the same line of business in the city of Melbourne?—Yes, there are several more.

119. What are their names?—I do not know exactly what they are doing. I should not like to mention names, as I do not know whether they do exactly the same business as I do.

120. Do any of them advertise as you do?—I have not noticed any.

121. You advertise largely?—I do.

122. Will you give the Committee some illustration of the nature of your business?—A person comes to me—may be a very shabby-looking person who looks as if he did not own a shilling—bringing, perhaps, a couple of letters, with an envelope, or perhaps without one, in which it is mentioned that a certain person has died at home, and has left him some money—it does not say how much. Sometimes the letters tell him about what it would be worth, or what he is entitled to, when the father or mother dies, by reversion of property in England, or on the Continent, or in America. I have several agents in England and other parts of the world, who collect those moneys for me. The applicants generally want an advance on those letters; sometimes £10, £20, or £50; it depends altogether on the nature of the thing, and perhaps I buy them clothing and see them lodged, or perhaps they are ill, and require medicines. I help them along, and give them money until, if the thing turns out right, I get the money; if not right, I lose the money.

123. You say in your advertisement—"If your banker stops an overdraft, come to me"?—Yes, that was some time ago. I discount bills as well.

124. I speak from your own advertisement, that you attract people's attention to what you are to do for them—you have advertisements at the railway stations?—Yes.

125. How much do you expend in a year on advertising?—Over £1,000 a year.
126. That is to attract the attention of the people in straits—in distress—as you say?—Yes.
127. What do you propose to do for those people?—I advance them money when they are in need.
- I have had cases where people perhaps would have actually died if I had not assisted them.
128. You lay yourself out as a benevolent benefactor to the general public, that is your advertisement?—I do. In some cases I make a profit, and in others I do not; but that is my position before the public.
129. You can do business for a man in London, in Edinburgh, or in America?—Yes.
130. Without giving any names, which is the largest transaction you had last year, say, what amount did you lend to one person?—£300 or £400.
131. What was that on?—On expectation; say £500.
132. Did you take a promissory note for it?—No, an acknowledgment.
133. What was your security in that individual transaction?—The parties expect money left to them at home. We take a power of attorney, and give notice to the trustees that the individual has borrowed some money on it; that is to say, we run the risk on that too.
134. You lent the man £500?—Yes.
135. You are giving a real transaction?—Yes.
136. Were you to make further loans to the same man when you found out all about his circumstances?—I did not make an agreement about that.
137. Did you arrange at that time to make further loans to this person?—Not in that particular case—I should not lend much more.
138. Did you state your terms to that person?—Yes.
139. And he accepted them?—Yes, right off.
140. What bonus did you require in that case?—I cannot tell you exactly; it is something under £100.
141. What interest did you charge in that case?—We generally fix 10 per cent., but the interest is more. We agree with the borrower; sometimes it is more than that, perhaps 15 or 20 per cent. If the trustees get those notices and the power of attorney, they see that it is running on with 10 per cent. If they take an interest in the property the trustees or the relations generally pay it off sooner, because it is running with this interest; it is done more as a lever. We very seldom charge the 10 per cent. The property I refer to was in England.
142. Have you finished that transaction?—No, I have not got the money back yet.
143. What is your claim now against that estate?—Something under £600.
144. At what time did you lend this money?—It is within a year ago.
145. Up to this date, that £500 is productive of only £100 as all charges?—Yes; scarcely that.
146. Did you telegraph to England about it?—I did not.
147. Have you arrangements with your agents to telegraph?—I have.
148. With a code?—Yes.
149. You can have a report in a day or two?—I can, but we seldom or never telegraph to find out the value of any properties, because we cannot explain it.
150. That is not one of your lucrative transactions?—I looked on it as a very safe transaction therefore I did it very cheaply.
151. I do not want to have any names, but you have had colonial transactions here in Victoria?—Yes.
152. Give us a real transaction of a man who has come to you any time last year and borrowed a sum of money from you—a good big sum, not less than £100; you have very small transactions sometimes?—Yes.
153. Give us a Victorian transaction of over £100?—I have had several like that, but I cannot remember them exactly. I have had a colonial transaction where I have lent £70 or £80 on it, and I was to get double for it.
154. Give us a real transaction?—That is one.
155. Call it “A”?—Yes; he comes to me for £75, and I charge him £75 for a bonus.
156. What is your security?—The security is an assignment by way of mortgage on his interest under his father’s will. By the time the matter came due I found that the property had depreciated to such an extent with a loan on it that I never got a shilling.
157. Give us a transaction that has paid you?—I had one transaction which I kept for about two years and a half, and I charged £50 bonus on £100. That was a better transaction, and there was 10 per cent. on the capital, but I have foregone that, as I usually do, and I got my money within two years and a half, so I made about 20 per cent. clear profit.
158. Give us one of your largest transactions last year in which it was very profitable, without naming any person connected with the colony?—I am sorry to say things connected with the colony have turned out mostly bad, and have fallen on my hands.
159. You cannot give a profitable transaction in the colony—one of your big things that you made money on?—Oh yes; I think I have some papers to show that.
160. Will not your memory carry you?—No, it is my bookkeeper who does those things. I have not had any good transactions within the last year or so because business has so depreciated.
161. Then go back two years?—No big colonial transaction.
162. Then give us a small transaction—a £30 one?—I have had one £30 on which I had about £25 paid off.
163. What bonus did you charge on the £30?—I charged £1 for £1 for that, and that ran over three years.
164. Did you charge interest?—The interest is provided for in the debt, but we did not charge that.
165. What was the total amount of your bill, including all charges, when it was paid?—About £60 for the £30, and that ran over two years and a half—that was one of the best.
166. Would that fairly illustrate your business in the colony with the Civil Service and the Railways?—No, that is different—we do very little business of that kind now; we did it formerly, years ago. Lately we have lost all our money that we lent—we found they had been borrowing in other offices all round.
167. Then there are other offices where they can borrow?—Yes, plenty of them.

168. Then you have given up the Civil Service as a bad job?—Yes, but sometimes they come for £20, and we run the risk of it, but we charge very little for it. The average price we charge civil servants is about 30 per cent. In olden times they used to pay 1s. per £1 per month; that was 60 per cent., but we have reduced that now.

169. Are you as cheap as any of the others; do you do it as reasonably as the others?—Sometimes more reasonably when I see there is no risk, but when there is a great deal of risk, I gamble. It is a regular gamble, those English matters. A person comes to me and wants to borrow £50 and shows a letter—I have lent on those letters as much as £700, and it turned out to be a fraud altogether, and some solicitors in Melbourne were taken in by the same person, and the best of it was, another money-lender, a J.P., when the solicitor went in with this party to take his declaration that he had never borrowed anywhere else, took the declaration, when as a matter of fact, he had borrowed before from this very J.P., who did not recognise him—his name was Dunne.

170. Have you many transactions with railway servants?—Very few.

171. Have you had transactions in Ballarat?—Yes, with people from Ballarat, not in Ballarat.

172. Any transactions in Geelong?—Yes.

173. Do you find your customers complain of your charges?—They do not complain when they want the money. When they find they are successful in getting the money out of the estate, then they generally complain. It is "after the apple is eaten" you know.

174. Have you many complaints about your charges?—Very few; they would perhaps, as I tell you, like to have the apple and eat it. They have my money, and when they find I am successful in recovering my money they keep constantly at me to give some of my profits back, and I have done so in several instances where I have made as much as £100. I can give cases, and I believe there are some clients coming here to you from whom I have received so much money, and I have paid them nearly all my profit back.

175. You say you have not many complaints?—I have not. Of course there are some complaints in every business. They say—"You have charged so much—and have got your money, what will you give me back? if you do not give me some back I will expose you and do you harm," and sometimes we reckon up and give some back.

176. Have any of those people taken action against you in Melbourne?—Perhaps one or two; not many.

177. Tell us any of the legal gentlemen; have Messrs. Malleson and England had any case—did they remonstrate with you, or did they demand an explanation or come to you in any of those cases?—It must have been a good many years ago. I cannot recollect it—it might have been.

178. Last year?—No, I do not know, I am sure. May I ask my solicitor, he might know.

179. Will you trust to your own memory?—I know I have had no action from Messrs. Malleson and England.

180. Did they, on behalf of their clients, come to you complaining about your transactions?—I do not remember it.

181. Do you remember any legal firm coming to you last year about your transactions?—Yes, that was Messrs. Blake and Riggall.

182. Are you quite sure that Messrs. Malleson and England did not?—I do not recollect it.

183. *By the Hon. the Chairman.*—In advancing money, it is not the rate of interest you charge; the only interest you charge is the 10 per cent., which you have a right of compelling them to pay or not, as you choose?—Yes.

184. The arrangement, I understand, that you make when you give money is to take a lump sum?—Yes, for the risk.

185. For instance, if a man wants £100, you arrange on certain conditions that you will advance the money?—I do.

186. The 10 per cent. is only interest which you have the right of making him pay or not?—Yes, and if the bonus is paid we generally do not charge the interest.

187. It is optional with you whether you forego that or not?—Yes.

188. I notice when you are speaking you refer to your transactions as "we" only charge so-and-so—who are your partners?—I have no partners. It is *façon de parler*. I have a managing clerk, and he does most of the business. We generally say "we," but I have no partner.

189. When you advance money on the information that is laid before you, how much do you usually advance. A man goes to you and represents that he is entitled to a certain amount of money under his father's will, and you do not know anything of the case beyond what he tells you—what advance do you usually make, supposing that he wants £50?—If he wants that on a property worth £500, we advance that with pleasure.

190. What action do you take afterwards?—I take a power of attorney and send it home, and my agent searches and finds out, and he either writes or cables. I show the letter to the client and say, if it is all right, "You can have more if you want it." We make inquiries, and if he is a respectable man and some person knows him, and he wants the money for a genuine purpose, say, to go into business, then we might advance him more money.

191. You would not advance the money on the man's appearance?—Sometimes we do, simply on a man's appearance.

192. *By the Hon. J. Bell.*—You did that in the case of the £500 on the man presenting a mere letter?—Yes, he had a very good letter.

193. That is a most extraordinary thing to do, to advance £500 to a stranger on a mere letter?—I did it.

194. How much was the estate in that case worth?—Between £600 or £700, perhaps less—that was the total value of his share.

195. What was the total value of the estate?—I cannot tell you that, but he had a quarter share—he was one of the brothers. The reason I did the business so cheaply was that I had done business with one of the brothers. I have not got the money from the brother yet, but I have information that the estate was pretty good, and, therefore, I lent the money so much cheaper. I believe I charged only £60 or £70 for the £500.

196. You said that the bonus was £100?—I say about.

197. Have you received the money yet?—No; I ought to have had it before, but there are always so many slips between the cup and the lip. The relations at home put an obstruction in the way; they like to keep the money as long as they can, and my agent has to force them.

198. What other charges would there be besides the £100 bonus?—In every instance I pay my solicitor here for his legal charges for preparing the deeds, the power of attorney, and the assignments, and all the notarial charges, which has to be done by an English notary to be recognised by the English notary. I pay that all out of the bonus. If I charge a man £50, I pay nine or ten guineas for the papers required in the matter out of my own pocket; the bonus covers that.

199. Can you give an idea of the average rate that the bonus would come to?—It is different; it all depends on the risk. I did that so cheaply because I knew from the brother that the estate was so good. I said I would charge him £100, and he said—"I will not give you more than £60 or £70." We do things very much cheaper than we used to. We put it in at 10 per cent., or 20 per cent., and ten or twelve years ago we put in 30 per cent., but that is put in more as a lever. We put it in so that the trustees shall expedite the matter, and pay it off, so as not to have the interest running on. As a matter of fact, I charge the interest in very few instances. Sometimes there is a debt to pay; we have paid £23 for shoemakers' bills at home before we could get any satisfaction out of the estate at all.

200. Then your business is a very risky one?—Yes.

201. And under those circumstances you are compelled to charge a rather large bonus?—Yes.

202. You cannot give an idea of what the average interest would be?—It is so many years before we get the money. I can give an instance. There was an agent in Sydney who sent me a case to Melbourne. I never saw the party before, and I kept lending the money. In this case he said—"You may get it paid soon, or in ten or twenty years, or never; will you run the risk?" He had already laid the money out. He got a power of attorney in Sydney and sent it here; that has been running for 11 years now with 30 per cent. interest. One day he appeared in Melbourne; he went to the solicitors, and I communicated with the solicitors and said—"I shall be very glad to take one-third. I will take £625," and they agreed to that, but nothing came of it. It may run for another twenty years and I never see one shilling. Now, that man may think I am charging very extravagantly. There are very few good cases; I had one good one paid the other day. A man borrowed £150, and I got £250 for it, and I got the money very soon. He was a gentleman travelling through the country. I could see by his appearance that he was a first-class man. I made some inquiries about his associates, and I trusted him £150 and got £250 within five months; of course, I had to pay my expenses out of that—it was a very great risk. The gentleman would have given me more; he offered that himself. He said he had no money and no friends here, but that when he got home he could send the money.

203. *By the Hon. A. O. Sachse.*—You referred to your paying costs on an average six or seven guineas on certain documents to be sent to England; what would those documents consist of?—An assignment by way of mortgage.

204. An assignment of what?—An assignment of the man's interest under the will.

205. You know what the will is?—We do not know exactly; it mentions it in the letters—"I beg to inform you your grandmother is dead, and has left you certain property, So-and-so are the solicitors." We prepare a deed of assignment under that will. Then there is the power of attorney, and all those documents have to be notarially attested.

206. A power of attorney giving your agent power to collect that money when due?—Yes.

207. That costs you six or seven guineas?—Yes, the notarial charges come to 30s. There is first of all, the power of attorney, that is 10s.; that is what my solicitor charges, and there is an assignment to me by way of mortgage.

208. Does that require registration?—Yes, that is another 10s. 6d. Then there is the substitution power from me to my agent at home.

209. Does not the borrower give a power of attorney in blank?—No, there is nothing in blank; that is not legal.

210. Then the legal charges would be about £8 8s.?—Yes, between £6 and £7. We must have a power of attorney for the mortgage; we send that home, and my agent searches under that as to the will.

211. Do you do much business with country people, farmers and so on?—Very little. I have done some, to my sorrow, and the farms have fallen into my hands, and I should like to sell them. I have lent on farms at 10 per cent., with no bonus, on farm title deeds.

212. Have you taken a heavy bonus from a farmer in the North-Eastern district on a promissory note attached to title deeds?—Yes, I think I did lend some money, and I found out that the deeds did not belong to the party at all, and I lost the money altogether. I could not ascertain that before I lent the money, and I have been taken in that way several times. A person came in and said—"I am So-and-so," and that I should have to give up the deed. I lost £45 in one instance.

213. Before you lent the money to this party up the country, did you not make a search as to the deeds?—Even if I did, I could not tell whether he is the man—it was the wrong man came to borrow.

213A. *Mr. Bryant* asked that *Mr. Sachse* should mention the case he had in his mind, in order that full particulars could be procured.

214. *By the Hon. A. O. Sachse.*—Have you lent on Government leases at all?—No. I did some years ago, but not lately.

215. When you lent on Government leases, what interest did you charge?—10 per cent., with no bonus in that case.

216. *By the Hon. E. Miller.*—Are all the documents thoroughly explained to those people who come to borrow from you before they sign—that is the bonus they have to pay, and the rate of interest?—Yes; my clerk does that, and I am present mostly; it is not only explained to them, but they have to write it in their own handwriting mostly. I will hand in the document, showing that they have agreed to pay so much.

217. Still, some of those people are pretty ignorant?—No, they have it in their own handwriting.

218. Do you or does your clerk thoroughly explain what it will take to redeem the loan?—Yes, the interest and bonus, and they thoroughly know it before they take the money.

219. Sometimes, you say, you lose the whole amount you advance?—Yes.
220. Say you make an advance of £500, do you deduct your interest from that?—We do not deduct anything; we give the full, net cash—we do not deduct a shilling.
221. In all cases?—Yes; I add the bonus to it. Suppose I lend £100 and I charge £50 bonus—I give him the £100 net cash. I pay the legal expenses to my solicitors, and they pay the bonus when they repay.
222. You say you lend to some people without any security whatever?—Yes.
223. Judging by their appearance?—Yes, when they tell me they have expectations. I have had most romantic experiences in these cases. A lady once came to my office; she had only a few letters of introduction and she said she wanted to go back from the colony—she was very well connected. I lent her £60 to go back to England—I had no security—just judging, by her appearance and some letters, that she was well connected. About eighteen months afterwards an old gentleman came into my office and gave me £150 in sovereigns.
224. That was what she owed you with the interest added?—Yes, I never expected to see it again—I was surprised.
225. In other cases, when your amounts become due, what steps do you take to recover in the colony—do you make the usual application to them to commence with?—I do not have anything like that in this business—we give notice to the trustees that we hold the security.
226. I am speaking of individuals with bills, or lending money in the colony—A or B gives you certain security?—Of what?
227. You do not lend money without security?—Oh yes.
228. Do you apply for repayment in the usual way?—If a bill is overdue we wait for a day or so. The bills are always made payable at my office; they do not go to the bank. A bill is not security. We inform them by letter that the bill is overdue, and will they be kind enough to make arrangements to renew or pay it.
229. What further steps do you take if a man does not pay?—If he is worth suing we sue him; if not, we drop him altogether. I have had losses where a person brings letters such as I have mentioned before. There was a Mr. John Walker; he was well known in Melbourne, and he brought me in a draft. He got the letter from the Post-office containing a draft for £145, payable in England. I sent my clerks round to the bank to ascertain, and the bank authorities identified the “John Walker”—it was the City of Melbourne Bank. The real John Walker, whom this draft was sent out for, had died, and the bank stopped payment. I had paid the applicant £125 for it, and thought it was as good as gold, and it turned out to be no good, and I never got one shilling. It was the wrong man. Other people sometimes get hold of letters that have been sent out, and they personate the real owner of the letter. Say there is a letter in the name of “Cook.” A man comes to me with the letter and says—“I am Cook,” and I lend him money on it. There are so many Cooks that we know there is a possibility that it may not be the right man. It is a great risk.

The witness withdrew.

Adjourned to Wednesday next, at Three o'clock.

WEDNESDAY, 30TH OCTOBER, 1895.

Members present:

The Hon. D. E. McBRIDE, in the Chair;

The Hon. J. Bell

The Hon. D. Melville.

The counsel and parties were called in.

George Cooke examined.

230. *By the Hon. the Chairman.*—What is your business?—I follow a seafaring life.

231. Since this Committee commenced, have you been approached by anyone connected with Mr. David Henry?—No.

232. You had some business transactions with Mr. Henry?—Yes.

233. What were they?—Between three and four years ago I got a letter from home saying that I was entitled to some money. I might say that I knew long previously that I was entitled to this money. I went to Mr. Henry's office one Saturday morning, and saw his head clerk, Mr. Miller. I did not know who he was then. He told me, after examining me, that he would take up this case of mine for £100. When he mentioned £100, not knowing what I was entitled to at the time, I was in the act of walking away down the office steps when they called me back. Then he told me he would take the case up for £50; he examined me very closely on the letter that I produced; he took all the questions down on a paper. He then took me into Mr. Henry's private office and handed Mr. Henry this paper, and Mr. Henry cross-examined me very closely on it. He turned round and told me he would take the case up for £50, and that I would have to give him a power of attorney. They got certain documents—I do not know what they were now—but they got me to sign them. I remember well reading one of the documents; it was to the effect that I was to give Mr. Henry a power of attorney, and he was to receive only £50 out of what I was entitled to, and that within six weeks; and the following Tuesday, when the mail was going home, he would send this letter home and his solicitor in London would make inquiry as to what amount I was entitled to. Mr. Henry was to receive a reply by cablegram, and he would advance me all the remainder

of the money, less this £50. I fancy it was only £1 he gave me—it was either £1 or £2. I did not trouble him any further until I had watched the paper closely to see that the mail had been delivered at home. A few days afterwards I called at Mr. Henry's office to see if they had a reply—they told me they had no reply. After that I repeatedly called to see if they had had a reply, and I always got the same answer "No." Some three or four months afterwards I called again, and saw the head clerk, Mr. Miller. I asked him had they heard any news about my affair; he said "No." He turned round and said to me then—"Cooke, you appear to have an honest face; I think Mr. Henry would advance you something to-day." With that he sent me into Mr. Henry's office. As soon as ever I saw Mr. Henry, I asked him the same question—"Had he received any reply about my affair?" he said "Yes." I was out of work at the time, and with that I said I was pushed and wanted a pair of boots, and one or two other little things. He sent his clerk with me to some secondhand shop in Russell-street, a Jew's place, and I also got £2 from Mr. Henry that day. I might state now that every time I got £1 from him I had to sign for £5 for it. I did not trouble him again for a while afterwards; when I did go to him he told me he would keep his office open till six o'clock for me that day—I was in work at that time. I went there at six o'clock that night, and they had all the documents I had to sign drawn up; he told me I was to receive £30, and got me to sign for £150.

234. What was the total amount up to then that you had received?—I suppose it was something like £40. I did not keep tally of what I was getting because I thought Mr. Henry was to get only £50 out of the whole amount. On the particular night I mean, he advanced me £30, and for that I had to pay £150. After he got my signature to all the different documents, he told me he could not give me £30—that he had not got it in the office—he gave me only £5. I went away, and he told me to come again on the following Saturday. I went on that day, and he gave me the remaining £25. Off and on after that, he used to advance me sums ranging from 10s. to, I think, £10, which was the most ever I received after that, except on one day. Up to this time he had never told me the amount I was entitled to. I used to often ask him that, so that I might know what I was signing. I went to him one particular time (somewhere about the same time) and he told me that my people at home were giving his home solicitors a lot of trouble over this affair of mine. I told him I could not help that. With that, he turned round and said to me—"The best thing you can do is to sign for the full amount, and we can take them into the court at home." I told him I would not do anything of the kind. I went another time, and he told me he had a son over in Adelaide, an hotel broker—he had found out that my wife had been brought up in the management of an hotel in the old country for her father—and that if I went over to Adelaide he would get my wife and me the management of an hotel. I told him I would not go over to Adelaide. I really forget a lot, but I remember that one particular time he wanted me to go to Mr. Barrow's office to sign certain documents and he would give me £20—I went with him there; he held the money in his own hands, and I signed certain documents. Mr. Henry turned round and gave me £3 and told me he would give the remaining £17 to his clerk, who could go and give it to my wife, and his clerk did so. At the time when I first went to Mr. Henry, he asked me where I had been employed; I told him, and he sent a man round to make inquiries about me. The result was I got into trouble over this man going to this particular place and making inquiries about me. The man who employed me said that a detective had been after me—I knew that could not be true. After making inquiries I found it was a Mr. Mann who was employed by Mr. Henry to make inquiries. Also after this, I found out I had signed a release paper; he told me so, and that I had no claim against him and he had no claim against me.

235. *By the Hon. J. Bell.*—Did you not read the papers before you signed them?—Only the one that said Mr. Henry was to receive £50—that was the only one I read any way carefully.

236. *By the Hon. the Chairman.*—You signed other papers you did not read?—I did.

237. *By the Hon. J. Bell.*—Trusting to the first?—Yes, that he was to receive only £50 out of the whole amount. After he told me about signing the release paper I had a bit of a squabble with him over it, and told him I did not know I had signed a release paper. After that, off and on, he was in the habit of giving me 10s. and 5s. in the streets—I was blocked from going up to his office. He used to tell me to meet him every Friday morning at the corner of Flinders and Elizabeth streets, by Hosie's Hotel, and he would give me 10s. He did this for a little while, and then he knocked off, and told me he would not do it any more. He would not recognize me in the street or anywhere, so I was in the habit afterwards of going to Albert Park between 1 and 2 o'clock; he used to go to a private house there of his own at the time, and he sometimes gave me money there. One night he told me to meet him out at St. Kilda—I met him there and he gave me £1. One Friday he had refused to give me the money by Hosie's Hotel, so I went out to the corner of the street where he lives, at St. Kilda, on the Saturday morning. I saw him then, and he told me to go away—"Oh, go to hell!" I was sure that he had got the best of me, and I was not at all satisfied. I turned round and told him he had swindled me. As he walked down the street, there were two policemen standing on the opposite corner by the Prince of Wales Hotel. They had seen me talking to him, "getting on" to him; with that he walked over to them, and made a complaint against me. I told him now that he had made a complaint against me, he had his remedy; he could give me in charge. He said, "No," he would not do that. The result was I got no money from him, and on the following Monday morning he saw my wife; he gave her £1, and told her to tell me to be at home at 5 o'clock on the following Tuesday. I got home about a quarter to five on that day. As I was walking along Spencer-street, this clerk of Mr. Henry's, Mr. Mann, came walking towards me and told me he had something to give me. With that, he pulled a blue paper out of his pocket; it was a summons for insulting Mr. Henry in the public street in St. Kilda. If I remember rightly, I do not think I had to appear to the summons for about three weeks. Mr. Mann asked me a lot about the summons—what did I intend to do. I told him I intended to appear in the court, and that I should try and get some man to defend me, to prove the words I used, that Mr. Henry had worked a swindle on me. Mr. Mann strongly advised me not to go into the court against Mr. Henry. He wanted to know what I was going to make my defence; I told him I would keep my mouth closed. On the following morning, I think, I was walking down Bourke-street by the Metropole Hotel, opposite Mr. Henry's place. I came across Mr. Mann and he spoke to me. When he served me with the summons, he advised me to apologize to Mr. Henry, and I would hear no more about it. When he spoke to me, he asked me had I thought about apologizing. I said I would not apologize to Mr. Henry. We had a

long talk in the archway of the Metropole hotel, and the result of it was that if I would sign a certain document, I would get £2 or £3, and the summons would be withdrawn. Mann told me to wait there while he went over to Mr. Henry's office; he went over, and returned a few minutes afterwards—he held some money in his hand; he did not tell me the amount, but he told me to come away and sign the document. We started walking towards Collins-street. I said—"Where are you going to this way; I thought you were going to Mr. Henry's office;" then Mann said—"I am going to take you to Mr. Barrow's office." He took me there; before I went in I tried to get this money from him. I told him I would not sign any document till I got the money; he said it would be all right, he would give me the money. He introduced me to Mr. Barrow, and Mr. Barrow said I must be a curious kind of man. I said—"I cannot help it." With that he produced some document on the table; "Now," he said, "you read that document, and anything you see wrong in it, you can have crossed out." One of the first lines I read on the document was that I had threatened Mr. Henry's life, a thing that I had never done. I read a few more lines of it, and Mr. Barrow asked me then to sign it. I said to him—"I am to get some money before I sign this document."

238. *By the Hon. the Chairman (to Mr. Bryant).*—Have you that document?

239. *Mr. Bryant.*—Yes, I propose to cross-examine him about it.

240. *The witness.*—I said—"I am to get some money before I sign the document;" with that, he turned round and said—"I do not know anything at all about any money." I went out and asked Mann for the money. He insisted on keeping the money till I signed the document. I took Mann's word for it, and went in again and signed the document.

241. *By the Hon. the Chairman.*—Did you read it before you signed it?—After reading that about threatening Mr. Henry's life I did not read much more; I made them cross that out; the result was I signed the document, and Mr. Henry's clerk gave me 30s.; that was about the finish of this. Taking it all in all, I might say that up to this time Mr. Henry had hardly ever told me what amount of money I was entitled to. If I remember aright now, the amount I was entitled to was something less than £400. Speaking roughly, I only got something like from £100 to £150 out of the whole amount. I was in the habit of getting letters, and they were always addressed to the General Post-office. Mr. Henry told me I would have to get all my letters re-addressed from the General Post-office to his place. He produced some kind of a form, and got me to sign it. I signed the document, and a little while afterwards a letter came. I went up to Mr. Henry's place, and he handed me the letter.

242. Was it closed or open?—Closed. After handing it to me he turned round and said—"You had better give me that; I will open it." I told him I would open it myself. I opened the letter myself, and, as I did so, inside the letter there was a little blue slip, and it fell on the floor. Mr. Henry made a grab at the slip, and wanted to know what it was. As it turned out, it was nothing more than an address on a slip of paper. That was about the only letter that I received from the old country from the day that I put the affair into his hands, except one about nine weeks ago, trying to find out where I was. I happened to call at the post-office, and there was a letter that had been lying there a long time for me. That is about the whole affair.

243. In signing those documents did the necessity of reading them never occur to you?—No, because I thought it was genuine that he was only to receive £50 out of the whole amount.

244. *By the Hon. J. Bell.*—You say that for every £1 you got you signed for £5?—Yes.

245. You read a part then?—I used to sign for that, but there was nothing to read. He used to tell me that when he came to settle up with me I should receive all in a lump sum, when he received the money himself.

246. You seem to be an intelligent sort of a man?—I might be now, but I was not then, when I went into Mr. Henry's hands.

247. Did you not think it strange to be asked to sign a receipt for £5 and only receive £1?—Yes, I thought so at the time. There was one particular time I got £30, and I signed for £150 for it.

248. *By the Hon. the Chairman.*—Did the value of the money you were entitled to at home never occur to you, other than through Mr. Henry?—For this reason, I was expecting a letter from home all that time to go to his office to tell me what I was entitled to in the whole affair.

249. Did it occur to you that you were being "got at" by Mr. Henry?—No, not at that time.

250. Afterwards did it?—Yes.

251. Then why did not you go to a respectable solicitor?—Because I was always under the impression I would not get the advice of a solicitor unless I could advance a sum of money, and I have been nearly always out of work.

252. Have you found out the value of your estate at all?—No, I wrote home four months ago asking them to send me all particulars out.

253. Then, as far as you are aware, you have assigned all your right, title, and interest in the money coming to you to Mr. Henry?—Yes.

254. *By the Hon. J. Bell.*—I thought you said you believed that the amount was £400?—That was through a document that Mr. Henry showed me. I knew it was something like that, £382, or something.

255. What reason did Mr. Henry give you for doling out the money in such small sums?—He used to tell me he would do that with me till he received the money himself. I believed he had received the money, or his solicitors in London had received it. We used to argue over that—that I was not being treated fairly, his solicitor knowing the amount of money, and Mr. Henry giving me it in dribs and drabs.

256. When was it you signed the agreement about the £50?—I think it was in April, 1891, and he kept me on his hands, I could not say how long.

257. Is it clear to you now that you have no more claim on Mr. Henry?—I would have had some claim on him again except for signing this last document at Mr. Barrow's office. This Mann told me that I would be likely to get myself into serious trouble if I ever even recognised Mr. Henry in a public place afterwards—that was as we were walking away from Mr. Barrow's office.

258. When you got the summons from the court for abusive language, was it immediately after that you signed the paper?—The next morning.

259. You knew you were signing a discharge then?—No, it was not a release or discharge. Mr. Henry told me long before that that I had signed a release paper.

260. *By the Hon. D. Melville.*—How did you come to know Mr. Henry?—A man whom I was working for told me that if I were entitled to any money I could get some from Mr. Henry—I was out of work at the time.

261. Who was this man?—He is dead.

262. You are quite sure that you made a contract with Mr. Henry?—I will take my oath that the first document I signed was that Mr. Henry was to receive only £50 out of the money I was entitled to; but for that I should never have put the thing into his hands; it was only to get the money rather quicker.

263. Did you present the letter to him?—I did.

264. Where did you get that letter?—From home.

265. What was the nature of it?—It was from my sister to the effect that she thought things would very soon be settled up.

266. *By the Hon. the Chairman.*—Did it state in that letter the amount you were entitled to?—No.

267. *By the Hon. D. Melville.*—Did you leave that letter with Mr. Henry?—Yes, he kept the letter.

268. Have you any papers or letters in your possession from Mr. Henry?—No, not a scrap of writing of any sort.

269. Then your complaint is that Mr. Henry has received on your account somewhere about £400?—Between £350 and £400.

270. And you have only received how much, in all?—At the outside £150.

271. Your charge is that Mr. Henry has violated his contract with you?—Yes, in the first document.

272. Have you anyone who can corroborate these statements?—He always took good care to have no one in the office—he would not let my wife come up.

273. Is not Mr. Barrow aware of these transactions?—The only time that I ever saw Mr. Barrow was when I was taken to his office three or four times to sign.

274. Is Mr. Mann about still?—Yes, I saw him the other morning in town.

275. *By the Hon. J. Bell.*—About this sum of £50, was it to cover the interest and law costs and every possible charge?—It was to cover everything. Mr. Henry was to advance me all the remainder of the money within six weeks. I was to receive every penny but £50.

Cross-examined by *Mr. Bryant.*

276. What is your occupation?—Nothing at all, at present.

277. How long have you been out of work?—Three or four months.

278. In April, 1891, what was your occupation?—I was working as a packer.

279. How long did you continue to work after you first saw Mr. Henry?—I could not give any idea of that.

280. At any rate, a short time after you met Mr. Henry you were out of work, and continued out?—Oh no.

281. What is your complaint against Mr. Henry now?—That he did not treat me as he should have by my signing that document that he was to receive only £50 out of the whole lot.

282. You now charge Mr. Henry with having committed a fraud on you?—I say he worked a swindle on me.

283. You are an intelligent man?—I am now.

284. When did you first form the conclusion that Mr. Henry had swindled you?—When he told me I had signed the release paper long before the summons.

285. You formed the opinion on that that he had committed a swindle on you?—Yes.

286. Did you make any complaint to the police or any person?—Only to himself—I always used to be at him.

287. You made no complaint to any person except Mr. Henry?—Yes, I spoke to a constable in West Melbourne—I cannot tell his name.

288. Is there any person on whom you can lay your finger and bring here to say you had lodged your complaint that Henry committed a fraud on you?—I have told a good many about it.

289. As I understand you, this summons was taken out some time in 1893?—I cannot say the date.

290. Is this your handwriting [*showing a letter*]?—Yes.

291. The letter you sent to Mr. Henry on July the 12th, 1892—"Dear Mr. Henry, I thank you very much for your kindness in sending monetary assistance to Mrs. Cooke now she is in such an awkward position. I took her clothing up to her last night and found her very pleased. Now, Mr. Henry, I must admit I acted wrongly in coming to your office and trying to make a row, after the many kind acts you have done for me since we released one another. Dear Mr. Henry, you might do me the kindness in sending something to Mrs. Cooke as she is coming out of the hospital on Thursday at two o'clock, and she is sure to be very weak, and I am out of work and cannot assist her in any way. I should consider it a great favour on your part, Mr. Henry, if you could manage to assist me in any way in getting something to do, as I should be willing to do anything at all. You might let me know, please Mr. Henry, as I shall be waiting to try and get a reply from you about half-past four. I remain, yours truly, G. Cooke." There you are; a letter written voluntarily, in which you refer to the many acts of kindness and to the release, and now you dare to tell the Committee that you never knew about the release?—I might explain that I was blocked from going to his office, and that was the only way I could get to him.

292. You accepted the position, that he did release you?—No, I was blocked from going to his office, and the only way I could get money was to write such letters as that.

293. Did you know he had released you?—No.

294. Then why did you put it in the letter; did you believe it true when you wrote it?—Certainly, I believed it was true because he wrote it.

295. Do you believe it is true now?—I have reason to believe it is true now.

296. Here is another letter—is that your handwriting?—Yes.

297. This is also July, 1892,—“Dear Mr. Henry, after having seen you last night I returned home, and to my surprise I found Mrs. Cooke at home. It seems they were wanting beds at the hospital, and

asked her if it was possible for her to go home, and, of course, she did; she was treated very kindly whilst there. I am very thankful to you for your offer last night in taking her things out of pledge, as we should lose them to-day as you will see by the date. She seems to be troubling her head a great deal about them, as she has no wedding ring to wear. I am sure she will thank you if you can let her have them as soon as possible. Dear Mr. Henry, she has to go to the hospital again on Tuesday, and she has not got a pair of boots fit to walk in. If you can assist her in any way to get over our trouble at present your kindness towards us I shall not forget after the way in which I have tried to treat you"—that is the letter of a man who thought Mr. Henry had committed a fraud on him?—I say so still. That was the only way I could get money from him.

298. Is that your letter also, 23rd December, 1892?—Yes.

299. And this of April, the year is not shown,—“Dear Mr. Henry, I arrived in Melbourne yesterday from Broken Hill, and Mrs. Cooke informs me that Mr. Mann was up at the house making inquiries about the letter that I sent you, perhaps you may think that I knew I was leaving Broken Hill, but I can certainly assure you that I did not know until last Tuesday. To prove my words, I paid a tailor the sum of £1 deposit to make me a suit to order, and of course, as soon as I knew that I was leaving, I told him not to proceed any further with them, but I was too late as he had them all cut out, and he would only return me 2s. 6d. of the money, so I had to leave them. Mr. Henry, I am only writing this note to let you know that I don't intend to trouble you any more, wishing you a Merry Christmas and a Happy New Year”?—He gave me some money previous to that.

300. Another letter says—“I must apologize for the way in which I acted towards you lately, as I can assure you no one regrets more than I do my past conduct, and, of course, I am now just beginning to feel the results of such. Dear Sir, I have had a cousin staying with me lately, and she has been the means of keeping us from starvation, but she has now returned to Ballarat. I owe no less than five weeks' rent at the place I am now stopping, and they have given me notice to leave to-day, and I cannot get a place without paying an advance, for such is what I am now appealing to your kindness for, but I can safely say to you I will rather starve than appeal to you again, because if you assist me now it will give me a week's time to try and get work, and I am expecting some money from home very soon. Hoping you will be able to see your way clear this once, and not see me and a wife with two poor little innocent children cast into the streets with nothing but starvation looking us in the face, I remain, yours truly, G. Cooke.” Those are your later letters?—Yes, that was the only way that ever he would give me money.

301. Now, coming to the earlier transactions, is that your signature to the deed of release—*[showing same]*?—Yes.

302. Who witnesses your signature?—I never remember any one but Mr. Henry.

303. Was not Mr. Barrow there?—He may have been.

304. If Mr. Barrow states that that document was fully explained to you before you signed it, what then?—I would say he is making a mistake.

305. You know Mr. Barrow is a solicitor of repute, and he knows the necessity for explaining documents; do you venture to say that document was never explained to you?—Yes.

306. You did not read it?—I did not read it.

307. Was it read to you?—It may have been.

308. Did you understand it?—It was not read to me.

309. Do you know that this document recites the various transactions between you, and the various documents you have signed, and goes on to say that it effects a release from you to Henry and Henry to you of all claims between you?—No.

310. Then I will read it to you; you have sworn that the first document you signed was a bargain on Henry's part, that out of the moneys he was to receive in respect of your estate at home he was to pay over the balance, less only £50, which he was to keep?—Yes.

311. Do you know, as a matter of fact, that you undertook to pay £100, and assigned your interest by mortgage?—I did nothing of the kind.

312. Do you know that this document shows that?—No, and I do not care what it says.

313. It recites—“And whereas the said George Cooke did by a certain deed poll or power of attorney bearing date the 24th day of March, 1891, irrevocably make, nominate, constitute, and appoint Thomas Henry Meynell, of No. 37 Furnival-street, Holborn, London, in England, solicitor, the true and lawful attorney of him the said George Elliott Cooke, *inter alia*, to ask, demand, sue for, recover, and receive all and every sum and sums of money, debts, dues, claims, and demands, securities for money, stocks and funds whatsoever which might then be due, owing, payable, or belonging to him by virtue of the will of his father Joseph Cooke, late of Ashfield, Wavertree, Liverpool, England, gentleman, deceased, or otherwise out of the estate or by reason of the death of the said Joseph Cooke, deceased, or upon any other account whatever: And whereas the said George Elliott Cooke did by a letter, bearing even date with the hereinbefore in part recited deed poll or power of attorney directed to the said Thomas Henry Meynell, instruct and authorize the said Thomas Henry Meynell to remit to the said David Henry all moneys which he the said Thomas Henry Meynell might receive under the hereinbefore in part recited deed poll or power of attorney, after making the deductions and detentions thereby authorized;”—listen to this,—“And whereas by an Indenture of Assignment by way of mortgage bearing date the 17th day of June, 1891, and made between the said parties hereto, in consideration of the sum of £100 then due and owing by the said George Elliott Cooke to the said David Henry, he the said George Elliott Cooke did thereby grant, assign, transfer, and set over unto the said David Henry, his executors, administrators, and assigns all and singular the part share and interest of him the said George Elliott Cooke of in and to the estate of his said father, Joseph Cooke, deceased, to which he the said George Elliott Cooke,—you have signed at the foot of each page?—I signed many hundred papers at this place that I never read.

314. “Was then or might at any time or times thereafter be or become entitled under or by virtue of the said will or in any other manner howsoever by reason of the death of the said Joseph Cooke, deceased; and all stocks, funds, and securities in or upon which the same or any part thereof were then or should or might at any time thereafter be invested, and all interest and accumulations then due and to become due and payable in respect thereof, and all the estate, right, title, interest, benefit, claim, and demand whatsoever of him the said George Elliott Cooke therein and thereto; all which premises expressed to be thereby assigned are thereafter throughout referred

to as the said property, moneys, and securities: To have and to hold the said property, moneys, and securities thereby expressed to be thereby assigned unto the said David Henry, his executors, administrators, and assigns, subject nevertheless to the proviso for redemption thereafter contained:—and then it goes on—“And whereas by an Indenture of Further Charge, bearing date the 27th day of June, 1891, and made between the said parties hereto in consideration of the said sum of £100, together with interest thereon then due and owing on the security of the hereinbefore in part recited Indenture of Assignment, and of the further sum of £150 lent and advanced by the said David Henry to the said George Elliott Cooke on or before the execution of the indenture now in recital the property, moneys, and securities comprised in the hereinbefore in part recited Indenture of Assignment became and now stand charged as well with the payment of the said further sum of £150 as of the said sum of £100, together with interest for the same sums respectively, to the said David Henry, his executors, administrators, or assigns: And whereas since the execution of the hereinbefore in part recited Indenture of Further Charge the said George Elliott Cooke has become indebted to the said David Henry in various sums of money amounting in the aggregate to the sum of £155 15s.: And whereas the said George Elliott Cooke is now indebted to the said David Henry in the total sum of £405 15s. for principal moneys, as the same appears by the Schedule hereunder written”—there is the Schedule set out, and immediately above your signature:—

“The Schedule hereinbefore referred to—

<i>Dr.</i>						
1891.						
June 17th.—To assignment	...	...	...	...	...	£100 0 0
„ 27th.—To further charge	...	...	...	...	...	150 0 0
July 3rd.—To promissory note	...	...	...	...	...	25 0 0
„ 8th. „ „	...	...	...	...	...	25 0 0
„ 11th. „ „	...	...	...	...	...	35 0 0
„ 18th. „ „	...	...	...	...	...	15 0 0
„ 31st. „ „	...	...	...	...	...	10 0 0
Aug. 13th. „ „	...	...	...	...	...	10 0 0
„ 22nd. „ „	...	...	...	...	...	5 0 0
Sept. 15th. „ „	...	...	...	...	...	22 10 0
„ 25th. „ „	...	...	...	...	...	6 5 0
Oct. 5th.—To cash	...	...	...	...	...	2 0 0
						£405 15 0
<i>Cr.</i>						
Oct. 8th.—By cash from Thomas Henry Meynell	—	...	...	...	...	£350 0 0
Balance due to David Henry						£55 15 0

(Mr. Henry releases him of that £55 15s. and gives him £20). “Received on or before the execution hereof in cash of and from the said David Henry the sum of twenty pounds (£20) being the present consideration money above expressed to be paid by him to me,”—here are Cooke’s signature and the stamp he cancels, and Mr. Barrow’s signature.

315. *By the Hon. the Chairman.*—What was the amount of cash advanced on the promissory note of the 3rd of July—£25?

316. *Mr. Henry.*—£5.

317. *By the Hon. the Chairman.*—August 22nd, £5 promissory note?

318. *Mr. Henry.*—£1 for that.

319. *Mr. Bryant.*—As a matter of fact, the payments to him, cash advanced to him, and the costs and expenses were £208 1s. 9d., and Mr. Henry has received £350 through Mr. Meynell. My present concern here is not to show that the bargain is a hard one for Cooke, but to meet this allegation of fraud. Then the release goes on—“And whereas under or by virtue of the hereinbefore in part recited power of attorney, or of the said hereinbefore recited Indenture of Assignment, the said Thomas Henry Meynell has collected certain moneys and the said David Henry has received from the said Thomas Henry Meynell the sum of £350 being the amount so collected by the said Thomas Henry Meynell after deducting his charges and expenses therefrom”——

320. *The Hon. the Chairman.*—The Committee are satisfied that the document is perfectly legal and has been signed by Cooke.

321. *Mr. Bryant.*—I propose to show afterwards that it was properly explained to Cooke.

322. *By Mr. Bryant (to the witness).*—That is a summons you got in March, 1893?—Yes.

323. “That the defendant George Elliott Cooke, on the 11th day of March, 1893, at St. Kilda aforesaid, in a public street, to wit, Fitzroy-street, did use insulting words towards this informant with intent to provoke a breach of the peace contrary to the Act in such case made and provided.” Now, afterwards (it does not matter how you came to meet Mr. Henry) you went to Mr. Barrow’s office, and that is the document you signed?—Yes, that is my signature.

324. Have you any doubt that that is your signature?—I believe it is, but the first two lines were different.

325. This is the document—“Mr. David Henry. Sir,—I hereby admit, acknowledge, and declare (1) That all matters between us in respect to my financial transactions with you were fully, fairly, and finally settled between us on the 13th day of October, 1891, when we signed mutual releases to each other. (2) That I have not now, nor since that date have I had, any legal or other claim against you in respect of any matter whatsoever. (3) That you have since that date at my urgent requests, both verbal and by letter, and purely out of charity, given to me and my wife from time to time several sums of money, amounting in the aggregate to about £80. (4) That you lately refused to give me any more money, and I thereupon, without any just or other cause, but simply for the purpose of intimidating you and thereby obtaining more money, commenced to follow and have since persisted in following you in the public streets of Melbourne, South Melbourne, and St. Kilda, and have grossly insulted, abused you on several occasions in the presence of the public in each of the said places. (5) That in particular I did, on the 11th day of March instant, in Fitzroy-street, St. Kilda, use insulting words to you in the presence of two constables of police, and for such offence you have issued against and served upon me a summons returnable on the 24th instant at the St. Kilda Court of Petty Sessions. (6) That I have requested you not to

proceed with such summons, and you have acceded to my request conditionally on my humbly apologizing to you for my past conduct and making the solemn promise hereinafter contained. I do therefore humbly apologize to you for my past conduct, and do solemnly promise that I will not at any time hereafter be guilty of similar or any other improper conduct towards you, and will not molest, interfere with, or annoy you or any of your family or servants in any manner whatever. I fully understand the nature and effect of this document, and consent to the same being used by you at any time hereafter if the necessity for so doing should arise.—I am, yours &c., George Cooke," (witnessed by Mr. Barrow and his clerk). Do you say you did not understand the effect of that when you signed?—I did not read the whole of it.

326. Was it read to you?—No.

327. You have sworn already you read it through till you got to the words "threatened the life," and you desired those words struck out. There is nothing of that in it. Do you say you did not read beyond the word "threatened"?—I swear positively I did not.

328. And you wish the Committee to believe that in the face of your signature?—I do.

328A. *Mr. Bryant.*—I can go into all these transactions if the Committee like.

328B. *The Hon. the Chairman.*—There is no necessity.

The witness withdrew.

David Henry further examined.

329. *By the Hon. the Chairman.*—Can you recollect the value of this estate?—I could not; the letter we got was so very vague—we received £350.

330. Was that the total value of the estate, exclusive of law expenses in England?—Yes.

331. What was the total amount which you advanced to Mr. Cooke?—£208 1s. 9d.

332. Was that in hard cash?—In hard cash.

333. It was not advancing a certain amount and then making an extra charge?—No, in hard cash. There is £20 10s. as an outlay for deeds. That was actual cash, not the promissory notes, including £20 10s. I paid to Mr. Barrow for costs. I have his vouchers for that.

334. *By the Hon. D. Melville.*—When you lend a man £1, is it true that you take a note for £5?—Sometimes it is.

335. In this particular paper you lent Cooke £1 and took £5?—Occasionally; not always.

336. All these further sums, taking £20 off the £208, would mean a discrepancy between you and the witness. He says he got from £100 to £150 from you in all; you make it £208, including £20 to Mr. Barrow?—[*The witness handed in a paper.*]

337. On the 24th of March last you gave him £12 10s. cash?—Yes.

338. Was that cash put into his hands?—He had £3, and the rest afterwards.

339. On May the 9th you gave him £1?—That is right.

340. You took £5 for that?—Yes.

341. Then you gave him 5s., and then £10?—That is right; that is cash.

342. What did you take for the £10?—I suppose £40 or £50.

343. Then you gave him another 10s.; what did you take for that?—We let it run till several sums came together—we have all the bills here.

344. Then you gave him £30 on the 27th of June; what did you take for that?—£150.

345. On July the 3rd you gave him £5; what did you debit him with for that?—£20.

346. On the 8th of July you gave him another £5?—Yes, and charged £20.

347. On the 11th of July, £7; what did you debit him with on that?—Promissory note, £35, I do not remember that.

348. Is the system the same all through?—Yes, but we make an allowance afterwards.

349. That is your method?—In the settlement we allow him £55 or £60; that is the method in this instance.

350. You got in all, £121 19s. 3d.; cash advanced at various times, £65 12s. 6d.?—There was nothing charged on that.

351. There is a discrepancy in your two statements of £30; he says £150?—My statement is correct.

352. Then we understand your method clearly by this explanation?—Yes.

353. Is this Mr. Mann your clerk still?—Yes.

354. Is he available?—Yes.

355. Does he understand this business thoroughly that you are engaged in?—He is the messenger and traveller.

356. Who is the man who has been following you, with a red coat?—This man Cooke, it is not exactly red, but a reddish colour.

357. Do you say the red-coated man is Cooke?—Yes, I am certain it is Mr. Cooke.

358. Is it a soldier's coat?—No, only an ordinary coat of a reddish colour.

359. *By the Hon. the Chairman.*—What was the date on which you received advice from home of the value of the estate?—About July or August, 1891. The first letter we got was that they could not identify Cooke. There was so many Cookes, and after that we had news that it was the right man.

360. You got news of the value of the estate, and that your advances were perfectly safe?—Yes.

361. After receiving the note, do you consider that in advancing £1 and charging £5 it was a reasonable rate?—No, but we make an allowance after to meet that; we released him £55 and paid him £20.

362. When you write home to your agent, his charges come out of the estate, consequently the borrower has to pay out of the estate for your law expenses at home?—Yes.

363. How much was your agent paid?—£7, or something like that.

364. *By the Hon. J. Bell.*—How much money did it cost at home to secure the £150?—I can find that out for you.

365. *By the Hon. the Chairman.*—When you find out that an estate is all right and you are in a position to get your advances paid, what is the interest you charge?—It depends on what the estate is worth, if that covers it fully.

366. If you know there is £100 in an estate, and a man goes to you and wants £10, provided you know your money is safe?—Sometimes 10s. in the £1; sometimes £1 for £1; we never make a charge of £5 for it, and we make an allowance.

367. *By the Hon. J. Bell.*—Did you get any rebate of any other moneys that were deducted from the sum in England—did they give you any of your expenses back?—No.

368. You received £350?—Yes.

369. You gave Cooke £208 in cash?—Yes.

370. And you paid your own law expenses?—Yes.

371. Does that include the interest of the money?—We did not charge any interest.

372. Practically then, this man has paid you £70?—Yes.

373. *By the Hon. D. Melville.*—We still want the gross value of the estate in London, because we want to know how much the man lost by going to you—that is what we are inquiring into?

373A. *Mr. Bryant.*—That is not the scope of the inquiry; it is not to find how much an individual lost, but to inquire into the usurious practices of David Henry and others. I object to the term “losing money” over it. Other money-lenders besides David Henry ought in fairness to be called.

The witness withdrew.

James Haldon examined.

374. *By the Hon. the Chairman.*—What are you?—I am a carpenter by trade.

375. Have you had any money transactions with Mr. Henry?—Yes.

376. What were they?—I had a letter from home intimating that I was entitled to some property at home, and I was in want of money at the time, and in the letter it stated I could not get the money till my sister became of age—that was about a year to wait. I went to Mr. Henry and showed him the letter from my solicitor in England, which stated I could not get any money till my sister came of age, which was about a year's time to wait. He read the letter and put it in his pocket and advanced me £1 on the strength of it. I have the full statement written down of everything that occurred; my memory is not quite clear about certain things to-day. I left the statement with the Crown Law Department, and they have other papers also relating to the case.

377. What money did you expect to get from home?—When I wrote home I reckoned that my share of the property would be worth £600 or £700.

378. What was it worth?—I know the exact amount the property realized.

379. You are not in a position to-day to go on without the documents you refer to?—No, I would like to revise them.

The witness withdrew.

John Green examined.

380. *By the Hon. the Chairman.*—What are you?—A gardener.

381. Have you had any monetary transactions with Mr. Henry?—Yes.

382. What were they?—In January, 1886, I was hard up, and I was then entitled on the death of an aunt to a life interest in £1,000, and it produced then £65 per annum. I had seen Mr. Henry's advertisements in the paper and at the railway stations, and I went to him and asked him if he would lend me anything on it, he asked how much I wanted, and I said £20. He agreed to lend me that if I would agree to give him £100 for it when I came into the annuity, that is after my aunt's death. She was then close on 80 years of age. He gave me £14 5s. out of the £20, charging five guineas for the deed that Mr. Barrow or some solicitor drew out, and 10s. for examining the copy of the will. I got £14 5s., and for that I was to pay £100. I got further sums all through from January, 1886, to February, 1890. Whenever I wanted money I used to go to Mr. Henry and get advances on the same terms, £5 for £1, and once or twice £3 for £1, instead of £5. I considered that giving him £100 for £20 was a perfectly justifiable transaction, because if I had died before my aunt he would have got nothing; it was simply a speculation on his part. I say nothing against the transaction; it was what any business man might have done.

383. What is your complaint?—Wait a minute. In this deed which I signed giving Mr. Henry authority to receive £100 out of this estate there was something else put in that entirely altered the document, it was adding the words—“for £100 and other moneys,” which were inserted without my knowing anything about it.

384. That was inserted before you signed it?—I have no doubt it was, but I did not understand it. Here is an item which he charges in the year 1890. I went to him for a further sum, and he said—“No, I cannot lend you any more money on it,” I said it was worth £1,000, and I had only had £108, so he went to his ledgerkeeper and told him to turn up my account, which he did, and Mr. Henry put down a few figures in pencil and he said—“Why, you owe me £1,042,” and then I had paid back £198 for the £108 I had borrowed.

385. *By the Hon. J. Bell.*—You got £14 5s., and you gave an order for £100?—Yes.

386. You then received further sums?—On the 9th December a further charge on the assignment, £60.

387. How much money did you get for that?—£20, for which I was to pay £60.

388. What was the next charge?—On the 30th December 1887, a further charge of £50. I know nothing of that; I can find nothing about it in my books. I do not deny that I got it, but I have nothing about it in my books.

389. How much money did you get for the £50?—£10.

390. You remember getting the £10?—Well, I do not know. January 20th, further charge, £100. I got two amounts of £10 each for that, one in January and one in February. September 12th, £50, for which I got £10. December 10th, 1888, ten guineas, I got £3 for £1, and £2 10s. deducted for two visits to Dr. Henry and medicines (that is Mr. Henry's son); no account was rendered. Mr. Henry was supposed to give me £3 10s.; out of that, £2 10s. was deducted for two visits to his son and two bottles of medicine, and he gave me £1, so I paid ten guineas for the £3 10s. November 8th, 1889, £6, for which I received £2 in actual cash; May 18th, 1889, 15s., for which I received 5s.

391. What you are quoting from is simply a document handed to you by Mr. Henry?—Yes.

392. Would it not be better for you to look over it, and any items that you think are incorrect draw attention to?—I wished to show the exorbitant rate of interest I was charged on things the £5 on £1 does not include.

393. *By Mr. Bryant.*—Have you ever paid anything yourself?—Eighteen months after I had got the money from Mr. Henry by his own account. It was in 1887 my aunt died, and he was drawing that £65 a year up to 1890; in point of fact, he was lending me my own money, and charging £5 for £1. I did not know my aunt was dead; my people in Tasmania were so disgusted with me for going to David Henry that they never wrote to me.

394. *By the Hon. J. Bell.*—How much money did you get from him altogether?—£108, for which I paid back £198, and he sent in a bill for £1,042.

395. Where is the bill?—In Davies, Price, and Wighton's office.

396. When did your aunt die?—In the beginning of 1887.

397. What rate of interest did Henry charge before that?—Thirty per cent. per annum, not on the £20 I got, but on the £100 he was to get for it.

398. After your aunt died, what was the difference in the rate?—It was not varied at all, excepting that some time before, and some time after, he would only charge £3 for £1, instead of £5 for £1. The interest in the first account on that £20, for which I received £14 5s., came to £154 9s. in 1890, besides the bonus. In addition to the bonus of £5 for £1, a bonus of £80 on the £20, and the interest is calculated in all those cases on the promissory notes I gave him, not on the sum advanced, at 30 per cent. per annum; it is charged up to date. When I discovered that Henry was making those charges against me I went to law. I put the matter into Davies, Price, and Wighton's hands, and then he arrived at this tremendous sum, £154 9s., for interest on £20. He antedated all the transactions I had with him twelve months, and put it 1885 instead of 1886.

399. *By Mr. Bryant.*—Can you produce the document?—Yes; it is in Davies, Price, and Wighton's. It was proved to their perfect satisfaction that I had never seen Mr. Henry in January, 1885, and then he sent in this document, which makes the amount £740 3s. 8d., and said that the "85" was simply a clerical error, and yet every item all through was calculated at an additional 30 per cent. per annum.

400. *By the Hon. the Chairman.*—Are you sure that Mr. Henry charged you this 30 per cent. interest?—Here it is in his account from his office.

401. Will you hand that in?—Certainly. I was going to mention that on the 24th June, 1887, he lent me money, and in January, 1888, he first began to draw the half-yearly interest of £32 10s. He does not credit me with that money, but it is put down in most extraordinary amounts, all of them varied. He accounted for that by saying that he had to employ an agent in Tasmania, and the discrepancies in the dates arose from the fact of his agent not sending the money over to him, and also deducting his agent's charges. I have explained to Mr. Henry many times that the executors of the estate were perfectly willing to send Mr. Henry the money by cheque, as they now do to the Colonial Mutual Insurance Company, so towards the end of the thing Mr. Henry was already overpaid what I had borrowed, and was lending me my own money and charging £5 and £3 for £1, and sometimes 30 per cent. I looked it up. If I had not stopped him, to-day I should have owed him £5,000.

402. *By the Hon. J. Bell.*—Are these figures right; up to the 30th of December, 1887, you have received three sums, £20, another £20, and £10?—I cannot find out anything about it in my books, but I do not say I did not get it.

403. When did your aunt die?—In the early part of 1887; at any rate Mr. Henry got the first half-year's interest on the 24th of June.

404. And then you had received £50 at the most?—Yes, at the most I had received one £50 before he was actually drawing the money.

405. *By the Hon. the Chairman.*—What induced you to go to Davies, Price, and Wighton?—I happened at that time to live in Malvern. I was verger of the church then, and opposite to me was a Mr. Mercer, and knowing he was the manager of a bank in Melbourne I took it to him and asked him what I was to do with the account of £1,042, and he said—"Sir Matthew Davies is my brother-in-law; I will give you a note to him, and if they can see their way they will take it up for you."

406. Then what was done?—They took out a writ in the Supreme Court calling on Henry to come forward and show cause why he should not be paid on the sum of £108, at the rate of 7 per cent. per annum, instead of a bonus, £5 for £1 and 30 per cent. per annum.

407. What was the result?—Mr. Henry would not accept service of this writ, and he kept temporising and there were meetings very often between Mr. Barrow and my solicitors, and the end of it was that from this £740 they brought Mr. Henry down to £150. They wrote to me that morning stating that they had brought the amount down to £150, and expected to bring it down to £100, as Henry was already overpaid. I have that letter at home, and can produce it. I went in to Davies, Price, and Wighton's and said—"I am sick of the thing; for goodness' sake give him the £150 if he pays your law expenses, in addition to the £198 he has already had." Mr. Henry accepted it at once, and a day or two after we squared up on those terms.

408. You borrowed £108?—Yes.

409. What was the total amount you have had to pay for this £108?—£198 and £150.

The witness withdrew.

Adjourned to Wednesday next, at Three o'clock.

WEDNESDAY, 6TH NOVEMBER, 1895.

Members present :

The Hon. A. O. SACHSE, in the Chair ;

The Hon. J. Bell
D. Melville

The Hon. E. Miller.

The counsel and parties were called in.

Harry B. Bald examined.

410. *By the Hon. the Chairman.*—What are you?—A clerk at the Colonial Mutual Life Assurance Society—I appear for them.

411. Do you produce certain papers?—Yes.

412. Are those papers definitely marked?—They are connected with John Green :—David Henry to John Green, *re* assignment ; John Green to David Henry, assignment for moneys, interest to him by way of mortgage ; John Green to David Henry, further charge ; John Green to David Henry, second further charge ; John Green to David Henry, third further charge ; John Green to David Henry, fourth further charge ; John Green to David Henry, power of attorney.

413. Are these all the papers you have?—Yes—[*handing in the same*].

414. Have you any information to give as to them?—No.

Cross-examined by *Mr. Bryant*.

415. Have you any personal knowledge of the dealings between your society and Mr. Green?—
Yes.

416. As a matter of fact, do you know the history of the transaction ; the society lent Green certain moneys, and Mr. Henry re-assigned his securities to Mr. Green, who handed those securities to the society, is that so?—Yes.

417. How much did the society lend Green?—I have not the particulars with me ; I do not know what it was.

418. Do you know what security the society took from Green?—It was a mortgage of interest under will.

419. Was it the same security as Henry took, or a better one?—I could not tell.

420. Have you the security the society did take?—I could not say.

421. Was there any document executed by Green securing the society for moneys lent?—Yes.

422. Have you that here?—No, it is at the society's offices.

423. As a matter of fact, since the society lent money to Green, has it been collecting the rents or the income that otherwise would have gone to Green?—I believe so.

424. As a matter of fact, no moneys have been paid by the society to Green that the society has received on Green's account?—I think some money was refunded to him ; £27 10s. I think—I do not remember the date.

425. Can you give the Committee any definite information of the money the society has received, and the amount that Green owes the society?—No.

426. As a matter of fact, have you come into personal contact with Green over the matter?—Yes.

427. I believe he has been blackguarding your society too?—Yes.

428. And he has been accusing your society of robbing him?—I do not know whether he said that to me.

429. He has been accusing the society of not dealing fairly with him?—I believe he has, from what I have heard.

430. *By the Hon. the Chairman.*—Do you know anything yourself?—No.

431. *By Mr. Bryant.*—On the occasion when you met Green, what did he say about the transaction with your society?—I do not exactly remember now.

432. Is there anybody in your society who can tell us?—Not what he said to me.

433. Who can tell more about the matter of the society's business with Green?—Either the secretary or Mr. Robertson.

The witness withdrew.

Andrew Barr examined.

434. *By the Hon. the Chairman.*—What are you?—General clerk to Davies and Price.

435. Have you any intimate knowledge of the papers you have with you?—I produce some papers which I understood were for refreshing Mr. Green's memory.

436. Have you any personal knowledge of them?—I have read the papers—[*handing in the following*] :—Writ of Green against Henry, No. 1,512, 1890 ; an appearance to it by Emerson and Barrow ; notice of appearance ; instructions to us in connexion with the matter.

437. *Mr. Bryant* objected that instructions were merely a statement by Green to his solicitor.

438. *The Hon. the Chairman.*—We will take them for what they are worth in each case. [*To the witness*]—What are the other papers?—Two accounts—John Green in account with David Henry ; draft re-assignment David Henry to John Green.

439. *Mr. Bryant.*—We have the original of that.

440. *The witness.*—Copies of notice of assignment and further charge with letter attached to Mr. Jefferson from John Green.

441. *Mr. Bryant.*—We have the original of that.

442. *The witness.*—Correspondence Emerson and Barrow to Davies, Price, and Wighton ; correspondence, John Green to Davies, Price, and Wighton ; press copy correspondence, Davies, Price, and Wighton to Emerson and Barrow ; letter-press copy, Davies, Price, and Wighton to Darvall and Horsfall, 15th May, 1890 ; press copy letter, Davies, Price, and Wighton to John Green, 28th March, 1890 ; press copy letter, Davies, Price, and Wighton to Albert Green, 14th March, 1890 ; press copy letter, Davies,

Price, and Wighton to David Henry, 21st February, 1890; draft letter, Davies, Price, and Wighton to Emerson and Barrow, 25.4.90; letters, Alfred Green to Davies, Price, and Wighton, 8th March, 1890, and 12th March, 1890; and consent in the action of Green v. Henry for fourteen days' further time.

443. Have you any remarks to make as to the papers you produce?—No.

444. *By the Hon. J. Bell.*—You know nothing whatever about the matter?—No, other than is contained in the papers I produce.

Cross-examined by *Mr. Bryant.*

445. Who had charge of the matter for the office?—Mr. Jefferson; he is now at Attenborough, Nunn, and Smith's.

446. Do you know these signatures?—That is Mr. Jefferson's signature, and the other is Mr. Green's.

The witness withdrew.

Alfred Leech examined.

447. *By the Hon. the Chairman.*—What are you?—Greengrocer by trade, living at Ballarat.

448. You have some case to lay before this Committee?—Yes.

449. Will you state it as clearly and concisely as you can?—In November, 1893, I obtained a loan from Mr. David Henry of £40; it was obtained on a reversionary interest, money invested in property in Bury St. Edmunds. On 1st February, 1894, I obtained another loan of £20. This is a letter informing me of the amount of money demanded on the estate by Mr. Henry.

450. *Mr. Bryant.*—Unless the contents of the letter were communicated to Henry, it is unfair to go into that.

451. *The witness.*—The date of the letter is September, 1894.

452. *The Hon. the Chairman.*—We will not put it in.

453. *By the Hon. the Chairman (to the witness).*—Will you go on stating your case?—That is my case, that I received £60 from Henry, and he made a claim on Mr. Leech, of Bury St. Edmunds, for £210.

454. *Mr. Bryant.*—That statement is based on a letter written to the witness.

455. *By the Hon. the Chairman.*—Speak from your own memory?—I could not say what date.

456. We understand you got one advance of £40, and then another of £20 from Mr. Henry; what did you do for that £60, did you give a promissory note?—I gave him a power of attorney to sell my reversionary interest. Mr. Henry has a copy of my grandfather's will, which entitled me to a sixth share of £4,000—£666. I also insured my life for £100 and transferred the insurance policy to Mr. Henry. The second £20 was obtained for the purpose of insuring my life. I paid £3 15s. out of the second £20 to do that.

457. What were you to give him in return for the money?—I could not say. I gave him a deed of mortgage over my security and assignment; he was to sell the interest for me.

458. *By the Hon. J. Bell.*—What arrangement did you make with him when you got the first £40?—There was a bonus to be charged. I could hardly tell you how much. I am in a sort of maze about that.

459. When you went to his office and showed him by your papers that you were entitled to some interest in an estate in England, you must have entered into some arrangement as to the amount of money you were to pay him?—I went to Henry and asked him to buy the thing out and out from me, and he said he would not. He said he would lend some money on it. He lent £40, and a deed was drawn up, giving security over the reversionary interest for this £40. Some little while after that I received a letter from him that he could not sell my reversionary interest unless my life was insured—I have not a copy of the letter.

460. Are you aware if this estate has been realized?—It comes to me at my father's death. He died about the 18th of August last.

461. Then the estate has not yet been realized?—No, I am expecting to hear every day from my cousin.

462. Then in your case it means that a claim has been made for £210 for a loan of £60?—Yes, that is the long and short of it.

463. You have not told us the arrangement with Henry?—I made no arrangement.

464. Did he not say how much he was going to charge?—He was to charge me a bonus of £100 on the £40, and £50 on the £20, making a total of £210.

465. That was the agreement?—Yes.

466. Then what is your grievance?—That it is excessive.

467. *By the Hon. the Chairman.*—Did you pay any interest in addition to that?—No.

468. Has any of that money been realized in England?—No, not yet.

469. Did you know what you were signing at the time you signed the deed?—I did. I did not read it. Mr. Henry's clerk read to me the bill of sale and the proportion of money lent.

470. Did you understand it?—Yes.

471. Did you quite understand you were to pay £210 for the loan of £60?—To tell the truth I did not. I was much pushed for time, and I wanted to get back to Ballarat.

472. What did you understand you would pay for a loan of £60?—I understood I should have to pay £100 as bonus for the lot, for the loan of the £60, to recompense Henry for his loan, and to effect a sale of the property for me, and to pay all the expenses in London.

473. Was there any mention of interest accruing before the estate was realized?—No.

474. *By the Hon. J. Bell.*—There is no mention of interest in the deed?—No.

475. *By the Hon. the Chairman.*—What has taken place since your father died?—There has been no time to receive a communication.

476. Have you made any advances to Mr. Henry or he to you?—No.

477. What grievance do you consider yourself under?—Only that I think the £160 is an excessive rate of interest to charge for the money.

478. What does your estate consist of?—Real estate in Bury St. Edmunds.

479. Have you any reason to know why it has not been realized?—There has not been time. My father died in August last—I sent home registration of death in August last—my father was 74 when he died. I have not had time to get any reply back.

480. Then what is your grievance ; is it that you signed a deed without knowing what it was ?—No, I have no particular grievance except that the charge of interest was too high.

481. Did you not consider that at the time you took the loan ?—I did, but I was badly in want of money.

482. *By the Hon. J. Bell.*—I suppose you were very pinched for money at the time ?—I was.

483. And you made arrangements that perhaps you would not have done otherwise ?—Certainly, if I had had the means to keep me going. I did not wish to come here at all—I was asked by a gentleman in Ballarat to make a statement. I did so, in the belief that it would not be made public, and that I should not be called before the Committee at all. I did not wish to make any detrimental statement against anyone, because I felt confident when the time came that Mr. Henry and I could settle the matter. Of course, if I have to pay the £210 I will have to do it.

484. *By the Hon. D. Melville.*—You got £60, and you lodged security for £666, and your life insurance for £100 ?—Yes.

485. That is what Henry demands of you, and you say in this letter of yours that you are afraid he will swamp the lot. The letter is dated “Ballarat, October 13th, 1895” ?—Yes.

486. That is your object in speaking of it ?—Yes.

487. You are prepared to fight him in the courts ?—Yes.

488. *By the Hon. J. Bell.*—How can he claim for the lot when he only claims the £210 ?—It is only that I am afraid.

489. *By the Hon. the Chairman.*—Have you a copy of the deed by which you secured David Henry ?—No.

490. Did it occur to you to make an application for a copy ?—No. I have no copy of any papers from Mr. Henry at all ; he holds the life assurance policy and my grandfather’s will.

Cross-examined by *Mr. Bryant.*

491. What is your grievance now ; have you any ?—No, I have no grievance, only that I was afraid that Henry might swamp the lot in expenses.

492. What made you feel that ?—I do not know.

493. You went to Henry in 1893 ?—Yes.

494. At that time you were one of some six children, and your father was then living, and hale and hearty ?—Yes.

495. You were to come into some money after your father’s death ?—Yes, it was bequeathed by my grandfather, and we were not to come into it till my father died.

496. You were living in Ballarat in November 1893, and were hard pushed for money and came down to Melbourne to see Henry ?—Yes.

497. Did you try to raise money in Ballarat before you came to Melbourne ?—Yes, at one place, John Noble Wilson’s.

498. Did you tell Wilson the security you had to offer ?—I told him everything.

499. And I suppose he would not look at it ?—He said he would not do that sort of business and told me to go to Henry.

500. Did you go to any other money-lender ?—No.

501. Did Wilson tell you the security was not worth much ?—No.

502. You told Henry that you were entitled on your father’s death, which might occur next day or years afterwards, to a sixth share in a sum of money coming under your grandfather’s will ?—Yes.

503. Did you then know what the share was ?—Yes, £666, a sixth share of £4,000 lent on mortgage on property in Bury St. Edmunds.

504. And of course it depended whether that mortgage was realized on sale whether you got the payments at all ?—No.

505. You wanted £40, and Henry said if you gave £140 for the £40 he would lend the money ?—Yes.

506. He told you that, and you perfectly understood it ?—Yes.

507. And you signed documents agreeing to pay him that sum of money when the estate was realized ?—Yes.

508. And you gave him authority to realize ?—Yes.

509. That was in November, 1893 ?—Yes.

510. Then in February 1894, you wanted more money ?—No, excuse me, Henry sent me to insure my life, and I had no money to do it. I got £20, and agreed to pay him £70 for the £20.

511. And you gave him authority to collect that sum when the estate was realized ?—Yes.

512. You are perfectly well aware you were not entitled to anything till after your father’s death, and the estate was realized ?—Yes.

513. Your father did not die till August of this year, and the estate has never been realized ?—No.

514. You have never paid Henry anything ?—No.

515. So far, he has not a single sixpence back ?—No.

516. He only claims £210 ?—He has made no claim to me.

517. If that is your bargain, what right have you to complain, if you understood it ?—I have no cause to complain.

518. Then why do you come here to waste the time of the Committee ?—I was asked to bring my case forward.

519. Who was the gentleman in Ballarat to whom you made the statement ?—Mr. Kirton, the Member for Ballarat.

520. How was it that the Committee knew you could give evidence ?—I wrote a letter to the Committee.

521. At Mr. Kirton’s request ?—I told him my case, and he would not take any verbal message, so I wrote a letter and gave it to him, and he gave it to the Committee.

522. Where is the letter ?—[*The letter was handed to the learned counsel.*]

523. *Mr. Bryant.*—Is the Committee going to take statements from Members of the other House or this House in connexion with this inquiry. This is forwarded by Mr. Kirton to the Committee with this statement—“I herewith enclose a letter from a constituent of mine, Mr. Leech, *re* Mr. Henry. J. W. Kirton.”

524. *The Hon. the Chairman.*—This is a public Committee desiring to hear any evidence, and a Member of Parliament sends in a letter enclosing a letter dealing with the business.

525. *Mr. Bryant.*—If I may say so, the Members of this Committee altogether misconceive the objects for which they are appointed. It is a Committee to inquire into the financial transactions of David Henry, and other money-lenders. The Chairman said he would examine any person who was a willing witness, and yet the first person called here is Mr. Henry. I submit that other money-lenders should be dragged here.

526. *The Hon. the Chairman.*—They may be.

527. *Mr. Bryant.*—Mr. McBryde said they would not be. I submit that if the Committee are going to make inquiries into usurious practices, other people should be called. This letter indicates that this Committee is examining merely those who are pitchforked before it, and Mr. Kirton shoves one of his constituents before it. I think it most improper that a Member of another House should interfere.

528. *The Hon. the Chairman.*—There is no interference on the part of Mr. Kirton.

529. *Mr. Bryant.*—If you are not going to summon witnesses, a third party should not interfere.

530. *The witness.*—I do not think that Mr. Kirton is to blame.

531. *Mr. Bryant.*—I regard it as a most unwarrantable interference with this Committee.

532. *The Hon. the Chairman.*—The Committee do not look at it in that light.

533. *By Mr. Bryant (to the witness).*—In your letter you say—"I see by the daily papers that a Committee has been appointed to investigate the transactions between the late Walter Mashiter and David Henry, money-lender. I feel it my duty to inform the said Committee that I am placed in a similar position with the said David Henry. In November, 1893, I obtained a loan of £40 on a reversionary interest left me by my grandfather, for which he has made claim for £140"—a properly made claim because you agreed to pay it?—Yes.

534. "Again in February, 1894, I obtained another loan of £20 for which he claims £70," that is also under the bargain you made with him?—Yes.

535. "Making a total of £210 claimed for the sum of £60 lent; the security is first class, as the only thing that stood in the way was the death of my poor father, which sad event took place on the 15th of August of the present year, consequently I am expecting news by the November mail, and I am afraid that the said David Henry will try and swamp the whole of my interest, which amounts to £666. He also holds my life insurance policy for One hundred pounds as a security for money lent. By placing the above fact before the Committee you will, I think, be doing an act of justice. At the same time, I do not want my name made public or any fuss made about the matter, for I am prepared to fight him as soon as I hear from my solicitor in England." This is a letter not sent in by you to the Committee, but a private letter written by you to Mr. Kirton?—No.

536. Is it not addressed to Mr. Kirton?—He did not know the contents of the letter.

537. About this insurance policy, as a matter of fact, Henry has paid some premiums on this policy?—I presume so.

538. He insured your life to protect himself in the event of your dying before your father's death; in that case he would lose everything?—No.

539. If you died before your father died, could Henry make any claim on you—leaving the insurance out altogether?—Yes, the money is to be divided amongst the surviving members of the family.

540. So to secure himself in the event of your pre-deceasing your father, he insures your life and pays the premium?—Yes.

541. There has been a correspondence between you and Henry about this matter—you make no complaint in this correspondence about his treatment of you?—No.

542. You simply make inquiries as to when the estate is likely to be realized?—Yes.

543. And he gives you full information and says "nothing has been received yet," and sends you a copy of the letters he had got from his agent in England?—Yes.

544. Have you that letter?—Yes.

545. Meynell to Henry, 25th May, 1894,—“Since writing you on the 18th inst., I have received yours of the 17th of April enclosing Mr. Arthur Leech's letter to his brother, from whom I have heard in reply that, having well considered the matter, he has decided that it is best that he as a trustee should not have any dealings with the *cestui que trust*. The difficulty in the way of disposing of reversions where the investments are similar to these is that one cannot show the title to the mortgaged property, and no buyer cares to take over a reversionary interest which may be secured upon a doubtful title.” As I understand you, your complaint is that this estate, that you only came into on the 5th of August last year, has not been realized with sufficient rapidity, and that you are afraid that Henry is going to collar the lot?—No, it is impossible for the estate to be realized yet.

546. Then your complaint is that, it being impossible to realize the estate, yet you are afraid Henry is going to collar the lot?—I was afraid he might bring the expenses to swallow up the whole lot.

547. What ground have you for that assumption?—I have no bill from Henry; no statement as to what I was indebted to him, only a letter from my cousin stating that Henry had applied for £210.

548. That was the bargain?—Yes.

549. And from that you assumed he was going to swamp your interest with expenses?—Yes.

550. Have you ever asked Henry for any account?—No.

551. *By the Hon. the Chairman.*—Your desire in coming here, I understand, was not to obtain any redress for anything you might be suffering from, so much as to expose the usurious dealings of David Henry?—Just so—I did not expect any assistance.

552. You desired to show this usurious practice was going on?—Yes.

552A. *Mr. Bryant* objected that it was unfair at this stage to call the transaction usurious dealing.

553. You state as a fact that Mr. Kirton did not influence you?—Not at all; I asked him to give a verbal message. I went to him because I knew him personally. He is a Member of Parliament, and I thought he would submit the statement for me.

The witness withdrew.

Adjourned to Wednesday next, at Three o'clock.

569. *The witness.*—When I told you that I had repaid Henry £198 and £150, do not imagine that that is all I have had to pay. Through the same transaction I have since paid £270 more, and I assure you it is my firm belief that if I live to the age allotted to man of three score years and ten I shall never have paid that off.

570. *By the Hon. J. Bell.*—Was not the £150 in the nature of a compromise?—Yes, but I had to borrow the money from the Colonial Mutual Society.

571. Was not that a final settlement?—Yes, with Henry, but the rest all arose from the one transaction with Henry. Had he behaved honestly to me I should have paid him off long ago and had the annuity back again.

572. If you entered into an arrangement with Henry, through your solicitors, to accept £150 in full of all demands, how can he claim any more money?—He does not, but I am still paying through his bad treatment of me.

573. You say now that you will have to continue to pay as long as you live?—No more to Henry.

574. *By the Hon. the Chairman.*—I understand that for £108 you have had to pay £348; is that the total amount you have paid to Henry?—Yes; but he demanded a great deal more.

575. *By the Hon. J. Bell.*—Does that finish you with Henry?—No; there is one more thing. Dates seem to be a very peculiar thing to Henry; in fact, he does not take them into consideration at all. In January, 1888, he made me insure my life for £200.

576. That was after your aunt's death?—Yes.

577. And he knew it?—He did. He made me insure my life for £200, and as I told you before, there has been some extraordinary manipulation of dates that confuses me, and I cannot understand it. To prove this, my policy of insurance is dated the 31st December, 1887.

578. *By Mr. Bryant.*—Have you the document?—No, but it can be obtained. I was satisfied that this was incorrect. I understand that that alteration was made for the purpose of making it fall in with the loan said to be received on the 30th of December, when, as I believe I am right in stating, Henry was not in the colony at all. I was so satisfied that this was wrong, that a short time ago I wrote to Dr. Cutts, who is the doctor who examines clients for the Colonial Mutual Insurance Company, and, of course, I got the exact reply that I expected. I told him that I was about to come here to give evidence, that I wished to fix the date of a certain loan, and I asked him if he would kindly send the actual date when he examined me before I was insured, and, just as I expected, I received this post card—"Upper Hawthorn. Date of examination, January 13th, 1888." And yet my policy is dated December, 1887.

579. *By the Hon. J. Bell.*—How many days' difference is there?—Thirteen days. I received the loan from Henry on the 20th of January, and it was on the 12th of January that Henry made this proposal to me that I must insure my life, and it was on the 20th of January that I was insured. I say that the date of the policy is antedated to December, 1887.

580. Can you give the date of the proposal?—No, Henry made the proposal, and my firm belief is that he was not in the colony at all; he was certainly not in his office.

581. What do you wish to prove about that?—That it has been antedated for some reason.

582. *By the Hon. the Chairman.*—A medical man may examine you, and it may be some little time before it comes before the company—it will take a few days?—Exactly; that would make it still later, not earlier. That is all I have to say.

583. What was the value of your estate?—£1,000 cash is left to me. I get the interest as long as I live, and at my death it goes to my children.

584. Then for an advance of £108 Henry charged you £348, and then after that you made a private arrangement elsewhere?—He charged me a great deal more than that; that is all I paid him.

585. Henry was satisfied with a settlement of £348 for all claims?—Yes, when Davies, Price, and Wighton brought him down to that. As to the Colonial Mutual, I cannot get a proper account from Mr. Park.

586. *By the Hon. D. Melville.*—Have you a distinct charge of usury against the Colonial Mutual?—It is this: I have paid to the Colonial Mutual £270, and I have paid off only £95 of a loan of £300.

587. *By the Hon. the Chairman.*—How does Mr. Park come into this affair?—Simply that they will not give me a proper account, and that I am over-charged, the same as in Henry's case, but not so much, certainly.

588. It was with the Colonial Mutual you made the arrangement after Henry's?—Yes. I wrote a letter explaining all this to one of the daily papers, and after two interviews with the editor he sent me word that it was more a matter for the Supreme Court than for a daily paper, and probably it is more a matter for the Supreme Court than it is for you. The principal thing I have to say about the society is that they will not pay me a bonus.

The witness withdrew.

Leslie John Park examined.

589. *By the Hon. the Chairman.*—What are you?—Secretary of The Colonial Mutual Life Assurance Society, Limited. In the first place, as representative of the society, I am justified in stating that it has been to a certain extent slandered by paragraphs which have appeared in the papers, charging us with usury. That is simply a calumny and untruth. With your permission, I will explain briefly the full facts relating to this loan in question. In 1890, Mr. John Green approached us, through his solicitors, Messrs. Klingender, Dickson, and Kiddle, which shows that he was not an ignorant man being imposed on without taking advice. Originally he proposed, through Mr. J. H. Mirams, son of Mr. James Mirams, late M.L.A., for a loan of £250; that £250 was granted, and it went on for some time. In 1893, Green went to Klingender, Dickson, and Kiddle, and through them, applied to the society for a further advance of £50, which was granted. Altogether, he borrowed the sum of £300 on the security of a life interest in money invested with a certain building society in Tasmania, which produced about £54 per annum at the then rate. The value of that security as a life interest was a little more than the amount of money advanced, although it was £1,000 deposited; but that amount would go to some one else at Green's death. In his proposal he mentions the rate of 10 per cent. The loan was given at that rate, subject to his insuring his life for the sum of £300. The amount of the annuity payable to him has been regularly paid to the society from date to date, and duly accounted for—[showing balance-sheet]. Some time ago this gentleman applied for a

further advance of £50. This was in February last. Up to that date everything was all *couleur de rose*, and Mr. Green was happy and contented with being "lambled down" by our society; but as soon as we commenced to refuse him money he evidently became annoyed, for one of his first acts was to call for an account—which he got, and disputed. He saw one at the office, and said it was all wrong, and was a bundle of errors from beginning to end. He saw me, and I told him the accounts were right—that the apparatus could not lie. From the office he went to his solicitor, and wrote an extraordinary epistle, which was about to be sent to my office, and which was shown to me, and withdrawn. His next effort of genius was to write to the chairman, and, by innuendo, to imply that the management had been sticking to about £50 of his money. That letter came to me, and I sent for Green, and asked him why he had not seen me before. I went into his account. He said there was £27 10s. received from Tasmania not accounted for, and in January, 1891, £27 10s. not accounted for. I spent about an hour and a half in the middle of the day with him, and showed him that on the 16th of July we paid to Green himself £12 10s. cash, and on the 24th of April, 1891, we paid to him again £15. We credited his account in April with £8 1s. 9d. We credited interest with £11 15s. 10d.; life premiums, £7 6s. 10d.; and interest on loan, 5s. 7d. After a long discussion, I found that we had been very hard on him. I owned up to him we had made a mistake in charging that 5s. 7d. interest, and I magnanimously waived it, but he was not satisfied. We hold this money; we collect it, and it remains in the office, and whatever balance is due to Green at the end of the year he gets the credit of it. His account stands now as shown in the balance-sheet. He was charged 10 per cent. interest, and has never been charged one penny more—the nature of the transaction justified that rate of interest, which was the ruling rate at that time. I have frequently paid more than that myself for money in Melbourne. That is the account of the Colonial Mutual Life Office, and if there is anything derogatory in it, it is for you to judge—[*handing in the same*].

590. *By the Hon. J. Bell.*—As to the antedating of the policy?—He made the proposal, according to the policy, in December, 1887. That policy was dated back, because it is our rule to charge a man the rate for the age nearest his birthday. By antedating that policy we charged him less than his age the next birthday. That was an advantage to him, not to the office. It was in his interest we did that. As far as that policy was concerned, we did not know Green at all; we dealt with David Henry.

591. Green says that you refused to give him a statement of accounts?—That is simply untrue. Not only our accounts were shown to him, but also the ledger. He knows about as much about accounts as an elephant. That is a copy of his account amended, that is, allowing interest for the money lying with us, which we credit him with till the end of the year. I think he was a good life at the time; but we did not know him originally in the matter at all—that was through David Henry. We have nothing to keep back from any one; but statements such as these do a large amount of injury to a company, especially where you have a large number of rivals.

592. *By Mr. Bryant.*—The policy is dated the 31st of December, 1887; that, I believe, is the date of the proposal made by the insurer?—The date of the proposal and the date of the policy usually differ; but I see the date of this policy is the 31st of December, 1887, and the proposal is dated the same.

593. As I understand, when Green came to you in June, 1890, you made him an advance of £250 for the purpose of paying off Henry?—Yes, that was the date we made the advance.

594. The only security you then could get from him was this assignment of his life interest on £1,000 and the policy?—Yes.

595. It would depend on the length of Green's life whether you got paid before he died or not?—
Yes.

596. And in order to secure yourself you took a policy on his life?—Yes, the policy shows the date.

597. That is a common practice?—It is the only sensible practice; otherwise you have no security.

Cross-examined by Mr. Green.

598. Was not it after I was shown the account in your mortgage book, and because of the state of that account, that I made all this bother?—You made a statement to me about a mistake.

599. Errors, omissions, and erasures?—As I said before, you were absolutely incorrect; there were no errors and erasures.

600. They are in the book now?—Nothing of the sort; all entries have pencilled memoranda.

601. You made a statement that you saw a letter which I suppressed?—Yes.

602. How did you see that?—I never sent you any letter to look at?—I made a statement, which I again confirm, that I saw a letter which was to be written to the society at your request by a solicitor, John F. Hamilton; perhaps that will bring your recollection back.

603. The letter was never out of my hands?—I could not have dreamt it.

604. You say that in my letter to the chairman I accused you or somebody in the office of stealing?—I said that by innuendo you accused the office of having stolen your money. That letter, if put into the hands of anybody else, would naturally lead them to assume that you had been robbed of £57, which you said had never been accounted for. I asked you to apologize for the letter.

605. Do you say there was a statement to that effect?—The letter had in effect that meaning. I tried to get the letter to-day, but it had been mislaid.

606. There is no statement of anything of the sort in the letter; that account is incorrect; I have had six or seven different ones all made up to the one date?—If the account is incorrect you have a remedy.

607. You see I have to pay for it all, that was my object in recommending that the law should be altered, which I understand was the whole bottom of this inquiry.

608. *The Hon. J. Bell.*—We have nothing to do with disputed accounts between you and the Colonial Mutual Society.

The witness withdrew.

John Green recalled, cross-examined by Mr. Bryant.

609. Have you the document that fixes your first transaction with David Henry?—Yes, January 5th, 1886. That is the document sent to Davies, Price, and Wighton.

610. You are content to stand by that as correct?—I do not think it is correct. I did not challenge the dates because I had no means of proving they were incorrect.

611. You say that the deeds that you effected with Henry were antedated?—Not the deeds, but the first account that was sent in.

612. Where is it?—I did not find it.

613. Have you any account that shows that the accounts were antedated?—No. Davies, Price, and Wighton say they have not got it.

614. Then you are content to make a charge of that kind on the loose statement of some person who says he cannot produce the deeds?—I do not know what has become of it.

615. Is that your signature—[*showing assignment*]?—5th January, 1886?—Yes.

616. It sets out the fact that you are indebted to Henry in the sum of £100, and shows the security?—Yes, but it contains something more than that. It says—“and further moneys.”

617. “And the interest thereon,” is that what you refer to?—Yes.

618. You said before that you had no fault to find with David Henry’s charge of £80 for the £20, for the reason that you had not come into the money?—Quite so.

619. You gave as security the whole thing for Henry before your aunt died, and before you came into the money?—Yes.

620. You say that Henry has dealt with you usuriously; what do you call usury?—Charging 30 per cent. per annum, not on the £20 he lent but on the £100 he charged for it; charging 30 per cent. on a promissory note in each case when I borrowed the same—say £20, I would have to give a promissory note for £100.

621. Did you do so?—Always.

622. The promissory note was simply a voucher given by you to cover the amount mentioned in the deed?—Yes.

623. Do you say that in his accounts Mr. Henry has charged you the amount mentioned in the deeds and the amount mentioned in the promissory notes in addition?—No.

624. We may take it for granted that all David Henry ever claimed from you was the amount stated in the various deeds that you signed?—No, certainly not.

625. Will you give the amount you are referring to; this is an account furnished to Davies, Price, and Wighton on your account. The first item here is “Assignment, January 5th, 1886, £100;” that is provided by that assignment?—Yes.

626. The interest is also provided by the assignment?—I did not understand there was to be any interest.

627. Do you mean to say that of the careful Mr. Green?—I was not careful then, I am sorry to say.

628. Do you wish to say now you did not understand the contents of the deed?—I say that most assuredly.

629. You were asked to sign each page at the foot?—Yes, and if I read it now I could not understand it.

630. Did you read it over?—No.

631. Was it read to you or explained?—No; I swear that.

632. Do you recollect in whose presence it was signed?—Not the first one.

633. Anybody who says it was all explained to you would be telling a shameless tarradiddle?—Perhaps I could not understand it.

634. If I tell you that the deed provides for the payment of £100 and interest, and that Henry has not charged you any more than the £100 and you have not yet paid him even that, are you aware of it?—I did not understand that. I went to Tasmania myself to inquire about it after my aunt was dead, and I asked my cousin, who is the managing executor of the estate, if he would take it over, and he said he could not, because the deed contained the clause—“and other moneys,” and he did not know how much more I might have borrowed from Henry.

635. Here it is provided again—“The said sum of £100 and interest thereon and at the rate aforesaid of 30 per cent. per annum,” and it is referred to again in several places?—Yes, that is it.

636. In this account, the first two accounts are the assignment £100, mentioned in this mortgage; you were content to pay that?—Yes, as far as the £100.

637. And the interest at 30 per cent., £124?—That is what I objected to.

638. All these other documents are to the same effect; the second is a further charge of £60—that is provided for in the further charge?—Yes.

639. You understood you were paying £60 for a further loan?—Yes, I did; £3 for £1.

640. That deed also provides for interest at 30 per cent.?—Yes.

641. The next further charge is £50, you understood that?—Yes.

642. And interest at 30 per cent.?—No, I never understood a word about the interest till I got that account.

643. You signed all those documents?—I know I did.

644. Do you wish the Committee to believe that you signed all those documents here without purporting to understand them?—Yes, I do; and they bear that evidence on the face of them, because it is impossible from that account that I could have agreed to pay £5,000 out of a property worth £1,000.

645. According to this account Henry was entitled to charge you £740 3s. from January, 1886, to the 28th of February, 1890?—Yes, and you do not call that usury!

646. According to this account he was entitled to charge that?—According to that account, yes.

647. As a matter of fact, he credits you with the amounts he actually received, and allows for interest £255 5s. 6d., leaving a balance of £484 12s. 2d.?—That is it.

648. As a matter of fact, do you know how much Henry received from you, or paid away on account of your transactions from start to finish?—I received only £108 from him.

649. As a matter of fact, as to his payments to you, he is out of pocket, the premiums on the policy amounting to £169 1s. 8d.?—I am not aware of that.

650. And the total amount he received from you on your account is £334 3s. over a period of four years and a half?—That is all he received altogether.

651. And by this last balance £440 12s. 2d., he took £150 7s. and re-assigned to you for the Colonial Mutual all the security he had?—Yes.

652. And in the £334 3s. is included the £150?—Yes.

653. Were you satisfied at the time you made that bargain with him?—I do not know that I was satisfied—I was sick of the whole transaction.

654. You were content to pay it?—I paid it.

655. That is the document you signed asking Henry to fix the matter up—"30th June, 1890. I hereby request you to transfer to the Colonial Mutual Life Assurance Society, Limited, the policy of assurance effected by you upon my life with the Colonial Mutual Life Assurance Society, Limited, (No. 42,340) for the sum of £200. And I hereby acknowledge that the payment by me to you this day of the sum of £150, and the execution by you in my favour of a deed of release and the handing over by you to me of all securities held by you and signed by me, is a full and final settlement and discharge of all matters and accounts between us"—Yes.

656. Have you ever made any complaint to Henry since June, 1890?—No.

657. Why?—I considered I was done with him.

658. After that you had no cause of complaint?—No, none since.

659. Is it in the account showing the whole thing. You are well aware that when you first came to Henry and when he advanced you any money he had no security at all?—None at all with the first. It was a speculation.

660. And after your aunt died and you came into the life interest of this £1,000, Henry had no security if you had died?—Exactly.

661. Do you consider there is no risk in that?—Not when my life is insured.

662. And he is paying the premiums?—Yes.

663. Then to be a fair bargain you think that Henry is bound in your interest to pay the premiums on the life policy and give you money at what you think a reasonable rate—what do you call a reasonable rate?—Ten per cent.

664. Did you try to get money at 10 per cent.?—No, not then. I never went to any other place than Henry's.

665. I suppose you knew perfectly well that no one would look at the security?—I did not think so. The Colonial Mutual would look into it.

666. But at that time you had come into your money and your life was insured?—Yes.

667. Your aunt died in August, 1886?—Yes.

668. Do you know when Henry first received money on your account?—In June, 1887.

669. As a matter of fact do you know that in settling up that transaction between you for £150, it was a compromise that he paid your solicitors' costs too?—That was part of my bargain.

670. You say that in your endeavours to get an account from Henry it cost you £100?—Yes.

671. If he paid your solicitors' costs of £15, how did you expend the other £85?—I had to borrow that from somebody else to pay the £150.

672. You only paid £150?—Yes.

673. Then it cost you £100?—There were all my expenses the whole time. I had to live for one thing. I could do nothing, because I was in town two or three times a week for three or four months.

674. Did you not tell the Committee that you had expended £100 in forcing Henry to give an account?—Yes.

675. Then it is false?—I paid upwards of £58 to Mirams; that was for financing me through—paying the attendant expenses. I had to send to Tasmania for copy of probate.

676. In other words, that you might borrow money elsewhere at a cheaper rate—you had to go elsewhere?—Yes.

677. And you had to pay commission to a financial agent to do it?—Yes.

678. So you think it was fair to charge that against Henry—did Henry ever refuse you an account?—No, but his accounts were never correct.

679. Can you challenge a single item that is not included in your bond—take that account in your hand and pick out any item that you say is not in your bond?—I cannot do that. What I dispute are the repayments.

680. *By the Hon. the Chairman.*—As to the settlement arrived at through Davies, Price, and Wighton, what did Henry want to charge you before that arrangement?—Something over £1,000; I think it was £1,042.

681. *By Mr. Bryant.*—That is quite incorrect; the only account is that one for £740.

682. *By the Hon. the Chairman (to the witness).*—You have no document to prove your statement?—No.

The witness withdrew.

James Haldon further examined.

683. *The witness.*—Before entering into the details of my case, which is a very complicated one, certain parties will have to be present to give evidence, viz., E. J. Wright and Mr. T. Lloyd, to show cause why certain proceedings have taken place.

684. *By the Hon. the Chairman.*—Do I understand that you are not in a position to go on without those witnesses?—I can go on a bit.

685. You wished to see some documents?—I do not think they are necessary to-day; I can remember pretty well.

686. Last day, you said you thought the property involved was worth from £600 to £700?—I thought it would be worth about that when I was out here. I was staying at the Oriental Coffee Palace, North Melbourne, and got short of funds, and saw Henry's glaring advertisements in the papers. I had written home for some money, and had this letter from my solicitors, stating that I could not get any money until my sister came of age, that was in about a year. I could not wait that time, so I went to Henry's office in Bourke-street. Mr. Miller, Mr. Casper, and Mr. Henry were present. I showed Henry the letter, and he questioned me on various things, which I have explained in a document which is in the hands of the Crown Law Department. He asked where the property was, where my sister died, and other private matters in my family. As far as I can remember, I got £1 on the strength of the letter, and Henry cabled to his agents in London, or else wrote to them, and got a reply, stating that the property was all right—he then advanced me £20.

687. For the £1, had you to sign for £5?—I cannot remember whether I signed anything for that. For the £20 I had to sign a bill for £100, and for another sum of £39 I had to sign a bill for £200, and I have a recollection that he put cheques before me which I signed and endorsed. My mother's name was on them—"Received from Ellen Haldon, £100," and signed and endorsed by me. Since then I have had letters from home stating that my mother has never signed a single cheque for the sum of £200 to any one.

688. Are you sure it was a cheque?—It was some sort of bill.

689. To the best of your knowledge, what did it say?—I cannot remember. My mind is very defective on the whole case. Mr. Lloyd knows more about it than I do myself. He will be here next week. He has been in England, and is coming home next week. After I got into Henry's hands, and signed documents which I did not understand (they were not read to me), in less than a year's time my liabilities were over £500, and I had borrowed about £60. I went to Mr. Lloyd, and he wrote home to his agents.

690. Do you mean to say that you borrowed only £60, and your liabilities at the end of one year were £500?—Over £500.

691. Have you any accounts showing that?—I have no doubt Mr. Lloyd has.

692. Who is Mr. Lloyd?—Mr. T. W. Lloyd, the Missing Friends agent.

693. *By the Hon. J. Bell.*—Does he know more than you do about those transactions?—Yes.

694. Did you make any arrangement with Henry when you got the £20 as to how much he was to receive in payment?—I understood it was to be £300 security, with 30 per cent. interest. I understood that £300 was to come back to me—security he called it—and the document I signed was an assignment of all my interest.

695. You were virtually to deposit £300, which was to come back to you afterwards?—Yes, that was what I understood.

696. You said in your evidence on the previous occasion that you anticipated that property would amount to £600 or £700; that would be your share?—Yes, I thought that, but it did not realize that when it was sold; it realized £487 10s. owing to Henry forcing the sale.

697. Did Henry get that?—The greater part of it.

698. How much?—£390, after paying Lloyd and Wright at home.

699. How much money did you receive of that?—About £60 loan.

700. Do you remember all that?—Yes, and I got a small sum after the property was sold, after a great deal of trouble. Henry got releases for some money at home that had been locked up, and got me to sign other deeds.

701. When the final settlement took place, how much did you get?—£38 6s. that is all.

702. You got altogether £98 6s. in cash?—Yes.

703. Did you become insolvent?—Yes.

704. Do you know if your trustee received any money from Henry?—I do not know anything at all about him; that has all been kept blind from me entirely. Wright made me insolvent, so that he could take action against Henry. Everything was arranged at home. Wright made me insolvent and took action against Henry, and then Henry disgorged to Wright; I do not know how much.

705. Would £118 be correct?—£120 or £118.

706-7. That brings it up to £216 6s., and you say the amount received by Henry was £390?—Yes.

708. You think that the estate realized, after paying all the expenses in London, including the assignee, £390—that Henry got?—The estate realized £487 10s. at home.

709. But the amount that came to Henry?—I am not quite sure of that; I thought it was £390.

710. Your contention is that Henry received £390, and he gave you £174 for it?—Yes. I cannot very well explain my case unless I have some assistance.

711. *By the Hon. the Chairman.*—What induced you to go to Mr. Lloyd?—When I knew that my liabilities were over £500 I thought that he might be able to take some action against Henry.

712. *By the Hon. J. Bell.*—Did he go to law with him?—Yes, he was the means of having the money locked up at home by law, and Henry could not get a penny of it.

713. You had better have Mr. Lloyd here—you do not seem to recollect the details?—I will bring him. I put my case into a lawyer's hands, and Mr. Townsend McDermott went through the whole case from beginning to end, and sent his opinion home last January.

The witness withdrew.

Adjourned to Thursday, 21st instant, at Three o'clock.

THURSDAY, 21ST NOVEMBER, 1895.

Members present:

The Hon. D. E. McBRIDE, in the Chair;

The Hon. J. Bell

D. Melville

The Hon. A. O. Sachse.

Edward S. Harrison examined.

714. *By the Hon. the Chairman.*—What are you?—A gardener, living at Ballarat.

715. You have come to make a statement to the Committee about David Henry?—Yes, I have written out what I wish to say—[*the witness read as follows*]:—

STATEMENT RE HARRISON AND HENRY AND WHYTE.

18th November, 1895.

About February, 1890, I got a letter from home stating I had money left me under my father's will. I was short of money at the time. I saw David Henry's advertisement in the paper. I wrote down to David Henry asking him what interest he charged. He wrote back to me that if I came down to Melbourne he would, no doubt, be able to do business with me, and presumed I was over 21 years of age. I went down to Melbourne, taking the letter showing I was entitled to money. I showed the letter to D. Henry, who advanced me £2 out of £50 that I was to get from him, telling me to call in

again in a day or two. I went home again then. I went down to David Henry a couple of days after, who advanced me the other £48. I asked him what interest he would charge me. "Well," he said, "I will show you." He said—"If you give me the financing of your interest in your father's estate I will charge you a moderate charge for the financing of your business, and let you have monetary loans of money at small rates of interest until I get the whole of your money from home for you, and you will have no legal expenses to pay, and the money will be got through my agent, Mr. Meynell, in London, without any delay, and as soon as I get the full amount of your income I will deduct my charges and money I lend you, and give you the balance coming to you." When getting these loans from Henry he gave me bills to sign for four and five times the amount I got from him. When I asked him the meaning of them he told me it was only a matter of form, at the same time explaining to me that the best thing for me to do was to give him a power of attorney, as it would enable him to collect my money without any bother or delay. I signed this document, but when asking him in regard to what interest he charged I could get no satisfactory answer from him. Loans I got from him were £50, £50, £50, £100 I got from home which came through his hands, then £7, £30, and £5, making in all £292. The £30 I got from David Henry as a loan was the time he got me to sign my whole interest in my father's estate away for £30—my interest then being £935 5s. 4d., after deducting £292 money borrowed. While I was at his office on this occasion David Henry had a man come in who showed me where to sign the document as a loan. After I signed the document David Henry's senior clerk handed me £1 or £1 1s. and asked me if I would be kind enough to hand it to the man that showed me where to sign the document. Then the man left, and David Henry handed me £30. Some time after I wrote to Henry for more money and got £5. After this I could not get any more money from D. Henry, and Henry billed me for £331 15s. 6d. After this I wrote to one of the trustees of my father's will and told her not to pay any more money over to Henry's agent, as Henry was swindling me. At this time David Henry had in hand £650 of my money from home, and the £277 5s. 4d. was accordingly lodged into the Equity Court at home until a settlement was come to. After this I got a letter from Mr. Whyte, of Geelong, threatening me if I did not settle an account which he had to collect for a client from me. I wrote to Whyte stating to him that I had not the money, but had been defrauded out of my money by David Henry, and accordingly gave him my case against Henry to conduct. After I had shown him the fraudulent way Henry had got at me, he stated to me that it was of no use going to court with David Henry, and advised me to settle with Henry instead of going to court. Whyte explained to me that there was a document which I had signed which he would have to pay for before he could get a copy. Some time after Whyte wrote to me to come down to see him in Geelong. He asked me if I knew the nature of the document I had signed when I got the last money from David Henry. I told him I did not, beyond that I had signed for a loan of £30. He stated to me that he would be put to considerable expense before he could get a settlement with David Henry. He asked me to sign an agreement that he was to have half the proceeds of a settlement with David Henry. He also stated that he would see me in Ballarat, before a settlement was made with David Henry, for my approval, which he never did. Some time after I got a telegram from him on Saturday afternoon to meet him at Menzies' Hotel, Melbourne, on Monday morning at 10 o'clock. I met him down there; then he went over to his office. On the road he told me that Henry would not give more than £150 for a settlement, and advised me to take it. I said to him—"You know there is £300 to come to me at my mother's death; you will see and get the release from Henry of that if I sign off for the £150." He said he would. After this he showed me at his office a document where I had signed my whole interest away for £30, which I had got as a loan. After this I again told Whyte that he would have to get the release of the £300, to which he said "all right." We then went to Mr. Barrow's office, and Mr. Whyte saw Mr. Barrow, and he said they would be ready at 2 o'clock. When I got out to the street with Mr. Whyte he told me to meet him at the entrance at 2 o'clock. I was there at the time appointed and waited for over half-an-hour, when a clerk came up to me and told me they were ready. When I got to Mr. Barrow's office there was a young man there who stated that he represented Mr. Whyte. Part of the document was read, and I was shown where to sign it, after which Mr. Whyte's clerk got the money. I did not know how much then. We went over to Whyte's office and he told me he would send me a draft the day after, giving me a sovereign. He sent me a draft for £30, and afterwards £10. I expected he would also pay Parkes Bros.' account for £39 1s. 9d., which I do not know whether he has paid at all, as I have written to him for a receipt and could not get one. Some time after I wrote to him asking him, if he had got my release and letters from Henry, would he please forward them to me. He wrote back stating he had not, but when he did he would forward them to me. I afterwards saw him in Geelong; he told me he had not got them. I sent my wife, and he told her there was £50 coming to him which he had not got, and would send my papers as soon as he got it. After this I got a letter from my mother, one of the trustees, asking me, if I had settled with David Henry, why had I not got my papers. I then felt annoyed and inclined to believe that Whyte never had any intention of getting the release from D. Henry; so I wrote to Whyte, asking him why he did not get the release, and that I was not satisfied with the way in which he had conducted my business, and asked him to forward the letters he had of mine, and I intended taking action. He wrote me back, stating he would not forward me any letters until I released him of all responsibility and claim. I then went down to Melbourne and saw Henry. I said to him—"What about that release of the £300 to come to me at my mother's death?" "Oh," he said, "that belongs to me." I said—"How is that?" He said—"I settled with you for £150 and £25 costs," at the same time stating that I had £150 and he had paid all the costs. I said to him—"I arranged with Whyte to get the release from you of that £300"; he said to me—"You can go over to Mr. Barrow's office and see the document for yourself." I saw Mr. Barrow, and he told me that all disputes arisen between me and David Henry were fully and finally settled for £150 with £25 costs. I asked him to let me look at the document, but he would not let me see it. I went back and saw Henry at his office, but he would not do anything, remarking to me that he would make me an allowance at the death of my mother,

David Henry has had—

1890—Feb. 5	...	...	£100 0 0	£1,227 5 4	
May 24	...	...	250 0 0	292 0 0	Loan from Henry
Aug. 28	...	...	300 0 0		
1891—Jan. 6	Paid into court	...	277 5 4	935 5 4	Now released
				175 0 0	Settlement with Henry
			£927 5 4		
Due at my mother's death	...	...	300 0 0	£760 5 4	
			£1,227 5 4		

I might state the money I borrowed from David Henry was for the purpose of buying a house in Colac, and horses and drays, and carrying on a wood business. I paid a deposit on a house, gave bills for stock and furniture, with the expectation of getting my money from David Henry, and finally had to dispose of all I had, and was consequently ruined and defrauded of all my money.

My complaint is that I have been done out of my money by fraud. Firstly, that David Henry defrauded me by leading me to believe false statements made by him in regard to financing my business. Secondly, that he did defraud me of moneys coming to me by leading me to believe I was getting a loan from him and signing to that effect, Henry knowing the same document to be a deed of assignment of all my interest, valued £1,227 5s. 4d., for £292 money in all I had got from him, he knowing I was muddled in drink at the time the document was signed by me. Thirdly, that T. N. Whyte, solicitor, Geelong, also defrauded me by leading me to believe I had no case against Henry, and secondly, that he, Whyte, after promising to get a certain release of £300 from David Henry, which I found out he never had any intention of getting. In this case I am of opinion that Whyte has conspired with Henry to defraud me of the money I should have got.

716. I understand that the total amount of money you borrowed from Henry was £467, and that the estate was worth £1,227 5s. 4d.—That is it.

717. Where you made aware of what Henry charged for every £1 that you borrowed?—No.

718. Did you not ask the question?—I did—I could not get any satisfactory answer from him.

719. He did not tell you that he charged £5 for every £1 you borrowed?—No.

720. What charge did he make?—He did not make any satisfactory agreement.

721. For the sum of £30 that you borrowed, what had you to pay?—I signed bills of 400 and 500 per cent.

722. What did Henry charge you for that £30, have you any recollection?—No.
723. This Mr. Whyte is a solicitor in Geelong?—Yes, Mr. T. N. Whyte.
724. Being under the impression that you were overcharged by Mr. Henry, you consulted Mr. Whyte?—Yes.
725. According to your statement, you are under the impression that Mr. Whyte was in league with Mr. Henry?—Yes.
726. What is your reason for thinking that?—For one reason, that he ought to have come to Ballarat and consulted me before making the full arrangement with Henry, and instead of doing that he sent me a wire the last thing on Saturday without consulting me in Ballarat, as he promised, to meet him in Melbourne on the Monday morning, without giving me any full or decided answer as to what terms he would come to.
727. He did not consult you as to what arrangements he had come to with David Henry?—No.
728. Did you previously ask Mr. Whyte to make the best arrangements he could on your behalf with Henry?—I did, but he told me that before he closed the business he would see me in Ballarat.
729. As to Mr. Whyte's charges, what did he charge you for the settlement?—He was to have the proceeds from Henry.
730. Have you any papers about the charges Mr. Whyte made you?—Here is the account between me and Mr. Whyte—[*handing in the same*].
731. When the final settlement took place and you went to Mr. Barrow's office, Mr. Whyte was not there?—No, his clerk was there.
732. What took place?—A document was presented for settlement; it was signed, and I was shown where to sign. Part of it was read and I signed.
733. Was the whole document read to you?—No.
734. Were the contents explained?—No. I knew beforehand what it was; Mr. Whyte told me.
735. Before signing it, why did not you ask to have the document read?—I left that to my adviser.
736. *By the Hon. J. Bell.*—As to the question of Mr. Whyte it seems that you arranged with him that he was to get half the proceeds of the settlement with Henry?—Yes.
737. He arranged with Henry for £150 and £25 costs, and he gave you £30 and £10?—Yes, and £1 10s.
738. The document does not make it clear. As to the item £39 and the £9 that ought to have been paid to Parkes Brothers, do you know whether that has been paid?—I do not know. I wrote to Mr. Whyte for the receipt for that amount.
739. You did not inquire from Parkes Brothers?—No, I wrote to Mr. Hancock, solicitor, a few days ago, asking him if he would go over to Parkes and see if the amount had been paid, but I have got no answer.
740. Did you receive any statement of account from Henry as to those moneys?—Yes, I got an account from him.
741. Have you got it with you?—No.
742. Did it show any items of interest?—No.
743. How did you agree?—I just got a bill that I was indebted to him £331 odd. £927 5s. 4d. was the amount received.
744. You made it a condition that the £300 receivable at your mother's death was to be released?—Yes.
745. Mr. Whyte did not succeed in getting that?—No.
746. Was there a thorough understanding with Henry that this £300 was to be given up?—No, I had nothing to do with Henry; it was an understanding with Whyte. Whyte should not have released for the £150 without the release for the £300 to come.
747. Is all the money received yet?—Yes, until my mother's death.
748. You say that £927 5s. 4d. has been actually received by Henry?—Yes.
749. *By the Hon. A. O. Sachse.*—You said something just now about being under the influence of drink—was that when you went to Henry first?—That was when I signed the document.
750. When you first went to him, were you under the influence of drink?—No. I was several times when I went to his office.
751. Was anybody with you at all?—No.
752. Did you quite understand the terms that Henry made with you at the first interview?—He did not make any distinct terms—he asked me to call again.
753. Did he indicate then what interest he would charge?—That was when he told me if he got the financing to do he would let me have money at a moderate rate of interest; he did not say the amount. He said nothing about a lump sum in consideration for the loan.
754. You signed some promissory notes?—Yes.
755. Payable on demand?—I think I had to sign for four or five times the amount.
756. You remember signing the promissory notes?—Yes.
757. You were not under the influence of drink at the time you signed those?—I might have been sometimes, and sometimes not.
758. Were you clear what you did?—No, and I asked him at the time what was the meaning.
759. Were the promissory notes in blank, or were they filled in when you signed them—did you know what amount you signed for when you signed them?—Yes, I think so.
760. Were you under the influence of drink when you went to Mr. Whyte?—No.
761. You have a full recollection of what you did with him and what you told him?—Yes.
762. *By the Hon. D. Melville.*—You have read this bill of Whyte's?—Yes.
763. You notice that item about Parkes' verdict—Whyte makes a direct charge in this bill showing that he has paid £44 10s. 9d., what makes you think that he has not paid that?—I have no receipt, and he refused to give me any.
764. Have you had any claim made upon you by Parkes or any one?—No.
765. Did you make a contract with Whyte that he was to get half the money that Henry sent you?—I did—I am sure of that.
766. And in addition to that, what else?—Nothing additional.
767. He was to drag this £150 out of Henry for half the money?—Yes, and he brings me in £14 in his debt.

768. If he made a contract with you that he was to do all this work for half this money, how could he bring in £14 in addition; he says here—"Half proceeds from Henry"—He brings me in £14 in his debt.

769. Did you make a contract with him to take for his work one-half that Henry owed you?—Yes; he puts down my half as £75.

770. Did you sign a promissory note to Whyte for that £14?—No.

771. Have you ever paid that £14?—No, I bring him in my debt.

772. You admit that that is correct—that you did make a contract with him to do your work for half the proceeds?—Yes.

773. When did you hear of David Henry first as a good man to go to in a difficulty?—I did not hear of him to be a good man; I read of him in the paper.

774. Did anybody recommend him?—No.

775. Have you taken any proceedings against Henry?—No, I have not yet; not since the settlement with Whyte.

776. Have you taken any proceedings against Whyte?—No.

777. Then both of those men owe you money?—Yes, I think Whyte has not done as he agreed to.

778. You merely wish to show the exorbitant interest that Henry charges; that is your object in coming here?—Yes.

779. *By the Hon. J. Bell.*—I see in this account of Mr. Whyte's that he charges you with 10s. on the 23rd of June; £30 on July the 14th; £13 on September the 18th, and £1 on November the 14th?—Yes.

780. And also Parkes' verdict, £44 10s. 9d.?—Yes.

781. Did you get all those amounts from Whyte?—Yes.

782. If half of the money that he received from Henry was £75, how is it you bring him in debt to you?—If you look over the papers you will see another letter from Whyte where he says that he sent me after the settlement with Henry a draft for £30; paid Parkes £20, and would forward me the remainder after he had settled with Parkes, which is £25 odd. He has £55 9s. 3d. which is made up of the £30 draft, and £25 9s. 3d. remaining out of the £50, which he promises to send to me after he receives the Parkes' verdict, which makes £100. Then there is £44 10s. 9d. for the Parkes' verdict to take from £55 9s. 3d., which brings it to about £13 to my credit.

783. That is not according to this account of Whyte's?—No, that is what I say, that that account does not agree with the letter he first wrote to me.

784. The chief point is this, you charge Whyte with conspiracy?—Yes.

785. And that he did not carry out his agreement with you that he was to release the £300?—That is it.

Cross-examined by Mr. Bryant.

786. Do I understand you to say that your object in coming here to-day is only to let the Committee know the exorbitant interest that Henry has charged you?—It is my object to expose him.

787. Have you tried to levy blackmail on him; have you threatened him that if he does not pay this money you will make this attack on him before this Committee?—I have asked him for the release.

788. Have you written threatening letters to Henry before you came here?—Threatening to take action?

789. Threatening his life, and so on?—No, never.

790. Have you threatened him that if he did not give you a sum of money, or give up this release that you want, you would expose him before this Committee?—I do not think so.

791. Did you not, as late as this morning, go to see and threaten him?—I went to his office and asked him if he intended to hand me the release of the £300.

792. And if he did not hand it to you, what were you going to do?—I said I would be up here this afternoon.

793. And if he had handed it to you, would you have been here?—Yes, all the same. I did not tell him I would not be if he gave me the release.

794. Did you say you would appear before the Committee this afternoon if Henry would not give you the release—that you would come against him?—Yes, I said I would be against him this afternoon.

795. Then you went there to extort money from him, or the release, on the threat of your giving evidence against him here?—I did not put it in that light.

796. Is it not a fact that you are using this Committee as a means of extorting money from Henry, and that is why you make your threats and come here?—I want that release.

797. You want to squeeze that release from him, which you regard as worth £300?—Yes.

798. And after you wrote to the Committee you wrote Henry to that effect on the 1st of this month—"Mr. David Henry. Sir,—I want to know from you if it is your intention to submit to my request for the release from you of the £300 to come to me at my mother's death." Henry did not answer that?—No.

799. You say that Henry defrauded you?—Yes.

800. When?—On the signing of that document for the £30.

801. That is an absolute assignment of all your rights?—Yes.

802. Do you know Mr. Bencraft?—No.

803. Did you ever know him or go to his office?—No.

804. Was he not there at Henry's office when you executed that assignment?—I do not know.

805. Who was the man you paid the guinea to?—I do not know who he was—there was some man there.

806. Why did you pay him?—Because I was handed the money, and was told to hand it over by Henry's senior clerk.

807. Did you have any idea why the money was given to him?—No.

808. Did he sign any documents in your presence?—I cannot say.

809. Did he read over any document to you?—He advised me generally.

810. Did he explain the document?—No, he advised me it was a loan, to the best of my recollection.

811. What did he say to you?—He said very little.
812. How long was the interview taking place?—About five minutes.
813. And that is all he said to you—he advised you it was a loan?—Yes.
814. Did you have the document in your hand?—No, I did not.
815. Did you read it?—No.
816. You were able to read it?—Yes.
817. How many times did you sign your name to that paper?—I cannot say.
818. Did you sign on every sheet?—I do not remember.
819. Just look at that document; there is your signature at the bottom of each page; are those your signatures?—Yes.
820. You see that receipt at the foot of the schedule for £30?—Yes.
821. Do you pretend to this Committee that you neither read that document nor had it read to you, nor had it explained to you?—Yes.
822. You were signing something you did not understand anything about, and were taking £30?—Yes.
823. Did you ask why you were getting £30?—No.
824. Do you know that this document sets out all the transactions between you and Henry from the first, and the sum of money he has charged you under his bargain, the amounts he has received and the amount under the bargain you owe him, and then he gives you £30, and you assign all your interest to him—do you pretend you did not know all that at the time?—I did not.
825. Did you know when you put the matter in Mr. Whyte's hands that the matter was settled between you and Henry for £175, and you signed a document to that effect?—Yes.
826. You perfectly understood what you were doing?—Yes.
827. You were not drunk?—No.
828. You were made acquainted with the contents of the document by Mr. Whyte and knew what you were doing?—Yes.
829. If that is so, why do you state he defrauded you?—He ought to have got the release from Henry, and that ought to be in the bargain.
830. You said you perfectly well understood that document and the contents; there is nothing there about Henry giving up the £300 under your mother's will—why did you not point that out?—I knew there was a settlement for £175, but under the consideration I was to get £300.
831. Before you put the matter into Mr. Whyte's hands, had you written to Henry and said if he gave you £150 to square up everything you would sign off?—Yes.
832. On August 7th, 1890, did you write that letter?—Yes.
833. "I received your notice stating that you had no news as yet. But you might have had news by this time. As I am now settled in Ballarat I have far better prospects in doing well in the wood line, as I have been exploring the bush ever since I have been up here. I find out I will be able to do well as it is all cash business here in that line. I have got a letter from my mother stating that she has received my acknowledgment for the £100, and is awaiting the same for the £250 sent through Mr. Meynell's hands. I should think by the reading of my mother's letters that altogether, including everything, I would have about £1,000 coming to me. But as I am in want of money I would accept £150 from you; I give you full possession of everything and sign off. An early reply will kindly oblige,"—that is your proposal. If he had given you the £150 then, would you have been satisfied?—No, I wanted to see what he would do.
834. Then that letter was not an honest one?—It was honest enough.
835. If it was honest you meant to take £150 and give him everything—if he would give it?—I suppose so, in your idea of thinking.
836. Was not it yours?—I wrote those letters to see what I could get.
837. I am fixing you to that letter; did you intend him to understand that if he gave you £150 you would assign all your interest to him—did you or did you not?—That lies with me.
838. Did you intend him to understand that if he gave you £150 you would hand over to him all your interest under your father's and mother's estate?—No, I did not.
839. Then what did you mean by writing the letter?—To see what reply I would get.
840. Then it was a dishonest letter?—I did not see it in that light.
841. Then you never meant anything by the letter; it was a mere joking proposal?—Yes, in a way.
842. And then when you put the matter in the hands of your solicitor you were to take £175 and square the whole thing—you understood that?—Yes.
843. And that was the result of the writ you served on Henry?—Yes.
844. This is the release, dated 13th July, 1891. It recites the various transactions between you, and states that for the sum of £175 you agree to a settlement of all matters in dispute between you and Mr. Henry—[*handing in document*]—you know, as a matter of fact, that the draft of that release was sent to your solicitor, Mr. Whyte, and perused by him before it was executed and signed by you?—Not that I know of; I never saw that.
845. Do you know Mr. Permezel, of the firm of Hughes and Permezel, solicitors?—I saw the first document signed at his office.
846. Do you know Mr. Allen, a clerk at Hughes and Permezel's?—No; I may have seen him.
847. Can you tell me who the clerk was who went with you to the office of Henry when you got the £125?—I do not know his name; it was at Mr. Barrow's office.
848. Was it not Mr. Allen?—I cannot say.
849. You have charged Henry here, as you have charged Whyte, with being guilty of a fraud against you?—Yes.
850. Where do you say Henry committed the fraud?—In the first document signed.
851. Why?—Because he led me to believe he was letting me have a loan.
852. When you gave an absolute assignment for £30?—Yes.
853. Who was present when that was signed?—The senior clerk, I do not know his name, Mr. Henry, and this other man he got there, the man I gave the guinea to, and myself, no one else.
854. As you have made this charge of fraud against him, tell me what was the conversation you had before you signed?—I do not know that there was any particular conversation.

855. Was there any conversation between you and Henry at all?—No.

856. Then how do you dare to say he led you to believe that document was merely arranging the loan if he said nothing to you?—Of course he led me to—

857. But if he said nothing?—I was down previous to this.

858. You stated that at this interview he led you to believe that this £30 was given to you as a loan—now you have stated that Henry said nothing; if so, what took place to lead you to that belief?—Because he let me have the £30, and I signed for it. I understood it was a loan.

859. And because you understood it, without Henry making any statement to you, you make this charge against Henry?—I make the charge on the ground that he led me to believe it.

860. Why?—Because I came down specially to get the loan of £30 from him.

861. Have you the letter from him before stating he would lend the £30?—No; and I got very few letters from him.

862. Did you give instructions to any one to prepare this assignment?—No.

863. Did you sign any other document prepared by Emerson and Barrow which indicated what bargain you had made with Henry—look at that signature; is that yours?—Yes.

864. Where did you sign that, dated 9th October, six or seven days before that deed of assignment was signed by you:—"Messrs. Emerson and Barrow, solicitors.—I have this day sold to Mr. David Henry all my right, title, and interest in my father's estate, also my right, title, and interest in my mother's estate as specified in certain indentures by way of mortgage, dated 17th March, 1890, and 21st August, 1890, for the sum of £361 15s. 6d. sterling, this sum consists of a balance of £331 15s. 6d., as per account herewith, due by me to him, and £30 to be paid by him to me on my signing a deed of absolute assignment to him of all my interest, which I hereby instruct you to prepare.—E. S. Harrison." "Received on account of the above the sum of £5 sterling.—E. S. Harrison." Do you still say, in the face of that, that you did not understand what you signed in the assignment?—I do.

865. As a matter of fact, do you wish the Committee to believe that you did not understand that document?—Yes.

866. Did you understand it?—No.

867. Did you read it?—No.

868. Why not?—I thought I was doing business with a straight man.

869. You had been asking Henry to buy up your interest for £150 in your letter, and you were worrying him to buy your interest. Then you make a bargain to sell that interest on certain terms, which are incorporated in that document; that being so, do you still say that you neither knew nor understood that document, nor had it explained to you, nor did you read the letter?—I do.

870. Why did you not read it?—I suppose that may have been my own carelessness; there was nothing to prevent my reading it.

871. You were perfectly sober at the time?—I do not think so.

872. Will you say you were drunk when you signed that document?—Probably.

873. Do you venture to say you were drunk when you signed that document?—I do not remember signing it.

874. Is not this the sequence of events—you come from Ballarat; you make your bargain with Henry to sell out your interest for £30; you sign the document, get £5, and then come down seven days after from Ballarat to execute the deed—is not that the sequence of events?—No.

875. Do you remember coming down to Henry, and bargaining with him to sell your interest for £30?—No.

876. Do you recollect that you have written to him asking him to buy your interest for £150?—Yes.

877. Did you write this letter on the 12th of August, 1890—"Your letter received of the 11th instant. I think it is a very strange thing that we cannot do any business without the aid of my brother, as he has nothing to do with me or my affairs, or any other brother of mine. Of course, it is very likely he might have gone home to England. I see in hauling over my mother's letters, I find one which states they have sent him, my brother Francis, £350, besides the amount there is against him on a list that I have got, which is £125, which I expect you are aware of. I got the letter from my mother in June, which speaks of my brother having £350 sent to him, so he must have got it about the time he borrowed the £100 from you. I would not for a moment wonder but what he has gone home to England. I can tell you more when I see you, but as to what you want us at your office at the same time for I cannot understand, because if he has gone to England it will be a long time before he is back, and I do not feel at all satisfied, and as to my knowing of my brother's whereabouts I am perfectly ignorant. I also think it very strange that you would not accept my offer, which I stated in my other letter. I would not have made you the offer had I not been in the want of money. But, of course, if I cannot get any money from you I will have to get it elsewhere. Did you advance him, my brother, any more? Mr. Pugh is a great friend of my brother's." Do you still say that your proposal to sell out for £150 was not honest, seeing that you say in this last letter—"it is strange that Henry would not accept it,"—you say that?—Yes.

878. Is that your letter—"5th September, 1890. I am just dropping you a few lines to let you know that I have shifted to Ballarat. I have not heard anything from home yet; have you? I would like to settle our business as soon as possible, as I would like some money to increase my business, and you will greatly oblige. Did you hear anything of Francis? Yours truly, E. S. Harrison"?—Yes.

879. Also this letter, undated—"I have just received a letter from my mother stating what the farms sold for, and she says they sold remarkably well. They realized £7,650. One farm sold for £1,730; another for £2,400; another for £3,020; and a field in Hillylaid for £260 and cottage for £155. I expect you have heard from your agent by this time telling you the result of things. I suppose you got my letter. I have not received any answer from you as yet. I would be glad if you could make me any offer to square up; and I am greatly in want of money, and you will oblige me greatly, as I have bills to meet at the end of this month, and if I cannot raise money I will have to put up with the consequence of a great loss. Yours truly, E. S. Harrison"?—Yes.

880. Also this one dated September (no day)—"Mr. Henry. Dear Sir,—I am just dropping you a few lines to let you know that I will be in Melbourne to-morrow morning, as I am going up the Gippsland line to work until I can get a settlement with you, as things are so bad here I will have to get

work somewhere else until I have money enough to make a start in business for myself. I will call and give you a receipt for the £5 you sent me"—Yes.

881. Is not that the £5 mentioned at the foot of that document I showed you?—I do not know.

882. Now this letter—"September 15th, 1890. Mr. Henry. Dear Sir,—I have written you a couple of letters, and have not yet received any reply. I would be much obliged to you if you would answer this one. I wrote to you to the effect asking you if you could possibly let me have any money. As I am in difficulties at the present time I would be glad if you could do anything for a settlement. I will take £50 and square up everything, also the money due after my mother's death; and if you could do this you will do me a great kindness. I forward my mother's letter with this. If you can do anything for me I will come down. Yours truly, Edward S. Harrison." You see in that letter you write and say you will hand over everything, including the interest in your mother's estate for £50—did you mean that?—I meant to get an answer.

883. Did you mean that you would assign everything for £50?—No, I meant to get an answer to see what he would do.

884. You first asked for £150, and then for £50; do you mean the Committee to understand that was not an honest proposal on your part?—I could not get any satisfaction from him—I had to try the best way I could.

885. Was not that an honest proposal to Henry, if he gave you £50 you would square up everything?—No.

886. What did you mean by it?—I meant to see what answer he would give.

887. What did you intend to convey by using that language—"I will take £50"?—That is just what I told him.

888. What did you mean him to understand?—I wanted to see what he would do.

889. What did you mean him to understand?—[No answer.]

890. *Mr. Bryant* asked the Chairman to compel the witness to answer the question.

891. *The witness*.—It says here—"I will take £50 and square up everything, also the money due after my mother's death; if you could do this you will do me a great kindness."

892. *The Hon. the Chairman*.—Just give an answer to that question.

893. *By Mr. Bryant*.—What did you mean Mr. Henry to understand by that?—I wrote this just merely to get an answer, and if he had made a suitable answer then, of course, I would have asked for more likely.

894. What did you mean him to understand by that; what was your proposal; you were proposing to take £50—

895. *Mr. Bryant (to the Committee)*.—I am labouring this point because I wish to show that this man is unreliable.

896. *The Hon. the Chairman*.—You need not go any further.

897. *By Mr. Bryant (to the witness)*.—Here is another letter on the 17th of September—"Yours to hand of the 16th. It seems a very strange thing to me when you have every security of your money I could possibly give you, when I am left between £800 or £900, and a sum of about £300 after my mother's death. When I first came to you to borrow money you said it would take about £4,000 or £5,000 to bring in £100 a year at home, and when I came to borrow on the amount it was only worth about £2,000, if you understand right. And I consider it very hard that after coming to you for what little money I borrowed to make a start, I have to dispose of all I own, because I cannot raise the said amount of £49 which I am summoned for, and I have offered you all that I have had left me at home, and sign any document that you should require of me, and I should consider it a great kindness of you if you let me have the money, the said amount of £49, and if I was not summoned for this amount, and to hold what little I own, I would not trouble you for any money, I can assure you. But if I cannot get the money from you, I will have to borrow the money from a money-lender in Ballarat. It seems a strange thing to me that after having about £1,100 left to me, and only received £170 cash from you, and £52 which was against me, and £100 sent out to me, which came through your hands, which makes £322 altogether. Yours truly, Edward S. Harrison. A reply at once will oblige." Then Henry sends you £5 and a letter stating that he is sorry he cannot comply with your request. Then you come to town and sign that document?—Which document?

898. On the 9th of October?—Yes.

899. He wrote before to you stating that he cannot quite understand your letter, and asking you to come to Melbourne and explain. Then you sent him a telegram—"I will be at your office at 2.30 on October 9th." Then you came to town on October the 9th and signed a document to sell out your interest for £30?—No doubt I signed it.

900. In the face of those proposals do you still say you did not understand you were selling your interest for £30?—I do.

901. And, I suppose, you are just as earnest in your assertion here to-day that Mr. Whyte swindled you?—Yes, I do not think he has done what he ought to have done.

902. As to the rates of interest, when did you first go to Henry?—About February, 1890.

903. At that time you were entitled to some money under your father's will?—Yes.

904. Was there any condition or contingency under which you were to receive it?—It was delayed.

905. Why?—The farms had to be sold.

906. You could not get any money till the estate was realized?—Yes; there were advances made.

907. What did the estate consist of?—I had a tenth share in my father's estate.

908. And the estate consisted of farms?—Farms and money too, whatever was realized.

909. Who were the executors?—My mother, my uncle, and my brother-in-law.

910. Did you write to them to get money out direct before you went to Henry?—Yes.

911. And you could not get it?—There was £100 sent out. I did not get that before I went to

Henry.

912. Had you got any money from the estate before you went to Henry?—No.

913. How long had your father been dead when you went to Henry?—About six weeks.

914. You did not know when any money from the estate would be likely to come out?—I thought it would be out shortly.

915. When you went to Henry what documents did you produce to him to show you were entitled to money under your father's will?—I showed him my mother's letter.
916. You were a stranger to Henry?—Yes.
917. You came from Colac to see him?—Yes.
918. Had you tried to raise money elsewhere?—No.
919. You got £50 from him and signed a mortgage for £250?—Yes.
920. You knew that and were satisfied to pay it?—No, I do not think so.
921. Why did you agree to pay it?—Because he told me different. He told me it was only a matter of form.
922. You knew that for the £50 you were getting you were bargaining to pay him £250?—Yes.
923. There was no fraud there, if you understood what the bargain was?—I did not take it in that light anyhow. He made out to me that if I gave him the financing to do, and a chance of collecting it, by doing that he would only charge a moderate sum for the financing and interest.
924. If you knew that you were agreeing to pay him £250 for a loan of £50, there was no fraud there?—It was a fraud, and nothing else but a fraud.
925. You knew perfectly well what you were doing?—I did not know I was dealing with a man like him.
926. You need not get abusive?—It is enough to make any one.
927. You knew you were agreeing to pay £250 for a loan of £50?—I know I signed for four or five times the amount.
928. Did you know you were agreeing to pay £250 for a loan of £50?—I did not know he was going to charge that.
929. Did you know you were agreeing to pay £250 for £50?—No, I did not expect to pay it.
930. You stated just now that you did know—which of your statements is correct?—As far as knowing I suppose I did know.
931. And you signed a document to that effect?—No, I did not sign to that effect. I signed to the effect that he told me it was only a matter of form.
932. Here is the indenture made on the 15th of October, 1890, signed by you, specially referring to that transaction of the £250—[*reading the same*]—and there it is in that subsequent document of the 13th of July, 1891—do you still say you did not sign the document to pay £250 for £50?—I may have signed it.
933. Then on April the 9th you got another £100 from Henry, for which you agreed to pay £300 bonus; is not that so?—I suppose I signed another paper the same as the other—I suppose for £400 or £500.
934. *By the Hon. the Chairman.*—Did you understand that you were signing for £250 for the £50 you got?—Yes.
935. *By Mr. Bryant.*—When you got the further sum of £100, how much did you agree to repay Henry for the £100?—I think I signed for four or five times the amount.
936. You agreed to £400 for a loan of £100, and you knew that perfectly well?—No, I did not. Of course I signed that, but I was led to believe very different.
937. You knew what you signed and you agreed to give him £400 for a loan of £100?—I did not expect to pay him that.
938. As a matter of fact, did you not understand you were agreeing to pay £400 for a loan of £100?—[*No answer.*]
939. *By Mr. Bryant (to the Hon. the Chairman).*—Will you compel the witness to answer?
940. *By the Hon. the Chairman (to the witness).*—Did you understand that you had to pay £400 for £100—£4 for every £1 you borrowed—did you understand that at the time?—Not in reality.
941. *By the Hon. J. Bell.*—You say you thought it was a matter of form?—Certainly.
942. *By Mr. Bryant.*—You knew what the bargain was, whether Mr. Henry was to carry it out or not?—Yes.
943. *By the Hon. A. O. Sachse.*—Did you understand that any of those things were to become his, or were merely to be security for him?—Security.
944. *By Mr. Bryant.*—Passing over one or two small items, on August the 21st Mr. Henry gave you £15 on the interest of your mother's estate?—Yes.
945. You agreed to pay him £75 for that?—Yes, I understood that in the same way.
946. You knew that was your bargain?—I knew I got £15 and signed for £75 for it.
947. You gave Henry a document, selling to him for the sum of £75 your interest in your mother's estate when she died?—Yes, as security.
948. So that up to that time you had got from him altogether a certain sum and had given him three documents under your father's will and your mother's estate, as security—you knew that?—Yes.
949. And you knew, therefore, if nothing else had happened, if you had come back and had given him that money you would have got your securities and torn them up; you knew what the security meant?—Yes.
950. You knew if you had paid back, you were entitled to have your securities given up by your creditors?—Yes.
951. As a matter of fact you could not repay Henry?—No.
952. So afterwards you make this bargain to sell out your interest to him for £30 more, and he releases you from the existing debt of £331; is not that the position?—No.
953. What is the position?—Nothing of the sort.
954. You need not get obstinate?—I am not obstinate.
955. What was the bargain?—The bargain was that £30 was a loan.
956. Is your mother still alive?—Yes.
957. So you are not entitled to come into any money in her estate as yet; do you know that perfectly well?—Yes.
958. You say that Henry has received on your account £927 5s. 4d., apart from the £300 you are entitled to on your mother's death; how do you know he got that?—I have writing to that effect—a letter from my mother, who is one of the trustees.

959. Where is the rest of this letter?—It is at home.

960. This says—"Dear Edward,—You say in the letter I received last week that you have settled with Henry for £150." Do you still say that proposal was not an honest proposal?—[No answer.]

961. It goes on—"Why have you not got your papers back or sent to Mr. Worthington?"—I was under the impression that Mr. Whyte would get them.

962. Then—"I cannot send you a penny till you prove to Mr. Worthington that you are free from Henry. As things stand now, all that should come to you goes to him, and if I died to-morrow he would take the £300 too." You had written to tell your mother that, had you not?—Yes, that was a letter written at Mr. Barrow's dictation.

963. You had sent home a statement to your mother that you had assigned everything to Henry?—I wrote to her to say I had settled with Henry for £150.

964. And that under that settlement you had assigned everything under your father's estate and your mother's to Henry?—No.

965. How did she find it out—Henry was not writing to her?—Not that I know of.

966. You were?—I wrote a letter at Mr. Barrow's dictation.

967. And then she writes this—"Get Frank's lawyer to act for you. I will show you how you have had your money, and you must show Mr. Short what you have had from Henry:—1890—February 5, by draft on Geelong, £100; May 24, to Henry, £250; August 28, by Meynell to Henry, £300. 1891—January 6, paid into court, £277 5s. 4d. This last sum you desired me to help Henry to take out of court not long since. Henry has had £827 altogether on your account"—you told the Committee £927—"Really, Edward, I could shake you for fooling away your money as you have done, but all I can say is, get your release from Henry, for until that is in our hands I will not move a step for you. Frank and you put your heads together to draw the money from us through Henry. He has got his head out of the net and he must help you to get yours out. You will think me hard, but I know how your father worked for the money which you have squandered." According to this letter, all that Henry had received on your account was £827—your mother says so?—I made it more than that.

968. Since the money was received from the Court of Chancery—the £227 odd—nothing more has been received by Henry?—No, nothing more.

969. Now, as to your mother's estate—you say you are entitled to £300 on the death of your mother—what age is she?—Sixty.

970. This bargain was made in 1890; do you know, as a matter of fact, that Henry has sold that interest to her, that your mother has bought this interest of yours for £120?—No.

971. You never heard of that?—No.

972. Your mother has never written to tell you?—No.

973. Do you correspond with your mother?—I have not for a long time.

974. On June 24th, 1893, your mother bought this interest for £120, and Mr. Henry got the net sum of £112 2s. 6d. for it, and the total sum he has received is £870 3s. 6d., with nothing more to come. The sum he has paid on your account, with the expenses, amounts to £428 13s.; that is a profit of £441 10s. 6d. over a period of three years, including a law suit—[handing in a memo. of details].—

975. *By the Hon. D. Melville.*—Did you know at the time that you were to pay 30 per cent. to Henry?—No.

976. You saw it charged you in that deed—did you agree to that as well as to the £5 for £1—you see that sum on the document, 30 per cent.?—Yes.

977. At the time you made the agreement to pay £5 for £1, was there any word of your being charged 30 per cent. in addition?—No.

978. How do you explain it all—what is your idea of it—is it an overcharge or what?—I think that is a fair charge.

979. *By the Hon. J. Bell.*—Do you consider that 30 per cent. is a fair charge after paying £5 to £1?—Oh no.

980. *By the Hon. D. Melville.*—Did you understand when you were paying £250 for £50, that in addition to that you would be charged 30 per cent.—did you agree to that, or had you any conversation about it?—No.

981. Then all those interest charges you never heard of?—No.

982. *By Mr. Bryant.*—That document there shows a charge of 30 per cent. which Henry has a right to make against you which he ultimately foregoes?—Yes.

983. You have told Mr. Melville that you never heard anything about these interest charges?—Yes.

984. Is that statement true that you never heard of a charge of 30 per cent. interest?—Yes.

985. You understand my question perfectly well?—Yes.

986. Is that your signature?—Yes.

987. You are a fair penman?—Yes.

988. Listen to this:—"15th March, 1890. To Messrs. Emerson and Barrow. Dear Sirs,—Please prepare an assignment by way of mortgage over my interest in my father's estate in favour of Mr. David Henry of 336 Bourke-street, to secure to him the sum of Two hundred and fifty pounds sterling, which he has this day agreed to advance me, running with interest at the rate of 30 per cent. You will make no mention in the deed of any part of the above sum being for bonus money, and you will insert a clause in the deed by which I agree to pay 5 per cent. on all moneys collected. Yours truly, Edward Shore Harrison. You will also please prepare a power of attorney in favour of Mr. T. H. Meynell, solicitor, of 37 Furnival-street, Holborn, London, to enable him to act for and collect all moneys coming to me." In the face of that document, which you signed, do you dare to tell this Committee that you never heard of 30 per cent. charged for interest?—Yes, I do.

989. *By the Hon. J. Bell.*—You agreed to become indebted to Mr. Henry for £250 on the £50 and to pay 30 per cent. on the £250?—Not understanding at the time, I may have signed a document to that effect.

990. You had no idea you were paying 150 per cent. on the £50 you were going to get?—No.

991. It is a strange thing that you make an arrangement without arranging about the interest?—I admit I was foolish.

992. *By the Hon. D. Melville.*—That £400 against you for £100, had you any conversation about interest in that case?—There was conversation about the £400, and it struck me at the time.

993. Was there any conversation about charging the additional 30 per cent interest?—No.
994. Was the letter written to your mother written by yourself or at the dictation of Mr. Henry's solicitors?—I wrote the letter in the office at Mr. Barrow's dictation stating that I had settled with Henry for £150.
995. Then it was not your letter, but Mr. Barrow's?—Yes.
996. Did all the letters and papers go into Henry's office?—Yes.
997. Then he had full command of everything?—Yes.
998. *By the Hon. J. Bell.*—Did you give him an order for letters at the Post-office?—Yes.
999. *By the Hon. D. Melville.*—Do you tell us your reason for not knowing fully about those deeds was that they said that "it was a mere matter of form"?—Yes.
1000. They made you believe in all those documents you had signed that "it was a mere matter of form"?—Yes, as regards the interest and the 400 or 500 per cent.
1001. They impressed you that they were matters of form?—Yes.
1002. Were they never read over to you?—No.
1003. Then you absolutely knew nothing of what you were doing?—I knew that I was getting the money from Henry.
1004. You did not know the contents of the documents?—I did not know I was going to be in this state.
1005. *By the Hon. A. O. Sachse.*—You said your letters were sent to Henry's office?—Yes.
1006. At your wish or his?—I signed to let him have the letters.
1007. Why did you sign that?—He asked me to sign it for security of his money, supposing any money came out, that he would get it.
1008. *By the Hon. the Chairman.*—Were any letters sent to Henry's office addressed to you?—Yes.
1009. Did you get any?—He had a letter addressed to me the time the draft was sent.
1010. You expected letters from England, and you gave an order that the letters should be sent to Henry's office?—An order that he should collect them.
1011. Did you receive any letters at Henry's office, when you went there, addressed to you?—No.
1012. Do you know if any were sent to Henry's office for you?—No.
1013. *By Mr. Bryant.*—That is your signature?—Yes.
1014. That is the authority to Emerson and Barrow to prepare a further document settling the matter?—Yes.
1015. You do not suggest that Henry has received letters on your account and filched them?—No.
1016. There are two letters from Meynell (Henry's agent) to Henry about this purchase of the witness's interest under his mother's will, one dated 17th February, 1893. "Dear Sir,—*Re* E. S. Harrison. Since writing you on the 10th inst. Messrs. Bullock and Worthington have sent for my perusal a letter from Mrs. Harrison of the 13th inst. In this letter she says—'I shall not be in a position to buy the reversion until the death of one of my aunts shall put me in funds again. As two of them are over 80 there may be not long to wait. If Mr. Meynell does not dispose of it in the meantime I shall be able and willing when such an event does occur to renew my offer.' Messrs. Bullock and Worthington suggest that they may be able to arrange a contract for Mrs. Harrison to pay 4 per cent. interest on the £120 until she is in funds to enable her to complete the matter. I have replied that you might be inclined to assent if Mrs. Harrison will agree to pay 5 per cent. I am afraid I should not be able to get elsewhere anything like the offer made by Mrs. Harrison. Yours truly, T. H. Meynell." The second one is dated 23rd June, 1893, and is as follows:—"Dear Sir,—*Re* E. S. Harrison. Referring to my letter of the 9th inst. I have now received payment of the deposit receipt for £120. The bank stated that the interest was only 3d., which they did not think worth forwarding. I am inquiring as to this, and shall require payment of the proper rate of interest. I will credit your account with whatever I receive. I have to-day handed to Reuters for remittance to you, less charges, £113 2s. 2d., being the balance of the £120, after deducting my charges, £6 17s. 10d., of which I will forward statement receipted by next mail. Yours truly, T. H. Meynell."—

The witness withdrew.

David Henry further examined.

1017. *By the Hon. the Chairman.*—This Committee understood that it was in very unusual cases you charged interest?—The interest is put in, but it is very seldom charged—it has not been charged in this instance.
1018. It looks to me that it has been charged in this case—
- 1018A. *Mr. Bryant* explained that it was charged in the account, and there was a balance of £331 against Harrison; then that was foregone by Henry as part of the consideration for the absolute assignment.
1019. *By the Hon. the Chairman (to the witness).*—Your usual rate is £5 for every £1 that you advance?—Not for every one, and only where there is great risk at the start.
1020. You would not say this was a great risk?—Yes, when he came to me he had simply a letter.
1021. You are not long before you find out what an estate is worth; it is only a few days?—No, we never send by cable. In a case of this sort we could not describe anything like that—it would be very expensive to cable.
1022. In giving your evidence, I understood you had a code; what was that for?—Never to find out the value of a property. We have to run the risk in the first instance; then get a power of attorney and that goes home.
1023. *By Mr. Bryant.*—The cable would not help him, because it would not enable him to identify an individual.
1024. *The witness.*—There may be a restriction on the estate.
1025. *By the Hon. the Chairman.*—At what date did you find out that this estate was of a certain value?—A long time afterwards.
1026. I understood Harrison to say that his father died about Christmas 1890; how long after that date did you hear of the value of the estate?—I suppose in the beginning of 1891.
1027. What rate of interest did you charge Harrison after you heard of the value of the estate?—I did not charge him any interest on that. Then he put it in Chancery, and we had to get it out; there was a very great risk and expense to get it out. He put it in Chancery by writing all sorts of

letters about it. At the time I lent the £50 and £100 I just ran the risk—I knew nothing about the property, but I intended when I got the money to make a reduction. I only got £1 for £1 for the three years.

1028. Why do you insist on those people having letters sent to your office?—We do not insist.

1029. You get a document drawn out insisting on having their letters addressed to you—what is your motive?—When they borrow £100 or £150, like in this case, we take the order to the Post-office, and supposing the money gets sent direct to the party in a draft, he generally pays us out of that. I have had an instance where the money was sent direct to the party, and he got the money, and I was left out in the cold.

1030. When you get a letter, you advise the person to whom it is addressed that there is a letter waiting in your office, and then this letter is opened in your presence?—Not always, not unless they owe me money, and the money is expected.

1031. According to the deed that you compel them to sign, all letters are to be addressed to your office?—Yes.

1032. If the letters are addressed to your office, you must naturally see them opened?—Not always.

1033. Then what is the use of sending them all to your office?—If there are contents in them, they would be opened.

1034. I do not think you would allow anyone to open the letters unless you or your clerk were present?—Not always; only where we expect money.

1035. Are not you or your clerk always present?—No.

1036. Then what is the good of sending the letters to your office?—We send home the power of attorney and the assignment.

1037. What I want to know is, whether you or your clerk are present when the letters are opened; is the person to whom the letter is addressed permitted to take the letter away unopened?—He is, if no money is expected; we do not insist on it in every case. I will explain it in this instance: say we lend "Jones" £50 or £100; we send the assignment and power of attorney to our agent. He makes a search and there may be restrictions in the will, so that he will have to collect under the power of attorney. In the meantime, the money may be sent direct to the party, so we take orders for the letters in those instances. When we expect money or drafts are coming out, we make them open the letters in our presence, and that is perhaps one in five of those letters. We know there is money expected till we get news from home, and then we do not open the letters.

1038. Does it give you power to open letters?—No, we never open them; they are only opened in our presence.

1039. Did you open any of this last witness's letters?—No; I am quite certain of that.

1040. *Mr. Harrison.*—He opened my letter and got the draft of £100; I was not present.

1041. *The witness.*—I never opened his letter; it must have been addressed to me; he opened it himself.

1042. *By the Hon. the Chairman (to Mr. Harrison).*—Can you bring proof that this letter was opened?—It was open when I got there.

1043. *By the Hon. D. Melville (to the witness).*—Have we got a fair sample of your transactions with the public in these cases that we have been inquiring into?—You have cases where I have received the money in return, but there are dozens of cases where I have never received anything.

1044. Are the cases that we have heard a fair sample of your transactions with the public; if so, we need not call any more cases; if they are not, we must call some more—do you regard these cases, if we build on them, as fair samples of your transactions, that is, your charges and the interest you charge?—That is what I charged some time ago.

1045. Are these cases a fair average sample of your transactions—£5 to £1?—Yes, but we do not get it.

1046. Will the dozen cases we have not heard of be of the same class as those we have heard?—You will always find people who are dissatisfied.

1047. It is admitted that you charge £5 to £1?—But I do not get it. I only get £1 for £1.

1048. You admit they agree to pay £5 for £1?—Yes.

1049. In further investigation, shall we find any case where you charge in the ratio of £6, or £7 to £1?—No.

1050. You said at the beginning, that in the matter of interest it was a mere formal affair; you wish us to believe that you are only charging 10 per cent., though in every case it is shown you charge 30 per cent.?—Not in every case. In some of the cases where we expect the relations at home will settle, we put that 30 per cent. in as a lever—we never charge that.

1051. Do you mean to say that if an estate would have paid 30 per cent. you would not have charged it?—No, I would not; as it was it paid more.

1052. Why did you mislead Mr. Thornley in telling him that it was 10 per cent.?—

1053. Mr. Thornley's question was—

91. You have charged interest at 10 per cent.?—No, I have not.

92. *By the Hon. the Chairman.*—Here is a statement that the interest charged, 10 per cent., amounted to £32 12s. 6d. That is the statement that Mashiter made?—That is not correct. It is provided for, but we never charge the 10 per cent.

93. *By the Hon. N. Thornley.*—As a matter of fact, do you say that in your dealings, notwithstanding that your bond allows you 10 per cent. on every occasion, you never charge it?—On most occasions we allow the interest to go.

94. You told the Committee that you never charged it. Are you in the habit of foregoing that interest?—I am.

95. Do you ever charge it?—I might have charged it once or twice in particular cases—

was that true?—Yes, but I meant to say I never get it. It was 10 per cent. in that particular case.

1054. I want this inconsistency in the evidence cleared up—are you in the habit of explaining to your constituents that this is "a mere matter of form"?—No, we do not call it a mere matter of form—they are willing to give it. We never say anything as to a matter of form, because this is all read over to them, and explained to them, and witnessed.

1055. Now you tell us it is a matter of form?—It is not a matter of form, but I always waive it. I put it in as a lever at home.

1056. What do you mean by a "lever"?—When they see the money running with high interest they generally pay off the money. Mr. Thornley only asked about that one case.

1057. Have we a fair sample now?—In the last case I only charged £1 for £1.

1058. Then you charge 10 per cent. interest, and the 30 per cent. that we find in addition to this £5 to £1 you wish the Committee to understand is only a lever?—Yes, the 30 per cent. I never in one instance got it with the £5 and £4 to £1.

1059. How is it that in every case it comes into the account?—It comes in, but allowance is made; it is taken off afterwards.

1060. After you have so handicapped a man that he cannot pay—is that what you mean?—No.

1061. You see how these bills are made up?—We never charge that item.

1062. What do you mean by that?—We never get the amount.

1063. Do you mean, when you charged that man 30 per cent. you meant him to understand you never charged that?—No, only to use it as a lever to get the people to settle more quickly.

1064. These persons come and say you have charged that. You say (Question 96)—“In some cases I have, but we invariably forego it”?—That is correct.

1065. (Question 99)—“It is your practice to have it in the bond, and never take it?—I do not say ‘never,’ but in a good many instances we never charge it,”—now your evidence goes that your charges run from 10 to 30 per cent.—do you tell us that they do not run to 40 per cent.?—No, not higher than 30 per cent. That was three or four years ago; we do not charge more than 10 per cent. now.

1066. “What interest did you charge in that case?—We generally fix 10 per cent. but the interest is more. We agree with the borrower; sometimes it is more than that, perhaps 15 or 20 per cent. If the trustees get those notices and the power of attorney, they see that it is running on with 10 per cent. If they take an interest in the property the trustees or the relations generally pay it off sooner, because it is running with this interest; it is done more as a lever. We very seldom charge the 10 per cent.”—(Question 141). Now we find you charge 30 per cent.?—I call it a charge, but I never take it.

1067. *By the Hon. the Chairman.*—What is the good of calling it a lever; it seems a piece of absurdity. It is evidently to try to make those people at home believe there is 30 per cent. interest going on, and the sooner they settle the better?—Exactly.

1068. *By the Hon. D. Melville.*—What is the maximum interest that you have charged the last five years, in addition to the £5 to £1?—I do not want you to think I charge £5 to £1 and get 30 per cent. as well.

1069. I ask what you charge?—That is it.

1070. Do not mislead us again as you did about the 10 per cent.?—I never did so. I have never misled you.

1071. *Mr. Bryant* submitted that the witness had not said that 10 per cent. was his highest charge. The questions referred to by *Mr. Melville* were as to the *Mashiter* case. He objected to the question stating that *Mr. Henry* had attempted to mislead the Committee.

1072. *The Hon. the Chairman* ruled that the question was a fair one.

1073. *By the Hon. D. Melville (to the witness).*—What has been, within the last five years, the maximum rate of interest that you have charged on any of your transactions, separate and apart from the bonus. Will we find in any of your books interest charged higher than 30 per cent.?—That is the maximum I have charged years ago, but latterly never more than 10 per cent.

1074. Then we may rest certain that we have your maximum charges?—Yes.

1075. If we examine no more witnesses and accept this as a fair average, are you willing to accept that?—Yes.

1076. Then if the other cases that have been sent to us to prove the charge of usury are not gone into, it will shorten the inquiry; if you understand clearly what you are saying, that you admit we have got a fair sample?—Yes.

1077. And you will be content if we do not examine those people?—Yes.

1078. *Mr. Bryant* said he was conducting the case for *Mr. Henry*, and thought it an unfair question to put to him. The inquiry was as to whether a certain state of affairs existed. *Mr. Henry* was not charged, so a question of that kind should not be put to him. Speaking for *Mr. Henry*, he was content to accept any evidence the Committee chose to accept, because it was plain that certain persons had made complaints whom the Committee had not called—the Committee were limiting the inquiry to *David Henry*.

The witness withdrew.

Adjourned to Wednesday next, at Three o'clock.

WEDNESDAY, 27TH NOVEMBER, 1895.

Members present:

The Hon. D. E. McBRIDE, in the Chair;

The Hon. J. Bell

D. Melville

The Hon. E. Miller

A. O. Sachse.

1079. *Mr. Bryant* stated that he desired to make an application on behalf of *Mr. Whyte*, against whom charges were made at the last sitting of the Committee of forming a conspiracy with *Mr. Henry* to defraud *Mr. Harrison* of certain money. *Mr. Whyte* now desired an opportunity of refuting the charges. He was prepared to make a statement and to show there was no foundation of truth in those charges, or if the Committee expressed their satisfaction that there was nothing in the allegation, that would meet *Mr. Whyte's* views without troubling the Committee further.

1080. *The Hon. the Chairman.*—Referring to the statement you have made drawing the attention of the Committee to what was said at the last meeting, I may say that the Committee do not for one moment charge *Mr. Whyte* with being guilty of anything dishonorable; so I do not think, as far as the Committee are concerned, that it is necessary for *Mr. Whyte* to make any statement.

1081. *Mr. Bryant.*—So far from *Mr. Whyte* doing anything to conspire with *Henry*, he did not know him till to-day, nor had he seen *Mr. Barrow* before.

George Allen examined.

1082. *By Mr. Bryant.*—What are you?—Clerk to Messrs. Hughes and Permezel, of Melbourne, agents for Mr. Whyte.

1083. And you were so at the time the deed of release for Mr. Harrison was executed?—I was.

1084. Before the deed of release was engrossed I believe that Mr. Barrow forwarded to Messrs. Hughes and Permezel this draft deed?—That is so.

1085. And that was perused by you on behalf of Harrison?—Yes.

1086. And the alterations on that are made by you?—Yes.

1087. As drafted and altered this deed was then prepared?—It was.

1088. And you, in Harrison's presence, and in Mr. Barrow's office, witnessed the execution of that deed?—I did, in Mr. Barrow's office. On that occasion I went with Harrison.

1089. Harrison has said that, when he signed that, he was not familiar with the contents of the deed, and that it was not explained or read to him?—That is untrue. Before we went to Mr. Barrow's office I was present with Mr. Whyte at our office, in William-street, when Mr. Whyte explained the whole of the document to him, and he thoroughly understood that this was to be the final settlement of everything; that when the deed was executed he had no further claim on Henry. I am quite positive of that.

1090. That was before you went to Henry's office?—Yes.

1091. When you went down to Mr. Barrow's office what took place?—I do not remember exactly what took place, but the deed was signed then in my presence, and Mr. Barrow's presence, and Mr. Harrison then wrote the letter to his mother, which Mr. Barrow suggested, stating that he had no further claim on Henry, and asking her to assist Henry in getting certain money out of the Chancery Court. Fifty pounds of that money was to be paid by Henry to Harrison when he got the money.

1092. That was afterwards paid?—Yes. Harrison wrote that letter himself.

1093. Is there any truth in the suggestion that Harrison did not understand what he was signing?—None whatever.

1094. There is no suggestion of truth in the statement that Whyte, or any one else, was in league with Henry to conspire to defraud Harrison?—I do not think so.

1095. *By the Hon. D Melville.*—Do you know the nature of the deed?—Yes.

1096. Do you say it was read over to Harrison?—Not every word; Mr. Whyte explained it.

1097. What explanation did Mr. Whyte give?—Mr. Whyte told him when he was signing this deed that he was signing everything he had over to Henry—that this was a final settlement.

1098. On what terms?—That he was to get £125 now, and £50 when certain money was got out of the court at home. About £260 was in the court at home, and Henry was to pay £125 down, and this other £50 was to be paid as soon as the money was got out of the court at home.

1099. Is that the usual practice?—We do not, as a rule, read word for word with deeds—we explain the effect.

1100. If the man said it was not read over to him he was stating the truth?—I would not swear that the whole of the deed was read over to him.

1101. The deed was not read over to the man?—Not the whole of it.

1102. Was a part of it, or any part of it read?—No, Mr. Whyte explained it to him.

1103. Do you now tell us that the man has stated the truth to us when he says the deed was not read over to him?—Yes, I will not contradict him.

1104. Is not this rather an extraordinary deed?—I do not think so.

1105. Are you accustomed to deeds in this shape?—Yes, I have had other cases.

1106. Of Mr. Henry's?—One case.

1107. Of the same nature?—No, not of the same nature as this.

1108. What do you think of this?—In what way?

1109. Are the terms and conditions of that instrument extortionate—are they of the nature of usury?—Of course, I may say that in my opinion the charges are heavy as rates of interest. I do not see anything extraordinary about the deed itself.

1110. The terms and conditions on which the parties are to work?—I do not quite follow you.

1111. You understand the deed?—Yes.

1112. Does not it occur to you that it is an extraordinary document?—I do not know. Mr. Harrison had assigned, prior to going to Mr. Whyte, all his interest in those different properties, and he was getting something now which, under the prior document, he was not entitled to.

1113. How are the legal gentlemen to be paid?—There is no provision in this deed about that. The document is a release by Harrison in favour of Henry of all claim he may have against him, and a confirmation of the previous deed which he had already executed.

1114. Is everything specified there that he is doing?—Yes. The operative part of the release is—"I do hereby release, exonerate, and for ever discharge the said David Henry from the said action, No. 1444, and from all other actions and suits in respect of my transactions with him, and from all claims and demands whatsoever in respect thereof, and do hereby covenant with the said David Henry that I will assist him in every manner to obtain payment out of court of the said sum of £267 5s. 2d."

1115. You accomplished the purpose of settling with Henry under that?—I was merely acting as Mr. Whyte's agent in the matter—we obeyed his instructions.

1116. You did not know the terms on which Mr. Whyte was working?—There was some arrangement he made; I do not know exactly what it was.

1117. You did not know that he was to get half the money?—I understood he was to get half the money, I think.

1118. Do you wish the Committee to understand that this man really knew all this by that explanation?—Certainly. I think I will be borne out by a letter which Mr. Barrow could produce, which Harrison wrote to his mother at the time this deed was executed, which showed distinctly what he was doing.

1119. But that was done also at the dictation of Mr. Barrow?—Harrison wrote it so as to facilitate this money being taken out of court.

1120. *By the Hon. J. Bell.*—Did he write the letter himself?—Yes.

1121. *Mr. Bryant [reading].*—"Walker-street north, Ballarat, July 13, '91. My dear Mother,—I now write you these few lines to let you know that everything is settled between David Henry and myself, and that I consent to his obtaining the money out of court as soon as possible, as the sooner he receives the money I will be able to receive the money which is coming to me. Your affect. son, (Signed) Edward S. Harrison."

1122. *By the Hon. D. Melville (to the witness).*—Who dictated that letter?—Mr. Barrow suggested Harrison should send it; you see it is four years ago. I cannot remember distinctly.

The witness withdrew.

John Green recalled and further examined.

1123. *The witness.*—I desire to ask that the case with the Colonial Mutual Insurance Company may be re-opened, as I have additional evidence. When Mr. Park gave his evidence I did not hear it distinctly, and I read the report of it with great astonishment in the papers the next morning.

1124. *By the Hon. the Chairman.*—You will require to be very brief?—I cannot do it in the absence of Mr. Park.

1125. *By the Hon. J. Bell.*—Cannot you put it in writing?—I did so.

1126. *By the Hon. the Chairman.*—That would be the best way; if you put it in writing and send it in we will take it into consideration?—I have documents to prove that the evidence given by Mr. Park was certainly a long way from the truth.

1127. If you put it in writing, I will see that it is brought before the Committee and considered?—The letter I have already sent in is sufficient, if you will consider that.

The witness withdrew.

James Haldon further examined.

1128. *By the Hon. the Chairman.*—Your examination was stopped the other day for the purpose of calling Mr. Lloyd—is he here now?—Yes.

1129. What have you to say further?—The last time where I left off was about signing the bills. I got £1 on the strength of my letter, then I got £20.

1130. I see that you were asked what induced you to go to Mr. Lloyd, and you said when you knew your liabilities were over £500 you thought that he might be able to take some action against Mr. Henry?—Yes, that is quite correct.

1131. Go on from there?—Mr. Lloyd did take action. He wrote home to his solicitors, in Glasgow, and got a reply, stating that the deeds Henry had got were so complicated that it was necessary to take an action, and I borrowed a small sum of money from Mr. Lloyd, and steps were taken at home, and the Scotch law being different from the English, the deeds were upset to a certain extent, but Mr. Lloyd can explain that part of the transaction better than I can. What prevented Mr. Lloyd from taking any further action in the case was, I had gone back to Henry again and signed some more papers.

1132. That is after you put your case in Lloyd's hands?—Yes.

1133. Were you justified in going back after putting the case in Lloyd's hands?—No, I should not have done it, but I got a letter from Henry asking me to come and see him.

1134. Did you have any monetary transactions with Henry after you put your case in Lloyd's hands?—No, that was after I was settled with Henry. I got £60 from Henry and I wanted some more because I knew my property was worth a great deal more than that, and he would not lend me any more.

1135. Have you any further statement to make?—I went to Mr. Wright, private inquiry agent, Queen-street, and told him I wanted to borrow some money on my property, and I told him I had already borrowed £60 from Henry. He said he would advance me something, and he got a copy of an indenture from Henry, and advanced me £25 paid by cheque, and a good many months after he advanced me £10, also paid by cheque. For the £25, I signed a promissory note for £75.

1136. *By the Hon. J. Bell.*—How much did you give for the £10?—It runs in my head that I gave him a promissory note for £105 for the £10.

1137. *The Hon. the Chairman.*—Do not make any statement you are unable to substantiate.

1138. *By the Hon. J. Bell.*—Although you are not on oath, the Committee have the power to punish you if you tell lies; you must be careful not to make wild statements affecting anyone else?—I may be wrong there, but as far as I remember, I was signing something like that. I am quite sure about the £75 for the £25. That was all the transaction I had with Mr. Wright at that time.

1139. *By the Hon. D. Melville.*—You did sign something for the £10 anyway?—Yes.

1140. You are not quite sure of the amount?—No.

1141. Who is Wright—is he a money-lender?—Yes, and a private detective.

1142. Does he advertise?—Yes, as a money-lender, and as to divorce cases and things of that sort.

1143. How did you come to know him?—I knew him by having gone to him before when I was out at the races. He has some business to do at the race meetings.

Cross-examined by *Mr. Bryant.*

1144. You say you went to Lloyd; was that after you had given Henry a deed of release on the 28th of August?—I cannot recollect that.

1145. As a matter of fact, you have got various sums from Henry; you say £60, and as you said the other day, the trustee in your estate got £108 3s. 4d., making a total expenditure of £244 3s., and he got £333 13s. 6d., showing a profit of £89 9s. 8d. Is that your signature [*showing a deed of release*]?—Yes.

1146. I suppose you understood what you were doing?—No, I did not understand the document.

1147. This schedule to the deed shows precisely the sum you owed Henry and the sum he had received. Your total indebtedness being £338 16s. 6d., without calculating any interest at all, and that he

received on your account, through his London agent, £333 13s. 6d., showing a debit balance against you of £5 3s. You signed this document in the presence of Mr. Barrow, the solicitor?—I do not remember signing it in his presence.

1148. Do you wish to suggest to the Committee that this was signed by Mr. Barrow not in your presence. He states that it was signed, sealed, and delivered in your presence?—It might have been; I will not swear it was not—I do not remember.

1149. What is your belief about the matter—that it was signed by you in his presence?—No.

1150. Then your belief is it was not signed by you in his presence?—Yes.

1151. Was anyone present when you signed it?—Mr. Henry, I believe—it was signed in Henry's office.

1152. Before you signed that document did you understand what you were doing?—I knew it was a document, but I did not understand the meaning of it.

1153. What did you think you were doing when you signed it?—I knew I was signing some document.

1154. To what effect?—[*No answer.*]

1155. You had better be careful how you answer; did you know what you intended when you went to the office?—What office?

1156. To Mr. Barrow's office?—I was not in Mr. Barrow's office.

1157. Why did you go to any office at all?—Because Mr. Henry asked me to call; he put some documents before me to sign, and said it was a matter of form.

1158. Are you in the habit of signing documents without knowing or asking their meaning?—I have done so through Henry.

1159. Although you were having transactions with Henry, and distrusted him, yet you signed anything he chose to put before you—do you wish the Committee to believe that?—Yes, I did not understand it.

1160. Were you going to suggest that you were under the influence of drink at the time?—Yes, I will suggest that.

1161. Have you had any communication with Henry of any sort or kind that you were to get quit-
tance from him, or he from you, before you signed that deed?—No.

1162. None whatever?—No.

1163. You signed this deed, at any rate, which is a deed of release of all claims—you are aware of that?—I was not aware I had done so.

1164. You are aware now that it is a deed of release?—Yes.

1165. Do you suggest for a moment that Mr. Barrow did not explain to you what you were doing?—No, he did not. The document was never read over to me or explained to me.

1166. No explanation of any sort or kind was given to you as to the effect or meaning of what you were doing?—No.

1167. Then we assume that you went to Henry's office; Henry was there and no one else; this deed was put before you, and without a word of explanation, or any statement, you signed it, and Henry signed it—is that what you wish the Committee to swallow?—I wish the Committee to understand I did not understand the document.

1168. Is that the document that was gone through [*showing the same*]?—Yes.

1169. You said nothing, and no one present said anything; that document was simply put in front of you, and you signed it—is that your story?—I was told it was a matter of form.

1170. Was it after you signed that document that you went to Mr. Lloyd?—No, it was before.

1171. How long before?—I cannot tell exactly; say six months.

1172. You went to him to borrow money?—No, I did not.

1173. You did borrow money when you got there?—I got a small sum of money from him—about £10.

1174. What did you agree to pay him for it?—I do not remember what I agreed to pay him.

1175. Did you sign any promissory notes or documents of any kind?—Yes, one was the assignment of my interest.

1176. The interest you had already assigned to Henry?—No.

1177. What of, then?—Yes, I suppose it was an assignment of the same interest I had assigned to Henry.

1178. Did you tell Mr. Lloyd you had already assigned it to Henry?—I told him I had borrowed a sum of money from Henry.

1179. Did he ask you what security you had given to Henry?—Yes.

1180. And you told him you had assigned the interest to him?—No, I did not, because I did not know what I had done.

1181. Was that honest?—Yes, perfectly. I was not aware I had assigned my interest over to Henry.

1182. Where are the documents you gave to Lloyd—have you got them?—No, I do not know where they are.

1183. Have you paid Lloyd off?—Yes, Lloyd has been paid.

1184. Did you pay him?—No.

1185. Who did?—I suppose Henry did.

1186. As a matter of fact, after you went into Lloyd's hands Henry paid a sum of money on your account, is that it?—No.

1187. Then why do you say you suppose Henry paid Lloyd?—Henry himself told me he paid Lloyd £20.

1188. Was that on your account?—I cannot say; I never asked.

1189. What claim had Lloyd on Henry, unless Lloyd was acting as your agent?—On behalf of his expenses.

1190. What expenses; he is not a lawyer?—His expenses in taking the action at home against Henry.

1191. Who took it?—Lloyd.

1192. In his own name or yours?—Lloyd's solicitors at home took it on my account.
1193. Then you instructed Lloyd, as your agent, to instruct people at home to take proceedings against Henry?—Yes, because Henry had defrauded me.
1194. And Henry paid Lloyd £20 for the expenses he was put to?—I suppose that is it.
1195. Was £10 the only sum you borrowed from Lloyd?—And a few shillings—some small moneys after that.
1196. How much altogether did you borrow from him?—Say £12, altogether.
1197. How much did you agree to pay Lloyd for that?—I do not recollect.
1198. Can you find out?—No.
1199. Was it £25, or more?—It was £25.
1200. Why did you not say so at first?—I could not recollect at first.
1201. Are you sure of it now?—Yes.
- [The learned counsel asked that the witness should write the word "Thief."—*The witness did so*].
1202. Did you ever see that before [*showing an envelope addressed to Mr. Henry*]?—No, I never did in my life.
1203. Did you ever see that before [*showing a threatening letter with sketch*]?—Never in my life; does Henry mean to insinuate I sent that?
1204. Do you say that you did not send it, and no one else on your behalf?—I will swear on my dying oath that was never sent by me, some one else has done it to blacken me.
1205. *Mr. Bryant*.—That is the class of thing Mr. Henry has been receiving since this Committee sat.
1206. *By Mr. Bryant (to the witness)*.—You went insolvent on the 8th of November, 1893, after you gave this release to Henry?—Yes, I had to do so.
1207. And this Mr. Wright, from whom you had borrowed money, was your trustee?—He appointed himself trustee.
1208. This gentleman from whom you borrowed £25 and agreed to pay £75, and another sum of £10 and agreed to pay something for that, was appointed your trustee?—I was not aware of that fact.
1209. When did you first discover it?—When it was too late.
1210. You do not suggest that Henry appointed him?—I would not hesitate in saying so.
1211. Do you know, as a matter of fact, that immediately after he was appointed he went to Henry to get money from him, and that Henry paid him £108 3s. 4d.?—Yes, everything being arranged at home, Henry was to pay something.
1212. When Wright was appointed trustee, he took proceedings against Henry to make him pay money—is not that so?—Yes.
1213. And Henry, for peace' sake, paid £108 3s. 4d.?—Not for peace' sake, but for non-exposure's sake. I do not know the amount he paid.
1214. Do you know, as a matter of fact, what became of the £108 3s. 4d.—whether Wright put it in his pocket or paid it to the creditors?—I do not know; I never saw any of it.
1215. And at that time you owed Wright at least £105—for the £10 you paid £3 for £1, that is, £75 and £30, making up £105?—Yes.
1216. Then at that time you owed Wright £105?—Yes.
1217. Do you know Wright's signature?—Yes.
1218. Is that his signature—[*showing deed of release between Henry and Wright, the trustee of Haldon's estate*]?—Yes.
1219. This indenture states that—"In pursuance of the said agreement and in consideration of the sum of £108 3s. 4d., paid by the said David Henry to the said Elias James Wright on the execution hereof (the receipt whereof he, the said Elias James Wright, doth acknowledge, and therefrom doth release the said David Henry, his executors, administrators, estates, and effects). He, the said Elias James Wright, as such trustee as aforesaid, doth hereby remise, release, exonerate, discharge, and for ever quit claim unto the said David Henry, his executors, administrators, estates, and effects of and from the said sum of £333 13s. 6d."—that is the money Henry had received at home. It is an absolute release. Then, after that, you wrote threatening letters to Henry?—Yes, and I will write more to him.
1220. Then Mr. Barrow, as Henry's solicitor, had to write and warn you that if you continued to write in that way proceedings would be taken?—Yes.
1221. And then he wrote to the Crown Solicitor in the same way?—Yes, he told him I was trying to blackmail Henry, which was a lie.
1222. *By the Hon. the Chairman*.—Did you receive any instructions from Henry to have your letters addressed to his office?—Yes.
1223. Did you sign any document to that effect?—Yes.
1224. On whose suggestion?—Henry's.
1225. Did he give any explanation why the letters should be addressed to his office?—No.
1226. *By the Hon. J. Bell*.—Were they always opened in your presence?—Yes. He always cut the stamp and the date off before he gave me the letter.
1227. Are you sure of that?—I will swear it. The Edinburgh stamp and the date he cut off. He opened the envelope and handed me the letter and kept the envelope and cut off the stamp.

The witness withdrew.

Thomas Williams Lloyd examined.

1228. *By the Hon. the Chairman*.—What is your occupation?—Financier and inquiry agent.
1229. Have you had business transactions with Mr. Haldon?—Yes.
1230. Will you, as briefly as you can, tell the Committee what the transactions were?—I cannot fix the date Mr. Haldon came to my office and told me that he had borrowed from Henry, and he wished to borrow further. I asked him what documents he had signed. He said he did not know. I said, if he had signed anything to Henry, I did not feel very much inclined to advance to him, because it was a hundred chances to one he had signed an assignment. He was then in poverty. I said I would advance him a few pounds, and write home to my solicitors in Edinburgh and see what he had done. In the meantime I would take an assignment for £25, which would cover the notarial fee here, and

expenses, and the expenses of my solicitors at home. I considered that would run into £15, and I would charge him 15 per cent. That is the percentage I charge in all my transactions, and he was agreeable to that. I sent home the documents, and the letter I got from my solicitors was to the effect that Haldon had mortgaged his interest, and given a deed to Mr. Wright confirming his dealings with Mr. Henry. I said to Haldon, under those circumstances, that my solicitor thought he had a hopeless case, and I could not advance him any more money, beyond what I had advanced him as charity, not as a loan. Some time after that, Henry came to me and paid me £20 to release my document. That is about the whole transaction I had with Haldon, although I saw by the papers he stated that I had advised him to go insolvent. That is not correct; I had not seen him for eight or nine months prior to his insolvency, and therefore knew nothing about it.

1231. *By the Hon. J. Bell.*—You said to Haldon, if he had had any advances from Henry you would rather not advance?—I would not.

1232. Because Henry would insist on getting an assignment, is that his usual practice?—That is usual where it is necessary. I know what I do myself; I do not deal with money-lenders. In a reversionary interest you have to charge a fair interest, because on many of them you lose. As an investment I have done it through many of the legal profession for 15 per cent., and think myself very well paid. If it were a large amount, £400 or £500, I would expect £20 bonus. I take good risks on it. I have done several this week for £10 and £20 bonus, and 15 per cent.

1233. What security did you get from Haldon?—I did it with him partly as a charitable loan. It was a risk, and if it was paid I would get the 15 per cent. and £15 to pay my expenses. I may tell you I was out of pocket by it.

1234. *By the Hon. D. Melville.*—Suppose a man comes to you for £50 on a simple assignment, what bonus do you charge?—I would lend him £50 at 15 per cent., and if he gave me a bonus and paid the fees out of pocket, £10, I would be satisfied.

1235. What would it be on £100?—£20 on £100, and 15 per cent.

1236. Do you charge interest on the amount of the bonus?—Yes, till I am paid.

1237. Is there any common tariff among you money-lenders?—I do not know anything about others. I have nothing to do with them. That is my arrangement. I know that some money-lenders are willing to take what they can get.

1238. You do not regard yourself as a usurer or extortioner?—No; I have made a fair living at 15 per cent., and am satisfied to go on.

1239. What is the extent of your business for a year?—I would have to go into figures as to the gross business; it was nothing when I first started the first few years. I go through many thousands of pounds. I have been away nine months, and since I came back, a week last Thursday, it has been over £1,000. Fifteen per cent. is, I think, a very fair interest for any money-lender to get with a small bonus to cover loss.

1240. Have you ever had any complaints?—No. My clients have come back a second, third, and fourth time.

1241. You have not been threatened with legal proceedings?—No, never.

1242. *By the Hon. A. O. Sachse.*—Have you made many losses in your business?—Yes, we make losses. I have lost as much as £1,000 on one transaction, and absolute loss, and very heavy costs.

1243. How was that?—Sometimes by fraud. A man bringing letters, and representing that they are genuine, and they go as far sometimes as to actually get those letters printed. Sometimes the solicitors have not clearly inquired into the title as to entailed estates or reversions.

1244. Do those losses frequently happen?—No, they are rare, if a man uses proper judgment. If I were going into a very large transaction, I should cable home to my solicitors first. The only doubt then would be as to identity. My solicitors would cable that there was such an estate, or legacy, or reversion, or annuity, and then the only other point would be as to identity. The risk I run is not very great in that case.

1245. The 15 per cent. on a good turnover, you think, is good?—Yes, I am satisfied with it.

1246. Do you generally insist on letters being addressed to your office?—No, if they give a mortgage that is quite sufficient. You must understand if I send the mortgage home no money would be remitted to the man or to me. Where there is a likelihood of a remittance on the way, or before the document is fixed up at home, in that case I would request that the letters be sent to my care.

1247. *By the Hon. D. Melville.*—Did you investigate the affairs of Haldon as to what he had assigned?—Yes; my solicitors said he had assigned his interest away, and that there was no margin.

1248. Did you know the terms and conditions?—No, I said if there was no interest they were not to go to much expense, and that I had advanced £10 and small sums.

1249. Do you think the man was aware of what he had signed?—That I cannot say.

1250. *By the Hon. A. O. Sachse.*—In what way do you secure yourself when a man comes to borrow?—I should take a mortgage; if I bought his interest right out I should take an assignment.

1251. You do not take an absolute assignment?—No, unless I buy his interest the same as I did in this case. I paid the £10 and bought the interest.

The witness withdrew.

Adjourned to Wednesday next, at half-past Two o'clock.

WEDNESDAY, 4TH DECEMBER, 1895.

Members present :

The Hon. D. E. McBRIDE, in the Chair ;

The Hon. D. Melville

The Hon. A. O. Sachse.

Edward S. Harrison further examined.

1252. *The witness.*—In justice to myself, after what took place last week, I wish to make a further explanation with regard to what took place between myself and Mr. Whyte. On the last occasion I was not able to fully explain matters, on account of not having the last account, showing whether he had paid Mr. Parkes or not.

1253. *Mr. Bryant* objected that on the last occasion when Mr. Whyte was present the Committee had informed him that they did not think he need make any statement, and he (Mr. Bryant) submitted that this matter was foreign to the Committee's inquiry.

1254. *By the Hon. the Chairman (to the witness).*—I understand that what you want to prove is that the money said to have been paid to Mr. Parkes has not been paid?—Yes, it has not been paid, and I have a statement of account from Mr. Whyte, through Mr. Hancock, that there is only £25 paid, and he has taken £5 10s. costs himself ; that makes £30 10s. of a verdict of £44 10s. 9d.—[*The witness handed in some accounts.*]

1255. Are you satisfied that this money has not been paid?—Yes.

1256. You have made inquiries?—That is a statement I got last week, through Mr. Hancock, from Mr. Whyte himself.

1257. When did you see Mr. Parkes?—I have not seen him. I wrote to my solicitor who appeared on that occasion.

1258. You are charged in this account of April 8th, 1892, with Mr. Parkes' verdict, £44 10s. 9d.?—Yes.

1259. You say that Mr. Parkes has not been paid?—I say it is not paid, according to Mr. Whyte's own statement.

1260. *Mr. Bryant* asked permission to state, without being instructed by Mr. Whyte, that he (Mr. Whyte) informed him that Mr. Harrison owed Mr. Parkes the money, and Mr. Parkes got a judgment against him. Mr. Harrison did not pay, and Mr. Parkes got a fraud order against him which committed him to prison. Then Mr. Whyte, to save Mr. Harrison from going to prison, paid the money to Mr. Parkes.

1261. *The witness.*—I have a letter here that will contradict that. It is after the settlement with Mr. Henry—[*reading the same as follows*] :—

July 15th, 1891.

Mr. E. S. Harrison, Walker-street, off Lydiard-street, North Ballarat.

DEAR SIR,

I was yesterday suddenly called away to Queenscliff, and therefore could not send you the draft to reach you, as promised, to-day. On receipt of this, call on Messrs. Pearson and Mann, solicitors, to whom I have sent a draft for you. I have made the draft for £30. I will pay Messrs. Parkes £20, and when the remaining £50 reaches me I will settle with Parkes and send you the balance remaining. Please sign order that will be presented for your signature.

Yours faithfully,

T. N. WHYTE.

1262. *By the Hon. the Chairman.*—What was your liability to Mr. Parkes?—£39 odd ; but Mr. Parkes's verdict was £44 10s. 9d.

1263. This is a letter from Mr. Whyte, addressed to Mr. Harrison, and it is to the following effect :—“ Sir,—Your impertinent letter received. I have settled with Parkes ”?—That is after the letter that I wrote to Mr. Whyte, asking why, if he had settled with Mr. Parkes, he did not send me the balance.

1264. *By the Hon. A. O. Sachse.*—How do you know that is not paid?—I know by that statement of account from Mr. Whyte. I am entitled by his letter to £100, not £75.

Cross-examined by *Mr. Bryant.*

1265. Under this settlement of Henry's you were to get £125 cash, including £25 for costs, and a further £50 when Mr. Henry received certain moneys on your account from the Court of Chancery, England?—Yes.

1266. As to this letter of Mr. Whyte's of the 15th July, 1891, two or three days after that date the £125 was paid by him?—Yes.

1267. You are aware that the other £50 was not received by Mr. Henry from the Court of Chancery, nor paid to Mr. Whyte, till February, 1892?—It was paid to Mr. Whyte on the 10th March, 1892.

1268. After that £50 was paid by Mr. Henry to Mr. Whyte did you get any further sum from Mr. Whyte?—No.

1269. Then, in September, 1892, after you had apparently written some impertinent letter to him, Mr. Whyte writes to tell you he had settled with Mr. Parkes?—Yes.

1270. Where did you get the account attached to these papers?—From Mr. Whyte, through Mr. Hancock.

1271. And that shows that Mr. Parkes was settled with. It is an account from Mr. Whyte, dated 26th November, 1895—

Amount for distribution	£75	0	0
Paid Harrison 10s., and £30 ; Harrison, p. n., money lent and interest, £13 ; paid Harrison £1	44	10	0
Balance	£30	10	0

This balance was paid to Parkes Bros. (on Harrison's instructions) as under :—By cheque, £15 ; by cheque, £10 ; cost p. court proceedings, fraud summons, £5 10s. ... £30 10 0.

As a matter of fact, when Mr. Parkes got an order for payment against you you did not pay, and he then took proceedings on a fraud summons in the court?—Yes.

1272. And threatened to imprison you for non-payment?—No.

1273. An order for imprisonment was made against you unless you paid in a certain time?—I had to pay 10s. a week.

1274. Otherwise you had to go to prison?—No, it was not stated.

1275. After the fraud order is made against you, Mr. Whyte tells you that Mr. Parkes had been settled with on your account, and it was at a later date that that account was served to you?—That he had paid Mr. Parkes £44 10s. 9d.

1276. Mr. Parkes has never made any claim against you since?—No.

The witness withdrew.

Henry Gore Stevenson examined.

1277. *By the Hon. the Chairman.*—What are you?—An accountant.

1278. Since this inquiry started have you had any communications from Mr. Henry or any one connected with him?—Yes. I had a communication from his attorney, Mr. Barrow, requesting me to produce documents before the Committee here.

1279. When was that?—I should say it was about three weeks ago.

1280. What did you understand from that document?—

1281. *Mr. Bryant* stated that it was on his direction the letter in question was written, in order that when the witness appeared before the Committee the necessary papers might be forthcoming without delay.

[The letter was read as follows]:—

Melbourne, November 16th, 1895.

DEAR SIR,

I understand you have made a complaint against Mr. David Henry to the Select Committee on Money-Lenders, and that you are to be called before such Committee on Thursday next. I hereby give you notice to have with you and produce to the Committee all letters written by Mr. Henry to you, as well as all papers in your possession relating to your transactions with him.

Yours truly,

C. J. BARROW, solicitor for Mr. Henry.

1282. *By the Hon. the Chairman.*—You want to make a statement to the Committee—you have had some business transactions with Mr. Henry?—Yes. In the early part of June, 1885, I applied to Mr. Henry for a loan of £50, offering him as security a reversionary interest I held in a certain estate. Subsequently I had one or two interviews with him as to the matter, and he ultimately advanced me about £25, taking bills for £150—or rather two bills for £150 each. On the bill of exchange it says—“Drawn on the trustees of the estate;” and another was an acceptance payable on demand, also signed by myself, for another £150. The reason I mention these two bills is, that I have been advised that had they fallen into the hands of a third party it was quite possible for me to be sued on both bills by that third party. In addition to these he also took a mortgage on the aforesaid security for £150 and interest—that is to say, it was as if he had lent me £150. I believe the amount of interest was not stated; that was left to the discretion of Mr. Henry.

1283. *By the Hon. A. O. Sachse.*—That was for the sum of £25?—Yes, or about that.

1284. Was that security for moneys that might be advanced in the future?—No, that completed the whole.

1285. *By Mr. Bryant.*—Do you say the interest was never named between you and Mr. Henry?—I have no recollection of it. A few days after the completion of this transaction, speaking to a friend of mine on the matter, he advised me to go and see a certain firm of solicitors in the city and represent the matter to them, which I did, and they agreed without any demur to advance me £100 on the same security at the rate of 10 per cent. per annum, without any other charges, provided I could get a clear release from Mr. Henry. I then communicated with Henry on the matter, and asked him if he would give me a clear release for £60. He replied that he would do so, and on the 25th June, 1885, I waited on Henry at his office, accompanied by the accountant of Messrs. Crisp, Lewis, and Hedderwick, and paid him £60; receiving in return the mortgage, the bills, and the declaration. I produce these bills—[*handing in the same*]—and he also gave me a clear release. The chief point in this case is, that the security I gave for this paltry advance of about £25 Messrs. Crisp, Lewis, and Hedderwick considered ample for an advance of £100 at 10 per cent., and that at a time when the rate of interest was higher than it is to-day.

1286. *By the Hon. the Chairman.*—Do I understand that you only got a loan of £25?—The money actually advanced was about £25.

1287. What length of time had you this money?—You will notice that these bills are dated the 9th of June—[*handing in the same*]—and on the 25th of June of the same year I waited on Henry and paid him £60—that was a period of sixteen days. These are the two bills I allude to in my statement—one a bill of exchange and the other an acceptance accepted by myself.

1288. It was very foolish of you to do that?—At that time I was rather ignorant, or certainly I should never have had any business transactions with Mr. Henry. I really had the loan of this £25 for about sixteen days, for which I returned £60, being interest at the rate of more than 2,000 per cent. per annum.

1289. For sixteen days you paid £60 for a clearance?—That is to the best of my knowledge and belief. Certainly Mr. Henry agreed to let me out of the original agreement on my own terms, but I think there is very little credit due to him on that score.

1290. The original agreement was £150?—Yes.

1291. *By the Hon. A. O. Sachse.*—He took a mortgage for that—have you that mortgage?—I can get it if you desire it.

1292. *By the Hon. the Chairman.*—Where are you employed now?—I postponed my departure into the Riverina so that I might attend here.

1293. Where were you employed at the time of the transactions with Mr. Henry?—I was in the Bank of New South Wales. I might say that I had some other transactions of a minor character with Mr. Henry, but owing to the great period that has elapsed it is impossible for me to supply the necessary details.

1294. As far as I understand the case, you borrowed from Mr. Henry £25?—Yes.

1295. And you went voluntarily, after consulting your solicitors, to Mr. Henry, and suggested to pay him for a release £60?—Exactly.

1296. You did that on the suggestion of your solicitors?—On the advice of a friend. It was agreed that Mr. Henry would not let me out if I offered only twice as much as the £25 to get out of the business.

1297. *By the Hon. A. O. Sachse.*—When you signed that £150 promissory note securing Mr. Henry it did not occur to you the amount you were signing for?—The thoughts that occurred to me then are rather hazy now—it is nearly eleven years ago.

1298. We gather that you feel aggrieved at it?—When you speak of aggrieved permit me to say I am not here to ventilate my grievance. I have long since forgotten that. I am here from a sense of duty merely.

1299. Can you understand why you should have given a promissory note for £150 when you only received £25?—The fact was I wanted the money, and I was willing to sign any promissory note; I believe I would have signed a note for £500. I required the money very badly at the time for a certain purpose.

1300. *By the Hon. the Chairman.*—It would have been £6 for every £1 according to the bills?—Yes.

1301. You might have been liable for £300?—I am advised that way. I notified you in my original communication that I would call on Mr. Henry. The reason I mention this is that the other side will refer to it.

Cross-examined by Mr. Bryant.

1302. You first went to Mr. Henry in June, 1885—how old were you then?—Just 21.

1303. How long had you been in the Bank of New South Wales?—About two years.

1304. Presumably you were an intelligent man?—At that time I was very ignorant.

1305. You were a modest man who thought himself ignorant?—That is just it.

1306. What duties were you doing?—I had not got to the ledgers at that time.

1307. You finished the transaction in June, 1885—how many other transactions did you have with Henry?—I cannot tell you that.

1308. About how many?—There might have been three or four.

1309. Then we presume that you went back to Henry on subsequent occasions because you were not dissatisfied with previous transactions?—No; because I wanted some money, and I thought he had every right to lend it.

1310. And he made you pay for it?—He did.

1311. After your transactions with him did you ever make any complaint against Henry?—Whom would I make a complaint against?

1312. Did you make any complaint to Henry?—Henry would be a nice man to make a complaint to.

1313. Did you ever make any complaint to Henry after you had finished up all your transactions with him?—I do not remember doing so.

1314. During the last two or three months have you been to see Henry?—Yes.

1315. How many times?—Twice.

1316. Did you go of your own motion?—Yes.

1317. For what purpose?—For the purpose of giving your client the opportunity of performing an act of restitution.

1318. You went within a month or two ago?—Yes.

1319. Did you say this to him:—"Mr. Henry, I am going to lodge a complaint against you before this Parliamentary Committee, but if you pay me twenty pounds I will not do it"?—No, I did not.

1320. Did you mention twenty pounds?—Yes.

1321. You asked him for twenty pounds; for what did you ask him for that?—The reason that I mentioned twenty pounds was that Henry almost implored me to mention some explicit amount. When I went to Henry and asked Henry as to restitution he asked the amount.

1322. I am told it was on the 31st of October you asked him for twenty pounds?—I specified the sum of twenty pounds.

1323. What did you ask the twenty pounds for?—Because he asked me to name a sum.

1324. What for?—For the purpose of foregoing the moral claim I had on him.

1325. Had you lodged any complaint against Henry to the Committee at the time you asked for that?—No.

1326. When you went to him was not it to tell him that no complaint would be lodged by you if he paid the money?—I went to your client for the purpose of giving him the opportunity of performing an act of restitution.

1327. And if he performed that act what did you propose to do?—It is not what I would do but what I would not do.

1328. You knew at this time that the Parliamentary Committee was sitting, that Henry was being interrogated as to his financial transactions?—Yes.

1329. You went to see him and asked him for the sum you named?—Twenty pounds.

1330. What were you to do or to forego if you got it?—My claim.

1331. And also make a complaint to the Committee?—What business would I have here if I had no complaint to make?

1332. Was that part of your suggested bargain with Henry?—There was no bargain.

1333. I know there was not. Henry refused to bargain with you and you got nothing. Did you not offer to promise that you would make no complaint against him to the Committee if he gave you twenty pounds?—No; certainly not.

1334. Was the Parliamentary Committee referred to by you?—It was.

1335. How did you refer to it?—I told Henry that he must have been aware of the transactions that took place between us, and the great excess of money that he had, more than he was justly entitled to, and I told him—"Now I will give you an opportunity of performing an act of restitution, and restoring this money which you unjustly obtained from me; if not, I shall go to the Select Committee and tell them my story."

1336. So that this gentleman, with his sense of public duty, would not come and tell them if he got the money?—No. My visit to Henry was prompted from a sense of duty to myself.

1337. Outside the walls of this building that would be called blackmail?—You put a different complexion on it.

1338. On that occasion Henry refused to give you any money?—Henry refused to perform an act of restitution.

1339. And he refused to pay you any money?—Yes.

1340. Did you go back again in a few days and prefer the same request?—I gave him forty-eight hours to make up his mind, and I called at the expiry of that time and he declined, at the same time stating that he had made nothing out of my case. I then left, and acted up to my promise.

1341. When you asked for the twenty pounds, and he said he would not give it, did you ask him how much he would give?—No, I am sure I did not.

1342. Now, going back, you have told the Committee that to the best of your recollection no rate of interest was named between you and Henry?—Yes.

1343. Perhaps you can recognise your own handwriting—is that your signature—[*handing a document to the witness*]?—Yes.

1344. Is that yours also—[*handing another document to the witness*]?—Yes.

1345. The first is—“Melbourne, 9th June, 1885. To Mr. David Henry. Sir,—In consideration of your advancing me the sum of thirty pounds (£30) I hereby agree to pay you the sum of one hundred and twenty pounds (£120) for your bonus and risk in the matter, making a total of (£150) one hundred and fifty pounds due by me to you.—(Sd.) Henry Gore Stevenson.” Then, at the foot—“Received the sum of ten pounds (£10) on account of the above-mentioned (£30) thirty pounds, leaving a balance of (£20) twenty pounds to be paid to me on signing a mortgage over my interest in the will of my aunt Margaret Peppers.” Both those documents are altogether written by you?—Yes.

1346. This is the next one—“Melbourne, 9th June, 1885. To Mr. David Henry.—I hereby authorize you to get your solicitor to prepare an assignment by way of mortgage and power of attorney to secure to you the sum of (£150) one hundred and fifty pounds, bearing interest at the rate of (30) thirty per cent. on the above amount. The security to be given by me is over my share under the will of my late aunt (Margaret Peppers), which I believe consists of houses in George-st., Fitzroy, Met. Gas shares, Met. Building and In. shares; and, as I was born in April, 1864, I am of age now and able to deal with my effects, for which I will give a statutory declaration.—(Sd.) H. G. Stevenson. I further authorize you to sell all my interest in the above.—(Sd.) H. G. Stevenson.” This letter of the 10th June says—“I am advised that I am literally disposing of my interest in the estate in question for the sum of £20, and after I attach my signature to the mortgage I have no further say in the matter, as you are not obliged to sell unless you choose, so that, with a debt of £150 and compound interest at the rate of 30 per cent. on that amount, in the course of a few years I should be in a pretty pickle. You must admit that this is a mad act on my part, considering I had just refused £50 cash for my share. And, with reference to your remark as to the value of the estate, I must add that you are altogether wrong, as when my aunt died the gas company were declaring dividends of 8 per cent., and are now giving 16 per cent., which is just double. The landed property has increased in value considerably and the estate is now valued at every penny of £6,000, and increasing in value every year. I would sooner give you the necessary authority to sell and pay you 100 per cent. on the purchase money for your trouble, or receive a definite offer from yourself. However, I hope we will arrange the matter amicably and with profit to both of us. Awaiting your reply, I remain yours, &c., H. G. Stevenson.” Here is the offer you made to Henry. Some good friend put you on to people who would lend money at a lower rate:—“Monday.—If within ten days I pay you the sum of £60 will you accept it as a final discharge? if so, let me know at once.—Yours, &c., H. G. Stevenson. P.S.—This is a final offer, and no other will be made.” And then you came down to Henry, and Henry said he would take the £60 and forego his claim, and you had done with it. For what time had you originally borrowed this £30?—I do not think there was any time specified.

1347. There must have been some time named?—Not to the best of my knowledge.

1348. Is it probable that you mentioned a certain time you required the money for?—Very probably.

1349. Why do you mention £60 as against £150?—To make the best of a bad bargain.

1350. When you agreed to pay £150 for the £30 you were getting you understood the nature of the bargain you were making?—I did not say that I did.

1351. You did not insure your life at that time?—I could not say.

1352. When, under the will of your aunt, were you entitled to get this reversionary interest?—One contingency was on the youngest coming of age, and providing that the present holder of the estate died before.

1353. What was the age of the youngest child at that time, June, 1885?—About twelve.

1354. Then, at any rate, you got no interest under this will for a period of nine years?—Certainly not.

1355. I am told it is eleven as a matter of fact. You could get nothing under that will for that time, and Mr. Henry, of course, could get nothing either?—Certainly.

1356. And your interest, of course, depended in the first place, on the death of your aunt, and then upon the youngest child coming of age?—I believe so.

1357. Is your aunt dead yet?—No; she is very nearly 80, I believe.

1358. Are you still in the bank of New South Wales?—No.

1359. You are an accountant now—how long have you been an accountant?—Some years.

1360. Do you consider that, as a business man, was a good risk for a man to lend on, a reversionary interest dependent on lives?—It depends on the amount lent. Crisp, Lewis, and Hedderwick considered it a good risk to take for 10 per cent.

1361. Did you insure your life for them?—I cannot say.

1362. Did you pay them any bonus?—No.

1363. How much did you get from them?—About £93. They gave Henry £60, and myself a cheque for about £33.

1364. Who has the mortgage you gave Henry?—I believe it is in the possession of a lawyer in the city.

1365. What lawyer?—Is it necessary to answer that?

1366. *The Hon. the Chairman.*—I do not see that it is necessary.

1367. *Mr. Bryant* urged that it was necessary for the Committee to see the document to show precisely the items on which the money was lent, and that the terms were known by the witness. The rate of interest would depend on the risk, and no man could define “usury,” because it was a relative term depending on the proportion between the security and the rate of interest charged. He wanted to show in this case that the risk was an extraordinary one, and, therefore, the rate charged was high, and he required the mortgage which recited the nature of witness’s interest.

1368. *Mr. Bryant* also asked the Committee to direct the witness to produce the securities he gave Messrs. Crisp, Lewis, and Hedderwick, in order to show the nature of the securities they had as compared with the securities that Mr. Henry had. He hesitated to accept the witness’s evidence unless corroborated.

1369. *The Hon. the Chairman.*—The Committee are of opinion that the witness has given his answers in a straightforward way.

1370. *By Mr. Bryant (to the witness).*—When you went to Crisp, Lewis, and Hedderwick, you saw one of the firm, I presume?—Yes.

1371. And you borrowed £100; what security did you give?—Precisely the same security that I gave to Henry, nothing more or less, to the best of my knowledge and belief.

1372. Was this document you signed with Crisp, Lewis, and Hedderwick a mortgage or an out-and-out transfer?—A mortgage.

1373. Have you paid off that sum yet?—Yes.

1374. And had your securities back from them?—I do not say where they are. I do not intend to offer any evidence on that point.

1375. Have you got your securities back from them?—The question of the possession of the securities has nothing to do with the case.

1376. Until the Chairman tells you not to, you will answer the question. Had you those securities back?—My business is with the Select Committee, and not with Mr. Henry’s counsel.

1377. *Mr. Bryant* appealed to the Committee to make the witness answer.

1378. *By the Hon. the Chairman.*—Have your transactions ceased with Crisp, Lewis, and Hedderwick?—Yes, altogether.

1379. *Mr. Bryant.*—The witness has come here, he says, from a sense of duty. He wants to show that Henry has been guilty of usury, to show that the security was good and Henry’s charge unfair. He instances the fact that he went to Crisp, Lewis, and Hedderwick, and got £100 at 10 per cent. The object of that is to influence the minds of the Committee comparing the two things.

1380. *The Hon. the Chairman.*—No doubt.

1381. *Mr. Bryant.*—Then I think it is grossly unfair. Is it not right that the Committee should know precisely the nature of the security given to Crisp, Lewis, and Hedderwick? I venture to say when you see this security you will find an immense difference—in one case a mortgage, and in the other a transfer of that mortgage to Crisp, Lewis, and Hedderwick, who were then secured for £150. If the Committee will not insist on the witness producing those documents it is manifestly unfair to Mr. Henry. The witness has been requested to produce them by letter, and I ask the Committee to give me the assistance we have a right to expect and which common fair play demands. Mr. Henry is here on his trial for so-called usurious practices. Why cannot we have the document if there is nothing to conceal? It is quite possible that it will be discovered that some extra security was given to Crisp, Lewis, and Hedderwick through the witness’s aunt, who was alive, or that she was lending the money through Crisp, Lewis, and Hedderwick.

1382. *By Mr. Bryant (to the witness).*—Is that your hand-writing—[handing a document to the witness]?—Yes.

1383. “Hillside. St. John’s-road, Toorak, Friday. My dear Mr. Henry,—My aunt who promised me the money to pay you says that she will not, unless you come down. Kindly let me know definitely your final terms by return of post and I will call on you on Monday.” That suggests that the aunt is willing to assist you and that she did assist you in the transactions with Crisp, Lewis, and Hedderwick?—I do not see that those letters have anything to do with the question at issue.

1384. *Mr. Bryant.*—I repeat that it is fair we should see those documents, otherwise the Committee may be disposed to draw an inference unfair to Henry.

1385. *The Hon. the Chairman.*—You need not be afraid of that.

1386. *Mr. Bryant.*—If you do not compare the terms on which Crisp, Lewis, and Hedderwick lent the money with those on which Henry lent it, there is nothing further to say.

1387. *By Mr. Bryant (to the witness).*—Who lent you that money?—Crisp, Lewis, and Hedderwick.

1388. Was it their own money?—To the best of my belief.

1389. Was it your belief that it came from your aunt?—What do you mean?

1390. The letter says your aunt at one stage promised to lend you money. In connexion with the transactions through Crisp, Lewis, and Hedderwick had you approached your aunt, and had she promised to help you through them?—The transaction I had with Crisp, Lewis, and Hedderwick had nothing to do with my aunt.

1391. Had you asked your aunt to lend you money before you went to Crisp, Lewis, and Hedderwick?—No. I have no recollection of that.

1392. Had you ever had any transaction with Crisp, Lewis, and Hedderwick before you went to them in this transaction?—No.

1393. Who suggested your going there—was it your aunt?—I cannot remember.

1394. Do you not know that Crisp, Lewis, and Hedderwick were your aunt’s solicitors?—I know they were.

1395. Will you venture to tell the Committee that it was not your aunt who recommended you to go to Crisp, Lewis, and Hedderwick?—I venture to tell them I cannot inform them.

1396. Or is it that you will not?—Cannot.

1397. Was it Mr. Crisp you dealt with in the firm?—Mr. Hedderwick, I believe.

1398. Now as to the other transactions between you and Henry; you went to him on July the 10th and borrowed three pounds and promised to pay six pounds?—I cannot say as to the date.

1399. That is the sum you got?—I cannot remember the details.

1400. August 6th, £4 10s., and agreed to pay £9; August 15th, £1, and agreed to pay £2; repaid, £12?—I have already said I cannot remember the details.

1401. The first transaction was £30?—Yes.

1402. And Henry paid the cost of preparing the mortgage, £3 14s. 10d.?—I presume he did so.

1403. *Mr. Bryant (to the Hon. the Chairman)*.—May I ask the Committee to require the production of those securities?

1404. *The Hon. the Chairman*.—We will take a note of your request.

1405. *The witness*.—Counsel has made a great deal of capital out of my interview with Henry, and as he has touched on it I should like to tell you exactly what occurred. I merely called on Henry, who recognised me at once, and evidently was fully apprised of the transactions we had had, and I told him in plain words that if he did not refund me a portion of that money that I should feel it my duty to go to the Committee and recount the whole transaction, and he asked me how much I wanted. His words were—"What do you want—how much do you want? If you want the whole of the interest returned, and perhaps more, I cannot do that, but I will look over my books and see what I made out of the case and see what I can do for you." Subsequently he pressed me very hard to say what amount I wanted, and I said that I merely wished him to look through the books and see what he had in excess of what he was justly entitled to, and he asked me a dozen times what amount I would take. At this stage I took the precaution to bring a witness with me, so that no mistake should occur, and eventually Mr. Henry induced me to state a certain amount, and I said—"Very well, Mr. Henry, if you give me a cheque for twenty pounds I will give you a full release," and I went away and gave him forty-eight hours to consider it. I called again and his answer was "No," and I left the office. I also had my witness with me that time.

1406. *By the Hon. D. Melville*.—You made that transaction known in your letter to the Committee?—Yes.

1407. You did not want to suppress it. This is your letter. You intimated in this letter you had seen Mr. Henry?—Yes.

1408. What do you think, as a business man, now you are a little older, of this bonus business and this 30 per cent., is it usurious?—As applied to a legitimate loan I do not know what a bonus means. I understand interest if the lender gets ample security and a fair rate of interest. I do not know the meaning of bonus.

1409. What do you think of 30 per cent. irrespective of bonus?—

1410. *Mr. Bryant* objected that Mr. Melville was asking the witness questions of opinion about Mr. Henry's transactions; it was for the Committee to decide that question on the evidence they might hear, and not on the opinions of people who were biased.

1411. *By the Hon. D. Melville*.—The question is, as a man mixing with business people, how do you regard 30 per cent. with a bonus?—On this particular security?—

1412. Take yours?—

1412A. *Mr. Bryant* again objected to the question, for the reasons already given.

1413. *The witness*.—Irrespective of bonus, which is a term I do not understand as applied to loans, I should say 15 per cent. was liberal.

1414. Had you any suggestion from this Committee to come and give evidence?—None whatever.

1415. Is it entirely voluntarily?—Entirely.

1416. From your sense of duty to yourself and the public?—First to myself and then to the public.

1417. Was that the only motive?—The only motive.

1418. *By the Hon. A. O. Sachse*.—Have you had any communication with the Members of the Committee?—None of them.

1419. Or with any of the officers of the Committee?—No; only the usual notice to attend.

The witness withdrew.

Adjourned to Wednesday next, at half-past Two o'clock.

WEDNESDAY, 11TH DECEMBER, 1895.

Members present:

The Hon. D. E. MCBRYDE, in the Chair;

The Hon. Dr. W. H. Embling
D. Melville

The Hon. A. O. Sachse
E. Miller.

Thomas W. Lloyd recalled, cross-examined by *Mr. Bryant*.

1420. You told the Committee that ordinarily, supposing you made a loan of £50, you charged a £10 bonus, and 15 per cent. interest on the £60?—Yes.

1421. I take it that you do not lend money where there is a very great risk?—Not if I know it.

1422. Supposing a man you did not know came with a letter and told you that his aunt, still living, had made a will, and that under that will he would come into a life interest on £1,000; would you, not knowing that he had an aunt or that she had property or had made a will, consider it a good risk?—I would not advance on a risk like that—if the woman is alive, she may revoke her will at any time.

1423. Supposing you were induced to lend on that risk, what would you consider a fair rate of interest?—I would not advance at all in that case.

1424. Any man who did advance that way would be a gambler?—He would; it would be like betting on the Melbourne Cup.

1425. You would not think 15 per cent. or double that amount sufficient in that case?—No, I would not lend at all on it. I would not advance if the party was alive.

1426. Do I understand you to say that you have never charged more than 15 per cent.?—On one occasion, I think, I charged 20 per cent., but it is usually 15 per cent.

1427. On what you regard as fair securities?—Yes.

1428. Do you know a man named Joseph Whitfield?—I do.

1429. Did you have any dealings with him?—Yes, eighteen months ago I advanced money to him to go home to England—I could not tell the amount from memory.

1430. What was the nature of the security he gave?—He had given some securities to Mr. Henry—I forget what.

1431. Did you not get them afterwards from Henry?—No. The man came to me and I said—“Well, the only way I can see for you to decide your point is to go to England and decide it there.” I advanced him money, and he went home, and it was afterwards settled.

1432. What sum did you advance?—I cannot tell from memory.

1433. What security did you take?—A mortgage of his interest under his uncle’s will.

1434. Do you know a man named John Wray; did you advance money to him?—Yes, I did, and I lost money by him—I cannot tell the amount from memory. I took a mortgage or assignment of his interest under his aunt’s will—she was dead at the time.

1435. He had the right then to the immediate acquisition of his property?—Yes, he got portion of his money, and Mr. Campbell, solicitor, paid me—I cannot tell how much I received, from memory. I lost a few pounds over him.

1436. Supposing a man came to you and said that he was entitled to property, that a relative, who was still alive, had made a will, and that he was entitled to £1,000 on the death of the testatrix and on the youngest child of the family then alive coming of age?—First of all, how could I see the will. I would not advance in a case like that at all if the person was still alive.

1437. You would not think 15 per cent. a fair recompense in a case like that?—No, nor yet 30 per cent.

1438. In those cases where the interests are remote, the whole thing is a gamble?—Yes.

1439. In those cases, where people whom you do not know come to you and say they have interests under different wills not yet proved in England, or in another colony, one great risk is the matter of identification?—Yes.

1440. And you cannot get identification by means of a cable?—No.

1441. You can telegraph home to find out whether the statements are correct, but you cannot find out whether it is the right person?—No, you cannot.

1442. I suppose you have been “had” under those conditions?—Yes; I have found sometimes the individual is not entitled to the property at all; and sometimes the solicitors mislead you.

The witness withdrew.

1443. *The Hon. the Chairman.*—There was some reference made the other day in the case of Harrison to an account of Parkes Brothers. The Committee promised to endeavour to find out whether the bill had been wholly paid, and this is a telegram received from the clerk of petty sessions at Colac, where the account was to be paid:—“Parkes and Harrison.—No money paid through this court in above case. Parkes informs me that he received from T. N. Whyte, solicitor, £15 on 25th July, 1891, and £10 in May, 1892, £25 in all, leaving £14 19s. 9d. due.”

1444. *Mr. Bryant.*—I know nothing about it, of course, but this letter has just been handed to me. Mr. Whyte’s agents received it, addressed to Messrs. Hughes and Permezel:—“Yesterday the Board wired to the clerk of petty sessions at Colac as follows:—‘Did Parkes, of your town, get an order against Harrison in your court? If so, for what amount, and how much has Parkes received?’ From this I assume that inquiries are being made by the Board with a view of testing Harrison’s veracity, and as there is a slight discrepancy between a letter written by me to Harrison on 8th April, 1892, and the actual state of the accounts, I think it advisable for you to lay the following facts before Mr. Bryant, and instruct him to explain the matter to the Board. On the 8th April, 1892, I wrote a letter explaining the state of the account between me and Harrison, a copy whereof is enclosed herewith.” The letter is as follows:—“April 8th, 1892. Mr. Edward S. Harrison, No. 7 Holmes-street, Soldiers’ Hill, Ballarat. Dear Sir,—Self and Henry. Referring to your letter hereon, the tone of which I do not at all like, our account stands as under:—

<i>Dr.</i> —1891.					
June 23.—By amount paid you	...	...	...	...	£0 10 0
July 14.	”	”	...	...	30 0 0
Sept. 13.	”	your p.n.	...	...	13 0 0
Nov. 14.	”	paid you	...	...	1 0 0
	”	Parkes’ verdict	...	...	44 10 9
					£89 0 9
<i>Cr.</i> —1892.					
To half proceeds from Henry	...	...	...	...	£75 0 0
					£14 0 9

More especially in reply to yours of 2nd inst., the contents of which I do not quite understand, you were thoroughly made aware of and advised as to what you were doing when you signed the release. As a matter of fact, you wrote a letter to your mother at Mr. Barrow’s dictation, informing her that you had settled with Henry. Seeing the extraordinary position you have taken up, I shall not give you your papers until you have released and discharged me from all claims.” “On looking into the matter, I find that I have not debited him with £1 ls. paid him on 14th July, 1891, and that I have apparently debited

him with £44 10s. 9d., amount of Parkes' verdict against him. This amount, £44 10s. 9d., was not intended to show as an actual payment made by me, but was meant to show Harrison that he was still £14 0s. 9d. in debt to Parkes. You will see that it is mentioned as 'By amount of Parkes' verdict, £44 10s. 9d.,' and not 'By amount paid Parkes.' I drafted this letter and my then account, and filled in the blanks with the idea before mentioned. This draft letter is amongst the papers which you have. The correct account is as under :—

By Harrison's share of amount collected	...	...	...	...	£75 0 0
1891.					
June 23.—To amount paid Harrison	...	...	...	£0 10 0	
July 14. " "	...	...	...	1 1 0	
" 15. " "	...	...	...	30 0 0	
Sept. 15. " of Harrison's p.n.	...	...	...	13 0 0	
Nov. 14. " paid Harrison	...	...	...	1 0 0	
" " paid Parkes at two different times (£15 and £10)	...	...	...	25 0 0	
To costs deducted from Parkes' share for costs due by him for police court proceedings	...	...	...	4 9 0	
					£75 0 0

You will note that I have all along neglected to debit him with the £1 1s. paid on 14th July, 1891, and I was under the impression that I had deducted £5 10s. from Parkes' amount for costs until now. The costs, £4 9s., actually represented about 8 or 10 guineas' worth of work."

Henry G. Stevenson recalled and further examined.

1445. *By the Hon. the Chairman.*—You wrote a note stating that you wanted the Committee to see you again?—Yes. I have one or two statements to make. The first is with regard to the securities. The question was raised by the other side as to whether the securities on which Henry lent me £30, and the securities upon which Crisp, Lewis, and Hedderwick had advanced me £100, were identical. In order that I might be able to come here and verify that statement, I called on Crisp, Lewis, and Hedderwick, and am in a position to affirm that those securities were in all respects identical.

1446. *Mr. Bryant* objected to the Committee receiving the verbal statement of the witness unless the papers which he (Mr. Bryant) had already asked for were produced.

1447. *By the Hon. the Chairman (to the witness).*—Have you the papers here?—No.

1448. *Mr. Bryant.*—I cross-examined the witness to find out the whereabouts of the securities, and the Committee would give me no assistance to get them. I still ask for those papers to be produced, and I object to the Committee receiving any supplementary statement about the papers.

1449. *The Hon. the Chairman.*—The Committee were not aware as to what this witness intended to say when he asked to be called again, but you are perfectly correct as to the documents. The Committee declined to ask Stevenson to bring those papers, because they thought they did not bear on the case at the time, but I think that what you say is right. As the papers are not here it is not fair for Stevenson to go into the case unless Mr. Bryant is given an opportunity of examining them.

1450. *Mr. Bryant.*—I do not desire that anything should be concealed as far as we are concerned, and am desirous that Stevenson should come forward again and supplement any evidence he has given by a further statement and produce the documents.

1451. *The witness.*—Messrs. Crisp, Lewis, and Hedderwick will be happy to supply any information to the other side if they ask for it. If it is necessary to produce the documents it will be necessary to go further into the case.

1452. *The Hon. the Chairman.*—I do not think it is necessary to go further into the case at all.

1453. *The witness.*—I request also that at a later stage the Committee will express an opinion as to whether, when I went to Henry to demand a refund of a portion of the £60, I was guilty of attempted blackmail.

1454. *The Hon. the Chairman.*—The Committee will consider that.

1455. *By the Hon. D. Melville.*—As far as you are concerned you are willing to have the papers produced?—I am willing to have this case thrashed out.

The witness withdrew.

The Committee-room was cleared.

The Committee deliberated.

The counsel and parties were again called in.

1456. *The Hon. the Chairman* stated that the Committee did not intend to examine any further witnesses, and would now hear Mr. Bryant if he desired to address the Committee, or if he desired to call any witnesses.

1457. *Mr. Bryant.*—The decision of the Committee takes me by surprise, because it puts me in the position of counsel for an accused person. You ask me if I propose to call witnesses—on whose behalf? obviously Henry's. Do the Committee desire to examine Mr. Henry further?

1458. *The Hon. the Chairman.*—No.

Mr. Bryant was heard to address the Committee.

The Committee adjourned.

APPENDIX A.

MEMO.—HARRISON.

1890.	Moneys advanced.	Charges.
March 11.—To mortgage	£50 0 0	£250 0 0
April 9.—To further charge	100 0 0	400 0 0
June 2.—To p. note	2 0 0	10 0 0
June 16.—To p. note	3 0 0	15 0 0
Aug. 21.—To assignment of mother's estate	15 0 0	75 0 0
Oct. 1.—To p. note	7 0 0	35 0 0
Oct. 15.—To cash, Bencroft, notary	1 1 0	
1891.		
— To absolute assignment	30 0 0	30 0 0
July 13.—To paid to Whyte for him	125 0 0	
July 14.—To cable saying—"Matter settled here"	1 12 8	
Dec. 30.—To Cubley	0 10 0	
1892.		
Feb. 29.—To paid to Whyte for him	50 0 0	
1893.		
Jan. 3.—To tel.	0 9 8	
May 7.—To Cubley	0 10 0	
Law costs in Melbourne	42 9 8	
	<u>£428 13 0</u>	

1890.— <i>Cr.</i>		
June 2.—By cash	£238 0 0	
Sept. 16.—By cash	292 0 0	
Oct. 15.—By cash	0 15 0	
1892.		
Feb. 29.—By cash—Money from Chancery	227 0 0	
1893.		
June 24.—By cash—Sale of interest, in money payable on death of mother, to his mother	112 2 6	
March 9.—By cash	0 6 0	
		<u>870 3 6</u>
Cash paid as above		£428 13 0
Profit		<u>£441 10 6</u>

APPENDIX B.

MEMO.—STEVENSON.

1885.	Actual Cash lent.	Charges.
June 9.—To assignment	£30 0 0	£150 0 0
1885.— <i>Cr.</i>		
June 25.—By cash		60 0 0
Allowance		£90 0 0
Add Mr. Barrow's costs		3 14 10
		<u>£93 14 10</u>

Second Transaction.

1885.	Actual Cash lent.	
July 10.—To p. note	£3 0 0	£6 0 0
Aug. 6.—To p. note	4 10 0	9 0 0
Aug. 15.—To p. note	1 0 0	2 0 0
		<u>£17 0 0</u>
1885.— <i>Cr.</i>		
July 11.—By cash		£6 0 0
Nov. 20.—By cash		6 0 0
		<u>12 0 0</u>
Allowance		£5 0 0

NOTE.—In order to clearly set out statement in Appendix A the following summaries are subjoined:—

SUMMARY No. 1.

1890.			1890.		
March 11.—To cash mortgage	...	£50 0 0	June 2.—By cash received	...	£238 0 0
April 9.—To further charge	...	100 0 0	Sept. 16.—By cash received	...	292 0 0
June 2.—To promy. note	...	2 0 0	Oct. 15.—By cash received	...	0 15 0
June 16.—To promy. note	...	3 0 0	1892.		
Aug. 21.—To assignment, mother's estate	... ..	15 0 0	Feb. 29.—By cash Court of Chancery	227 0 0	
Oct. 1.—To promy. note	...	7 0 0	1893.		
Oct. 15.—To Bencroft, notary	...	1 1 0	June 24.—By sale of Harrison's interest to his mother	... ..	112 2 6
1891.			Mar. 9.—By cash	... ..	0 6 0
— To absolute assignment	...	30 0 0			
July 13.—To Whyte, solicitor for Harrison	... ..	125 0 0			
July 14.—To cable—"Matter settled here"	... ..	1 12 8			
Dec. 30.—To Cubley	... ..	0 10 0			
1892.					
Feb. 29.—To Whyte, for Harrison	...	50 0 0			
1893.					
Jan. 3.—To telegram	... ..	0 9 8			
May 7.—To Cubley	... ..	0 10 0			
— To law costs, Melbourne	...	42 9 8			
— To balance	... ..	441 10 6			
		<u>£870 3 6</u>			<u>£870 3 6</u>
			1893.		
			May.—By balance, profit of	... ..	£441 10 6
			For an advance of	... ..	£428 13 0

SUMMARY No. 2.

1890.					
Mar. 11.—To cash advanced	£50 0 0	for which Henry charged	£250 0 0	=	500 per cent.
April 9.—"	100 0 0	"	400 0 0	=	400 "
June 2.—"	2 0 0	"	10 0 0	=	500 "
June 16.—"	3 0 0	"	15 0 0	=	500 "
Aug. 21.—"	15 0 0	"	75 0 0	=	500 "
Oct. 1.—"	7 0 0	"	35 0 0	=	500 "
Oct. 15.—"	1 1 0	"			
1891.					
—	30 0 0	"	30 0 0	=	100 "

1895-6.
VICTORIA.

REPORT

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON THE

FACTORIES AND SHOPS ACT 1890 AMENDMENT
BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE AND MINUTES OF EVIDENCE.

Ordered by the Legislative Council to be printed, 11th February, 1896.

By Authority:

ROBT. S. BRAIN, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 3RD DECEMBER, 1895.

4. PETITION.—The Honorable Dr. W. H. Embling presented a Petition from the Corporation and Councillors of the Shire of Strathfieldsaye, under the common seal of the said corporation, praying that the Council would see fit to reject any proposal to extend to shires the operation of the Factories and Shops Act 1890 Amendment Bill.

Ordered to lie on the Table, and to be referred to the Committee of the whole on the Factories and Shops Act 1890 Amendment Bill.

THURSDAY, 19TH DECEMBER, 1895.

4. PETITION.—The Honorable F. S. Grimwade presented a Petition from the Committee of Management of the Women's Hospital, signed by Agnes Shields and W. H. Gibson, styling themselves Honorary Secretary and Superintendent and Secretary respectively, praying that the Council would reject clauses 45 and 48 of the Factories and Shops Act 1890 Amendment Bill.

Ordered to lie on the Table, and to be referred to the Committee on the Factories and Shops Act 1890 Amendment Bill.

* * * * *

13. FACTORIES AND SHOPS ACT 1890 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.

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

The Honorable W. McCulloch moved, That this Bill be committed.

Question—put and resolved in the affirmative.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill be committed to a Select Committee.

Question—put and resolved in the affirmative.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That Standing Order No. 183 be suspended so as to allow the Committee to consist of twelve members.

Question—put and resolved in the affirmative.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the Select Committee consist of the Honorables S. Austin, J. Balfour, S. W. Cooke, H. Cuthbert, F. S. Grimwade, J. M. Pratt, J. Sternberg, N. Thornley, J. A. Wallace, T. D. Wanliss, W. I. Winter-Irving, and the Mover; such Committee to have power to send for persons, papers, and records, and to move from place to place; three to be the quorum.

Question—put and resolved in the affirmative.

REPORT.

THE SELECT COMMITTEE appointed by your Honorable House on the 19th December, 1895, and to which was referred "A Bill to amend the *Factories and Shops Act* 1890 and for other purposes" have the honour to report as follows :—

Your Committee have held nine sittings, and have examined 32 witnesses, representing employers and employés in the following trades :—Boot, Furniture (both European and Chinese), Clothing, Box making and Sugar manufacturing, Drapery, Bread making, Butchers and Milk vendors, as well as the officers administering the *Factories and Shops Act*.

Having given careful consideration to the evidence so taken your Committee have the honour to report as follows :—

1. Clause 3, sub-clause (1) (*a*), page 2—That one or more persons in the furniture trade and bake-houses should constitute a factory.

Sub-clause (2)—That facilities should be given to meet the pressing requirements of laundries in executing orders of an urgent nature.

2. Clause 4, page 2—Omit this clause.

3. Clause 7, page 3—That the fee should not exceed 2s. 6d.

4. Clause 9, page 3, line 38—That the following words at the end of the clause be omitted :—" or of any factory or work-room which is not kept in conformity with the *Factories and Shops Acts*."

5. Clause 14, sub-clause (1), page 4—That the particulars to be given in the record which may be published should relate only to work and wages and the ages of workers under sixteen.

Sub-clauses (2) and (3)—That after the word "kept," in line 31, the word "printed" be inserted.

Sub-clause (4), line 9—Omit "Forty" and insert "Twenty."

6. Clause 15, sub-clause (2), page 5, line 19—Omit "Ten" and insert "Two."

Sub-clause (4), page 5—That the particulars that may be published should relate only to charges of sweating.

7. Clause 15, sub-clause (5), page 5—That this clause should be omitted, as persons who issue or give out material should not be made liable for the actions of occupiers of factories over whom they have no control.

8. Clause 16, page 6—That this clause be omitted, your Committee being of opinion that as the Boards will be empowered to fix prices and as the manufacturers will, under the Act, be required to keep a full record of all work given out permits will not be required.

8A. Clause 17, page 7, Boards—That the balance of evidence is in favour of the appointment of a separate Board for each trade, *i.e.*, clothing or wearing apparel, boots and shoes, and furniture.

Each Board should consist of not more than five representing the employers and not more than five representing the employés, as may be prescribed.

Each Board should be elected half by the employers and half by the employés.

Employers to vote according to the average number of hands in their employ, including outside workers, and to be entitled to vote according to the class for which each factory pays registration fee, *viz.* :—Factories employing one to ten hands, one vote; eleven to 30 hands, two votes; 31 to 60 hands, three votes; 61 hands and upwards, four votes.

All employés working in factories to be entitled to vote for four representatives.

All outside workers to be entitled to vote for one representative.

The Chairman should be elected by each Board, or, failing agreement, by the Governor in Council.

Each Board should be for the whole colony, and should fix the lowest log for prices, also the proportion of apprentices and improvers.

Each Board should have the power of deciding the hours of labour of girls, women, and children only.

Clause 17, page 9, omit "Twenty" and insert "Ten."

Clause 17, page 9, line 20, omit "Fifty" and insert "Twenty-five."

Clause 17, page 9, line 20, omit "a third or."

Clause 17, page 9, line 21, omit "imprisonment for any period not exceeding three months" and insert "a penalty of not less than Fifty pounds nor more than One hundred pounds."

9. Clause 21, page 12, line 17, omit the words "and in such notice he shall direct such occupier to forthwith notify to the council for the district that the Chief Inspector has given such notice."

10. Clause 22, page 12, sub-clause (2), line 40, omit "Five" and insert "Two," and in line 41, omit "Two" and insert "One," and on same line omit "Twenty" and insert "Five."

11. Clause 24, sub-clauses (1) and (2), page 13, Overtime.—That no girl under sixteen years of age should be allowed to work overtime, and no woman or girl over sixteen to work more than eleven hours in any one day, nor later than Nine p.m.

Overtime should be allowed without obtaining a permit for any time not exceeding two days in any one week nor for more than 30 days in any twelve months, conditional upon immediate notice being given to the Chief Inspector, and a record being kept of such overtime.

For any overtime required beyond that a permit must be obtained.

If permits be refused by the Chief Inspector the right of appeal should be to the Board.

All overtime to be paid for at the rate of time and a half, and tea money not less than 6d. to be given.

Sub-clause (3)—That revocation of permit for overtime should be only in the case of a breach of the conditions under which it was granted.

12. Clause 26, page 13, line 31, omit the words "and such other conditions as the Minister may think fit."

13. Clause 27—That this clause shall apply to the whole of the furniture trade, not only to the Chinese.

Clause 27, page 13, line 39, omit "Five" and insert "Six."

Clause 27, sub-clause (2), line 44, omit "Twenty" and insert "Ten."

Clause 27, sub-clause (2), page 14, line 1, omit "Fifty" and insert "Twenty-five."

14. Clause 32—Omit this clause.

15. Clause 33—Omit this clause.

16. Clause 38, page 16—Evidence has been given that different trades, giving employment to about 3,000 hands, have been in the habit for many years of closing on the Saturday afternoon.

This relates chiefly to the City of Melbourne; but in the same area a considerable number of shops representing probably a larger number of employé's have been and are open on Saturday afternoon.

The clause as drafted would enable the latter to outvote those who are in the habit of closing on Saturday, and thus cancel an arrangement that has been found to work well for their convenience, and that of a large section of the general public.

It is therefore recommended that a proviso, as follows, be inserted:—"Provided also that no shopkeeper shall be deemed guilty of a breach of any such by-law by reason only of his not complying with the same if he shall close and keep closed his shop on the Saturday of each and every week during which he shall fail to comply with such by-law from the hour of Two o'clock in the afternoon."

17. Clause 39, page 16—This clause should include Brighton and Northcote.

18. Clause 42, page 18, line 42—After "employed" insert "exclusively."

19. Clause 43, page 19—That a proviso should be inserted as follows:—"That in any week in which a public holiday occurs, and such public holiday not being on a Saturday, the eleven hours' work may be done on two days in such week provided the shop be closed for the public holiday."

20. Clause 44, page 19—Omit this clause.

21. Clause 45, page 20—Omit this clause.

22. Clause 46, page 20, line 15—Insert before "or" the word "bread."

23. Clause 47, page 20, line 23—Omit "Five" and insert "Two."

Clause 47, page 20, line 24—Omit "Two" and insert "One."

Clause 47, page 20, line 25—Omit "Twenty" and insert "Ten."

24. Clause 48, page 20—That Bakers be allowed to close one whole day per month in lieu of half a day in each week.

That Butchers and vendors of milk be allowed to close at One o'clock instead of Eleven o'clock in the forenoon.

25. Clause 49, page 20, line 38—Omit "eleven" insert "one."

Clause 49, page 20, line 39—Omit "forenoon" insert "afternoon."

26. Clause 51, page 21—That in lieu of "One o'clock" a clause be inserted similar to the New Zealand Act, that the shop shall be closed at half-past One, and the employé's not employed after Two o'clock. The clause to apply to bakers who prefer one day per month.

27. Clause 51, sub-clause (1), page 21, line 15—After "afternoon" insert "or in the morning."

28. Insert new sub-clause—(3) For the purpose of this section every waitress employed in a restaurant coffee palace hotel eating-house or fish and oyster shop shall be deemed to be a person employed in a shop and the keeper proprietor or occupier of every such restaurant coffee palace hotel eating-house or fish and oyster shop shall be deemed to be the occupier of a shop within the meaning of the said section.

29. Clause 52, page 21—Information should be laid in the case of all offences, except those connected with the furniture trade, within two months.

30. Clause 55, page 22, line 29—Before “bakehouses” insert “bread or.”

31. Clause 57, page 23—That boots should be stamped as well as furniture.

32. Penalties.—That in the opinion of your Committee the penalties are excessive, and should be materially modified, and that both employer and employé should be liable to similar penalties.

33. That the Act should be limited in its operation to a period of three years.

11th February, 1896.

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 15TH JANUARY, 1896.

Members present:

<p>The Hon. Lieut.-Col. Sir F. T. Sargood T. D. Wanliss J. A. Wallace J. Sternberg H. Cuthbert S. W. Cooke</p>	<p>The Hon. S. Austin W. I. Winter-Irving N. Thornley J. M. Pratt F. S. Grimwade.</p>
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The Clerk read extract from the Minutes of the Proceedings of the 19th December, 1895, referring to the appointment of the Committee.

The Hon. Lieut.-Col. Sir F. T. Sargood was called to the Chair.

John Bedggood examined by the Committee.

The Committee adjourned until to-morrow, at Four o'clock.

THURSDAY, 16TH JANUARY, 1896.

Members present:

<p>The Hon. Lieut.-Col. Sir F. T. SARGOOD, in the Chair;</p>	
<p>The Hon. H. Cuthbert S. Austin F. S. Grimwade J. A. Wallace J. Sternberg</p>	<p>The Hon. N. Thornley J. M. Pratt W. I. Winter-Irving T. D. Wanliss S. W. Cooke.</p>

Thomas Harkness examined by the Committee.

The Hons. J. Sternberg and T. D. Wanliss here entered the room and took their seats.

Examination of witness continued.

The Hons. N. Thornley and J. M. Pratt here entered the room and took their seats.

Examination of witness continued.

The Hon. W. I. Winter-Irving here entered the room and took his seat.

Examination of witness continued.

John William Billson examined by the Committee.

The Hon. F. T. Derham examined by the Committee.

Alfred H. George examined by the Committee.

The Committee adjourned until Tuesday next, at half-past Two o'clock.

TUESDAY, 21ST JANUARY, 1896.

Members present:

<p>The Hon. Lieut.-Col. Sir F. T. SARGOOD, in the Chair;</p>	
<p>The Hon. S. W. Cooke J. A. Wallace S. Austin J. Sternberg</p>	<p>The Hon. T. D. Wanliss F. S. Grimwade W. I. Winter-Irving J. M. Pratt.</p>

Alfred H. George further examined by the Committee.

The Hon. S. Austin here entered the room and took his seat.

Examination of witness continued.

The Hon. J. Sternberg here entered the room and took his seat.

Examination of witness continued.

The Hon. T. D. Wanliss here entered the room and took his seat.

Examination of witness continued.

The Hon. F. S. Grimwade here entered the room and took his seat.

Examination of witness continued.

The Hons. W. I. Winter-Irving and J. M. Pratt here entered the room and took their seats.

John Kelleher examined by the Committee.

John MacLellan examined by the Committee.

The Committee adjourned until to-morrow, at Three o'clock.

WEDNESDAY, 22ND JANUARY, 1896.

Members present :

The Hon. Lieut.-Col. Sir F. T. SARGOOD, in the Chair ;

The Hon. S. W. Cooke		The Hon. T. D. Wanliss
J. A. Wallace	|	S. Austin
F. S. Grimwade		N. Thornley.
H. Cuthbert		

John MacLellan further examined by the Committee.
 The Hon. S. Austin here entered the room and took his seat.
 Examination of witness continued.
 The Hon. N. Thornley here entered the room and took his seat.
 Examination of witness continued.
 Henry A. Harwood examined by the Committee.
 The Committee adjourned until Monday next, at Four o'clock.

MONDAY, 27TH JANUARY, 1896.

Members present :

The Hon. Lieut.-Col. Sir F. T. SARGOOD, in the Chair ;

The Hon. S. Austin		The Hon. T. D. Wanliss
H. Cuthbert	|	W. I. Winter-Irving
J. A. Wallace		J. M. Pratt.

Henry A. Harwood further examined by the Committee.
 The Hon. J. A. Wallace here entered the room and took his seat.
 Examination of witness continued.
 The Hons. T. D. Wanliss, W. I. Winter-Irving, and J. M. Pratt here entered the room and took their seats.
 Examination of witness continued.
 Arthur Wood examined by the Committee.
 Charles P. Hodges examined by the Committee.
 Henry A. Harwood recalled and further examined by the Committee.
 Chung War examined by the Committee.
 Sun Yee Hing examined by the Committee.
 Harrison Ord examined by the Committee.
 The Committee adjourned until Wednesday next, at half-past Two o'clock.

WEDNESDAY, 29TH JANUARY, 1896.

Members present :

The Hon. Lieut.-Col. Sir F. T. SARGOOD, in the Chair ;

The Hon. S. W. Cooke		The Hon. N. Thornley
H. Cuthbert	|	S. Austin
J. Sternberg		J. M. Pratt.
J. A. Wallace		

Edmond Cooke examined by the Committee.
 The Hon. J. Sternberg here entered the room and took his seat.
 Examination of witness continued.
 The Hon. J. A. Wallace here entered the room and took his seat.
 Examination of witness continued.
 The Hon. N. Thornley here entered the room and took his seat.
 Examination of witness continued.
 The Hon. S. Austin here entered the room and took his seat.
 Examination of witness continued.
 Barnett Sniders examined by the Committee.
 J. C. Benfold examined by the Committee.
 Joel Barnett examined by the Committee.
 The Hon. J. M. Pratt here entered the room and took his seat.
 Examination of witness continued.
 The Committee adjourned until Friday next, at half-past Ten o'clock.

FRIDAY, 31st JANUARY, 1896.

Members present :

The Hon. Lieut.-Col. Sir F. T. SARGOOD, in the Chair ;	
The Hon. H. Cuthbert	The Hon. N. Thornley
S. Austin	W. I. Winter-Irving.
J. A. Wallace	

Henry Fowler examined by the Committee.
 The Hons. J. A. Wallace and N. Thornley here entered the room and took their seats.
 Examination of witness continued.
 Samuel Harrison examined by the Committee.
 The Hon. W. I. Winter-Irving here entered the room and took his seat.
 Examination of witness continued.
 Daniel Brown examined by the Committee.
 Thomas Freeman examined by the Committee.
 Miss M. G. Cuthbertson examined by the Committee.
 Harrison Ord further examined by the Committee.
 The Committee adjourned until Monday next, at half-past Three o'clock.

MONDAY, 3RD FEBRUARY, 1896.

Members present :

The Hon. Lieut.-Col. Sir F. T. SARGOOD, in the Chair ;	
The Hon. T. D. Wanliss	The Hon. J. M. Pratt
S. W. Cooke	H. Cuthbert
J. A. Wallace	W. I. Winter-Irving.
N. Thornley	

Harrison Ord further examined by the Committee.
 The Hon. J. M. Pratt here entered the room and took his seat.
 Examination of witness continued.
 The Hon. H. Cuthbert here entered the room and took his seat.
 Examination of witness continued.
 The Hon. W. I. Winter-Irving here entered the room and took his seat.
 Examination of witness continued.
 J. F. Richardson examined by the Committee.
 George Argo Turner examined by the Committee.
 Thomas Frame examined by the Committee.
 J. Hyman examined by the Committee.
 Carl Andersen examined by the Committee.
 Charles A. Topp examined by the Committee.
 John Garrow examined by the Committee.
 Henry Hurst examined by the Committee.
 James Morris examined by the Committee.
 Robert Walker examined by the Committee.
 James Morris recalled and further examined by the Committee.
 The Committee adjourned.

WEDNESDAY, 5TH FEBRUARY, 1896.

Members present :

The Hon. Lieut.-Col. Sir F. T. SARGOOD, in the Chair ;	
The Hon. T. D. Wanliss	The Hon. J. M. Pratt
S. W. Cooke	H. Cuthbert
J. A. Wallace	W. I. Winter-Irving
N. Thornley	J. Sternberg.

The Chairman brought up a Draft Report.

Paragraph 1—The Hon. T. D. Wanliss moved, That the following words be added to the paragraph:—"and the undue concentration of population in Melbourne by means of protective duties on industries not natural to a young and sparsely populated colony."

Question—That the words proposed to be added be so added—put.
 The Committee divided.

Aye, 1.
 The Hon. T. D. Wanliss.

Noes, 7.
 The Hon. H. Cuthbert
 N. Thornley
 J. A. Wallace
 S. W. Cooke
 W. I. Winter-Irving
 J. M. Pratt
 J. Sternberg.

And so it passed in the negative.

Paragraph postponed.

Paragraph 2 agreed to.

Clause 4 of the Bill—Motion made and question put—That this clause be omitted.

The Committee divided.

Ayes, 7.

The Hon. N. Thornley
J. A. Wallace
T. D. Wanliss
S. W. Cooke
W. I. Winter-Irving
J. M. Pratt
J. Sternberg.

No, 1.

The Hon. H. Cuthbert.

And so it was resolved in the affirmative.

Paragraph 3 agreed to.

Clause 9 of the Bill—Ordered—That the following words at the end of the clause be omitted:—
“or of any factory or work-room which is not kept in conformity with the Factories and Shops Acts.”

Paragraph 4 agreed to.

Clause 14 of the Bill, sub-clause 2, page 4, line 31, and sub-clause (3), page 5, line 1—Ordered—
That the word “printed” be inserted after “kept.”

Same clause, sub-clause (4), line 9—Ordered—That the word “Forty” be omitted and “Twenty” inserted.

Paragraph 5—Clause 15 of the Bill, sub-clause (2), page 5, line 19—Ordered—That the word “Ten” be omitted and “Two” inserted.

Paragraph, as amended, agreed to.

Paragraph 6 agreed to.

The Committee adjourned until to-morrow, at half-past Two o'clock.

THURSDAY, 6TH FEBRUARY, 1896.

Members present:

The Hon. Lieut.-Col. Sir F. T. SARGOOD, in the Chair;

The Hon. J. A. Wallace
S. W. Cooke
N. Thornley
T. D. Wanliss
J. Sternberg

The Hon. H. Cuthbert
W. I. Winter-Irving
S. Austin
J. M. Pratt.

The Draft Report was further considered.

Paragraph 7 postponed.

Paragraph 8, sub-paragraphs 1 and 2 agreed to.

The Hon. J. M. Pratt here entered the room and took his seat.

The Hon. S. Austin here entered the room and took his seat.

Same paragraph, sub-paragraph 3—Question—That employers should vote according to the average number of hands in their employ, including outside workers—put.

The Committee divided.

Ayes, 8.

The Hon. J. A. Wallace
S. W. Cooke
N. Thornley
T. D. Wanliss
J. Sternberg
W. I. Winter-Irving
S. Austin
J. M. Pratt.

No, 1.

The Hon. H. Cuthbert.

And so it was resolved in the affirmative.

Sub-paragraph amended and agreed to.

Paragraph 8, as amended, agreed to.

Postponed paragraph 7—Question—That permits are not now necessary as the Board will be empowered to fix prices, and as the manufacturers will be required to keep a full record of all work given out—put.

The Committee divided.

Ayes, 8.

The Hon. J. A. Wallace
S. W. Cooke
N. Thornley
T. D. Wanliss
J. Sternberg
W. I. Winter-Irving
S. Austin
J. M. Pratt.

No, 1.

The Hon. H. Cuthbert.

And so it was resolved in the affirmative.

Clause 16 of the Bill—Ordered—That this clause be omitted.

Paragraph 9 amended and agreed to.

Clause 26 of the Bill—Ordered—That the following words at the end of the clause be omitted :—
“and such other conditions as the Minister may think fit.”

Paragraph 10, clause 27 of the Bill.

The Committee deliberated.

Question—That this paragraph be agreed to—put.

The Committee divided.

Ayes, 4.
The Hon. J. M. Pratt
S. Austin
J. Sternberg
H. Cuthbert.

Noes, 5.
The Hon. N. Thornley
S. W. Cooke
J. A. Wallace
W. I. Winter-Irving
T. D. Wanliss.

And so it passed in the negative.

Paragraph postponed.

Paragraph 11, clause 32 of the Bill—Ordered—That this clause be omitted, the Hon. H. Cuthbert dissenting.

Clause 33 of the Bill—Ordered—That this clause be omitted.

Clause 37 of the Bill—Question—That this clause be agreed to—put.

The Committee divided.

Ayes, 7.
The Hon. S. W. Cooke
N. Thornley
J. Sternberg
H. Cuthbert
S. Austin
J. M. Pratt
W. I. Winter-Irving.

Noes, 2.
The Hon. J. A. Wallace
T. D. Wanliss.

And so it was resolved in the affirmative.

Paragraph 12 agreed to.

Paragraph 13 agreed to.

Clause 42 of the Bill, page 18, line 42—Ordered—That the word “exclusively” be inserted after “employed.”

Paragraph 14 agreed to.

Clause 44 of the Bill—Ordered—That this clause be omitted with a view to its being inserted, amended, as a sub-clause to clause 51.

Clause 45 of the Bill—Ordered—That this clause be omitted.

Clause 46 of the Bill, page 20, line 15—Ordered—That the word “bread” be inserted before “or.”

Clause 47 of the Bill, page 20, line 24—Ordered—That the word “Two” be omitted and “One pound” inserted, and in line 25 the word “Twenty” be omitted and “Ten” inserted.

Paragraph 15—Question—That this paragraph be agreed to—put.

The Committee divided.

Ayes, 5.
The Hon. H. Cuthbert
N. Thornley
S. W. Cooke
W. I. Winter-Irving
J. M. Pratt.

Noes, 4.
The Hon. J. A. Wallace
T. D. Wanliss
J. Sternberg
S. Austin.

And so it was resolved in the affirmative.

Clause 49 of the Bill, page 20, line 36—Ordered—That the word “eleven” be omitted and “one” inserted, and in line 39 the word “forenoon” be omitted and “afternoon” inserted.

Paragraph 16 agreed to.

Clause 51 of the Bill, sub-clause (1), line 15—Ordered—That the words “or in the morning” be inserted after “afternoon.”

Ordered—That clause 44, as amended, be inserted as a sub-clause to clause 51.

Paragraph 17 agreed to.

Clause 55 of the Bill, page 22, line 29—Ordered—That the words “bread or” be inserted before “bakehouses.”

Paragraph 18, clause 57 of the Bill, agreed to, the Hon. J. A. Wallace dissenting.

Paragraph 19 agreed to.

Paragraph 20 agreed to.

Postponed paragraph 10, clause 27 of the Bill, page 13, line 39—Question—That the word “Five” be omitted and “Six” inserted—put.

The Committee divided.

Ayes, 5.
The Hon. J. A. Wallace
N. Thornley
S. W. Cooke
W. I. Winter-Irving
J. M. Pratt.

Noes, 2.
The Hon. H. Cuthbert
J. Sternberg.

And so it was resolved in the affirmative.

Clause 27 of the Bill, sub-clause (3)—Question—That this sub-clause be omitted—put.
The Committee divided.

Ayes, 3.
The Hon. J. A. Wallace
J. Sternberg
W. I. Winter-Irving.

Noes, 4.
The Hon. S. W. Cooke
N. Thornley
H. Cuthbert
J. M. Pratt.

And so it passed in the negative.

Same clause, sub-clause (2), line 44—Ordered—That the word "Twenty" be omitted and "Ten" inserted, and on page 14, line 1, the word "Fifty" be omitted and "Twenty-five" inserted.

The Committee adjourned.

TUESDAY, 11TH FEBRUARY, 1896.

Members present:

The Hon. Lieut.-Col. Sir F. T. SARGOOD, in the Chair;	
The Hon. T. D. Wanliss	The Hon. J. M. Pratt
J. A. Wallace	H. Cuthbert.
S. W. Cooke	

The Chairman submitted the Report, which was further amended and agreed to.

The Hon. H. Cuthbert here entered the room and took his seat.

Ordered—That the Chairman report to the Council.

The Committee adjourned.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

WEDNESDAY, 15TH JANUARY, 1896.

Members present :

The Hon. Lieut.-Col. Sir F. T. SARGOOD, K.C.M.G., in the Chair ;	
The Hon. S. Austin	The Hon. J. Sternberg
S. W. Cooke	N. Thornley
H. Cuthbert	J. A. Wallace
F. S. Grimwade	T. D. Wanliss
J. M. Pratt	W. I. Winter-Irving.

John Bedggood examined.

1. *By the Hon. the Chairman.*—What are you?—Boot manufacturer and importer, representing the Employers' Union.

2. How long have you been in the colony?—Forty-four years.

3. On an average, how many hands do you employ?—Three hundred.

4. What proportion are male and female?—Roughly speaking, I should say two-thirds male and one-third female.

5. You have been supplied with a copy of the Bill?—Yes.

6. Have you considered it?—Yes, I have. I thought, if it was not taking up too much time of the Committee, we would go through it, and I would give you my notes upon each section. On page 3, clause 9, on the 4th line, after the words "factory or work-room" it runs—"and he" (that is, the Chief Inspector) "may (with the approval of the Minister) cancel the registration of any office, building, or place so registered, if at any time he is satisfied that it is not used as a factory or work-room, or of any factory or work-room which is not kept in conformity with the Factories and Shops Act." We wish to have that deleted, as we think that is too arbitrary.

7. *By the Hon. F. S. Grimwade.*—Do you represent the trade?—I represent the Employers' Union generally.

8. *By the Hon. the Chairman.*—The object of the deletion would be to remove from the Minister the power of cancelling?—Yes. We wish to have the power of appeal to the courts of law if we make an error. Then go to page 4, clause 10, sub-section 8. We would like the term of "disuse" stated. There is no term there stated. It might be disuse for a day, and then the Chief Inspector would have the power to cancel. We would suggest a term of six months at least. Then on page 5, clause 15, in the penalty clause, sub-section 2, it says—"a penalty not exceeding Ten pounds." We think it will be exceedingly hard upon small manufacturers to be fined in such a sum, and yet the authorities have the power to do so. We would suggest that that should be reduced to a couple of guineas. The error or fault might lie with a clerk, and the occupier of the factory—either through his own ignorance or his own fault—might not be aware of it, and he might suffer too severely.

9. *By the Hon. T. D. Wanliss.*—Would not such a record as is prescribed in that clause be an impediment to business?—Beyond question, but we do not wish to offer a total opposition to it.

10. *By the Hon. the Chairman.*—This is almost a copy of the existing Act?—Yes.

11. Have you in the past found any inconvenience from keeping those records?—Speaking for ourselves—no; for the Employers' Union—that question did not arise. I was not instructed upon the question.

12. You suggest a maximum penalty of Two guineas?—Yes.

13. *By the Hon. H. Cuthbert.*—Would that be for a first offence?—We would make that the maximum. Then take clause 17 on page 7—"Power to appoint Board to fix prices for certain work." We are very strongly of opinion that the Board should be an elective one. It could be elected on behalf of the manufacturers' interest by votes, and the votes might be given according to the number of hands as per register, which they have now a record of. As regards the operatives, they would have to thrash that matter out for themselves in order to be represented. Speaking for ourselves, we wish the Board elected. Take the boot manufacturers for example. We send in yearly returns of the hands we employ and the wages we pay, and those registers are get-at-able at any time, and according to the number of hands we employ and the amount paid we should have a vote. As to the power to elect on the Board, the elective Board should be on the one side for the boot manufacturers, and on the other hand for the boot operatives. We suggest at least five on each side; that would be a Board of ten with a chairman, and the chairman, we suggest, should be elected from among the Board. If the Board cannot agree we would suggest a County Court Judge, but, under any circumstances, we press very strongly that no member of the Board shall be connected with politics or municipal affairs. He must be independent of either, and the chairman, we would suggest, should be a County Court Judge, if we cannot agree among ourselves as to the appointment of a chairman.

14. *By the Hon. the Chairman.*—There are other trades besides the boot trade, and if you want a County Court Judge for each body there will not be enough Judges?—I see that difficulty, but we must have an independent chairman, and each industry must have a Board of its own. Here the Government have the power to appoint a Board, and they may appoint a jeweller to sit upon a Boot Board, or *vice versa*, which would render the thing inoperative.

15. Are there any employers outside the Employers' Union?—Very few boot manufacturers are connected with the Employers' Union. I think there are only three. We would give every boot manufacturer the right to be elected.

16. For any given time?—We suggest for at least two years, or more if possible.

17. *By the Hon. F. S. Grimwade.*—You would not have more than one operative or more than one employer out of one factory?—No, certainly not. We want a Board free from political or municipal influence. It is too dangerous.

18. *By the Hon. T. D. Wanliss.*—You would not object to members of the Trades' Hall?—I do not object, they have as much right to be represented as we have.

19. *By the Hon. W. I. Winter-Irving.*—Why do you object to municipal influence?—It influences votes too much. We must have the Board free from any party influence.

20. *By the Hon. H. Cuthbert.*—I think it is out of the question to accede to the wish to have a County Court Judge nominated as the chairman. We have only six County Court Judges in Melbourne, and they have to attend to the business of the courts, and it would be impossible for them to attend to this matter as well. Suppose a County Court Judge is not appointed, whom would you desire to see upon it as chairman, provided the Board itself could not agree?—I would not like to say whom, but certainly he must be free from political influence.

21. Any one that might be appointed by the Governor in Council free from political influence?—Yes. I do not think there would be any objection to that. We would prefer to appoint our own chairman. I do not think there would be much difficulty in getting a respectable citizen to act.

22. *By the Hon. J. Sternberg.*—Why do you prefer an elective Board?—We think those nominated by the Governor in Council are too much influenced by political affairs.

23. *By the Hon. the Chairman.*—And you feel it absolutely necessary that those members of the Board should have a practical knowledge of the particular branch of trade with which they have to deal?—Beyond question, but the other is just as important. Now as to clause 17, sub-section 1, we think this is a most dangerous power for the Board to have to fix rates and prices. "In fixing such lowest price or rate the special Board shall take into consideration the nature, kind, and class of the work, and the mode and manner in which the work is to be done, and any matter which may from time to time be prescribed." We should like that deleted from the words "in fixing" to the end of the paragraph. We think it is too dangerous for any Board to have the power to fix the prices, and the mode of work more particularly.

24. The Board is to fix the price?—We need not give the Board that power. The power lies between the employer and employé. Sweating in our line of business in America is totally unknown, because everyone works inside the factories; there is no outside or home labour. Although here the sweating is said, by the great bulk of the labour Members, to exist outside the factories in what they call home labour, I, myself, say that is untrue. The great bulk of the sweating existing in Victoria is inside the factories; of the causes, I have my own knowledge. In America no one attempts to interfere with the mode and manner in which the work is done inside. No two manufacturers in our line of business work on the same lines, and it would be impossible for any Board to come to a conclusion as to what we should do as to the mode and manner of work. I do not say they could not fix the price and what I should be compelled to pay, but the "mode and manner" must be erased if possible. We work certain machines that our fellow manufacturers do not work, and *vice versâ*. The Board might impose upon us the working of such machines in such a way that we might become bankrupt, or they might be in our favour. They must leave the mode and manner of a man working his own business to himself.

25. *By the Hon. F. S. Grimwade.*—That would include the patterns of goods?—The pattern does not define the quality. The material defines the quality in our business.

26. In some businesses the mode and manner would include the pattern?—Yes, but not with us.

27. *By the Hon. H. Cuthbert.*—What would be the use of appointing a Board if they had not the power to fix the price or rate for the work to be done?—Speaking for myself, I would have no objection to their having the power to fix prices for the work done, but the mode and manner must not be interfered with.

28. You would be satisfied if the words—"mode and manner in which the work was to be done" were left out?—Yes. If the words—"and the mode and manner in which the work is to be done, and any matter which may from time to time be prescribed"—are deleted I think it would meet the views of the body I represent.

29. *By the Hon. the Chairman.*—As a matter of fact you have fixed prices?—Yes; but they are not kept to, and that is the cause of sweating.

30. *By the Hon. H. Cuthbert.*—Why not allow those words to remain in—"and any matter which may from time to time be prescribed"—that is by regulation?—I think that would give them too large power. I think it would be a fair thing, and we are quite willing that prices should be fixed, that a man should earn a living wage, but we must not be interfered with in the mode and manner of carrying on the business, whereby we have the power to give that living wage; if so, you will injure that power.

31. *By the Hon. F. S. Grimwade.*—There is a price fixed now?—Yes, but it is not kept to, the workmen do not keep it, they give it back to the manufacturer. That is done every hour in the week. That is the result of two men running after one master; wages will fall. Then we come to sub-section 2, and we have partly dealt with that. The chairman must be elected and not appointed. I would like to call attention to sub-section 4, where we are asked to fix up in legible Roman characters in some conspicuous place the rates of payment, and fixing the holidays and so on. It seems to us we might as well show the whole of our business at once. It is also mentioned—"in such district." In another part of the Act they define a district, which is said to be within about 10 miles of Melbourne. Now it is proposed by Mr. Davis to include 10 miles from the General Post-office, and 5 miles from the post-offices of Geelong, Ballarat, and Bendigo. That is one of the most stupid clauses ever introduced into a Bill—what is to prevent us going 10 miles outside? We have the machinery and the capital, and we can go 10 miles outside. We would get cheaper buildings and cheaper land, and the cost of cartage is infinitesimal. This Act must apply to the whole of the colony. There must not be two laws for two persons. We are very strong upon that point. It must apply to the colony generally. If it is good for Melbourne it is good for Ballarat; if it is good for Ballarat it is good for Colac. There must be no separate districts.

32. *By the Hon. H. Cuthbert.*—Do you object to the words—"and in such district there shall be kept painted or affixed in legible Roman characters in some conspicuous place" and so on?—Yes; we think it is totally unnecessary.

33. Is there anything like that in the present Act?—We post up that statement. We are not compelled to do it, but we do it out of courtesy to the workmen. It is inside the factory. It might have been posted there five years ago—I do not think it is there now—no one looks at it. A workman knows what he is going to get paid. You cannot teach him. Then on page 9, sub-section 7, dealing with apprentices and improvers, we think that the girls should be exempted there. If you take a factory like our own, we have no apprentices; we would not have them; we would not be bothered with them, but we have a few

girls who are necessary for a few odd jobs in cleaning off what we call the knots and ties, boxes, and so forth. To bring them under the same rule as an apprentice we think would be unnecessary and unfair.

34. *By the Hon. F. S. Grimwade.*—Are they usually under the age of eighteen?—I think they are. They would commence about the age of fourteen, nothing under that.

35. *By the Hon. H. Cuthbert.*—What wages do they get?—The lowest wage we ever start at is 5s. a week, but, as a rule, they are not more than six months before they get more than 5s. If they are not worth that we get rid of them; we do not want any one who is no use.

36. You would make "apprentices and improvers" not to apply to girls under eighteen?—Yes.

37. *By the Hon. the Chairman.*—How many hours do they work per week?—Forty-eight; never more with us.

38. *By the Hon. W. I. Winter-Irving.*—Do you have many applications for this work at 5s. a week?—Plenty.

39. Can they live upon it?—No, they are members of families; they could not live upon the 5s. a week. As to the proportion of apprentices employed in the boot trade, we are allowed only so many apprentices in proportion to the number of men employed. We take no apprentices ourselves. We found in the past, when we took apprentices, that, in addition to teaching them their trade, we had to take care of their bodies and souls too. If an apprentice stayed away, and we applied to the parents, they would say—"You had better bring Bill up to the police-court," so we find it is not worth while having them. We think the penalty clause of sub-section 8 is very severe; we wish that to be cancelled.

40. *By the Hon. the Chairman.*—What penalty would you have?—We think there should not be a penalty clause there. A manufacturer may, by a clerk's error, be plunged into a terrible penalty. We think, if it is possible, that the matter should be proceeded with by summons, giving an employer an opportunity to take advantage of the courts of his country.

41. There would be a penalty, even in that case?—Yes, the magistrates could have the power to inflict one.

42. *By the Hon. H. Cuthbert.*—The magistrates could inflict a fine of only 1s.?—Yes, the offences might be of a trivial character, and you might disagree with the inspector. The other day he took a course that we thought not justifiable, and we said—"Summon us." He did so, and we beat him ignominiously. We think the inspector has too great a power already, and we must have that power wiped out here—here is a case in point; since this Act has been drafted we were sued by the Chief Inspector of Factories because we did not see our way to accede to his request, and we beat him. We applied for permission to work overtime during October—we had applied often before, and were never refused, we have never had a common summons delivered at our factory—and this time we were refused this permission to work. We got an order from Western Australia—"If you can ship by a certain boat, ship it on; if not, send the order on to Sydney." We were refused permission; we sent on the order, and Victoria lost that business. On the other hand, one of our fellow manufacturers worked two or three nights without permission; he is told by the inspector—"You have broken the law." He then goes with some Member of this House to the Minister, and is granted permission, while we, as a respectable firm, were not allowed to work. We asked the reason for granting that permission, and we were told there were obvious reasons. The Minister said he had inquired, the Chief Inspector said he had inquired, and we asked why was our matter not inquired into also.

43. There must be a penalty?—Yes, but the penalty is too high; it should be at most a guinea or two guineas upon the first offence, and increased afterwards.

44. If you have a penalty the court would be bound to inflict that penalty?—Yes, but there should be no case of imprisonment.

45. What do you say as to the third offence?—That must be done away with. The idea of imprisonment for a technical error is intolerable. Supposing some clerk in our establishment made two or three technical errors, should I, who have lived a decent, honourable life, be liable to imprisonment? If they wish to apply these penalties to the employers let them also apply them to the workmen; if it is good for us it is good for them.

46. *By the Hon. the Chairman.*—You object to the amount of penalty in the first and second cases, and you object entirely to imprisonment for the third offence?—Yes, strongly. The next point is clause 19. We cannot understand why a special Board should be appointed there. We think the one Board should perform the whole of the work; we think 48 hours is the minimum work per week.

47. You would fix the eight hours per day as the legal day?—I would, or 48 hours a week.

48. *By the Hon. F. S. Grimwade.*—With a right to occasional overtime on special occasions?—Yes.

49. *By the Hon. the Chairman.*—You apply this only to manufacturers?—Yes.

50. *By the Hon. H. Cuthbert.*—Do you think it unnecessary to appoint a particular Board for a particular purpose?—Yes; if the Board can arrange prices it can arrange hours. The more Boards you elect the greater the difficulty. We shall have to go before one Board one week and we may be upset afterwards by some special Board. Why not let the one Board settle the whole matter? The next point is the penalty clause of this section, which says—"and shall on conviction be liable to a penalty for the first offence of not more than Twenty pounds, and for the second offence of not less than Five pounds nor more than Fifty pounds, and for a third or any subsequent offence to imprisonment for any period not exceeding three months." There is the same objection to that as in the former case. Sub-section 2 of clause 20 deals with the sanitary condition of the factory or work-room. We think the Board of Health has already the power to deal with us in that matter, and we do not think that any Board that might be created in the future should take away this power.

51. *By the Hon. J. M. Pratt.*—They have to license you?—Yes, but we would like it specified what Board it is. If it is the Board of Health it should be specified there. The most important clause in the whole Bill is clause 21, where the Chief Inspector has the power to deal with us. We think he ought to proceed by summons—the power is too arbitrary. I have given you evidence of the powers of the Chief Inspector at present.

52. *By the Hon. F. S. Grimwade.*—Did you get costs in that case?—Yes.

53. *By the Hon. the Chairman.*—You would require the Chief Inspector to summon you and prove his case?—Yes, as he has done in the past. We must have the right to appeal to the courts of our country.

We cannot have any individual or individuals with the power to control our affairs or our destinies. This clause would bring about a terrible state of things. In clause 24, sub-section 3, it says—"and on payment of the prescribed fee may, if he thinks fit," we think it ought to read—"on payment of the prescribed fee may from time to time," and so on. We think "if he thinks fit" should be deleted. "He" there means the Minister of the day. We think that is too arbitrary a power. The present Minister of the day has not thought fit to grant our request. He has absolute power, and we have no appeal; we do not know the reason. If we asked the reason we probably should not get it—we would be told it was for reasons best known to himself.

54. *By the Hon. the Chairman.*—In clause 26 it says he may insert such other conditions as the Minister may think fit. Have you had any experience of that?—No, we have had none ourselves. Now, take clause 37; we think the Employers' Liability Act more than covers all this, and we want the Minister to summon in the usual way. He has the power to absolutely say "Yes" or "No" himself all through the Act, but in this clause we wish him to proceed by summons and give us the right to prove our case.

55. *By the Hon. J. M. Pratt.*—That gives publicity?—Yes, we want publicity. No honest man is afraid of publicity.

56. *By the Hon. H. Cuthbert.*—If it is reported that a gas engine is in a dangerous state, should the Minister not have power to act promptly in that case?—No; it may be done out of spite. If you are a manufacturer you have always a certain number of employes dissatisfied. A man may go and say—"I will take an affidavit that Badgood's machinery is not covered up sufficiently." That man may be introduced to the Minister by a Member of Parliament to whom the Minister is partial, and he may say—"I will suspend this man's licence." We say—"No, summon us, and let us prove our case."

57. *By the Hon. F. S. Grimwade.*—You are not afraid of the courts?—No.

58. *By the Hon. the Chairman.*—What is done under the Employers' Liability Act?—The employer is undoubtedly liable for any accidents.

59. Is there any obligation on the part of the employer to take immediate action under that Act?—I do not know; we have never had an accident in our factory.

60. *By the Hon. T. D. Wanliss.*—There is an inspector of boilers?—Yes, but we do not use any. The Union hold all through that though it might be a more expensive way to proceed by summons it is the fairer way, and the way you are most likely to get justice done. The power to deal with the factories must not lie in the hands of any individual, or even of a few individuals.

61. *By the Hon. the Chairman.*—I am informed that the inspector must proceed by summons now?—Then we have all been under a misapprehension.

62. Have you known any case in which other steps than a summons have been adopted?—No, there has been no time. I have had no practical experience of it myself—we have never had an accident in our lives in our factory.

63. I suppose it is a fact that some firms give out material to smaller manufacturers to make up?—I think there is no doubt; we never do it ourselves.

64. Turning to clause 15, you see in sub-clause 5 it says—"Every person who directly or indirectly issues or gives out, or authorizes or permits to be issued or given out, any material whatsoever for the purpose of being wholly or partly prepared or manufactured outside a factory or work-room, as articles of clothing or wearing apparel for trade or sale, shall be deemed to be the occupier of a factory or work-room for the purposes of this section," in other words, any firm who supplied leather to a small manufacturer would be responsible for whatever that manufacturer did in breach of this Act?—I presume so.

65. That really would make a merchant who gave out the material responsible for all the acts of those to whom the work was given out?—Beyond question, they would be the principals in the case.

66. *By the Hon. T. D. Wanliss.*—Would not the power to appoint a Board to fix prices for certain work affect the export trade?—Undoubtedly.

67. *By the Hon. F. S. Grimwade.*—Have you any export trade?—We have a small export trade ourselves, but I think we are the only ones.

68. Is not the export trade here dead?—Dead as a herring.

69. What is the cause of that?—Hasty and ill-advised legislation.

70. *By the Hon. T. D. Wanliss.*—You have a fixed price now?—Yes, but it is never adhered to with the exception of about four firms out of 70 or 80.

71. *By the Hon. S. W. Cooke.*—Then the law can never enforce the prices?—No, it is simply a matter of supply and demand.

72. How can those four firms do it?—We have always made a first-class article, and we have always been prepared to pay a fair wage upon that article, but there is a very limited demand for that article—very few firms can supply the colony. Then you come down to the lower scale where people are not particular how it is put together, and then you come down to lower wages.

73. That law can be broken?—Yes, the men break it themselves. For example, in agreeing to pay a man £2 5s. a week you say to him—"That is all right, I want half a sovereign back from you on Saturday." "All right, Sir, I understand." That is done every day in the week now. The employer pays him £2 5s. with one hand and takes back 10s. with the other. Ten per cent. to 30 per cent. is taken back, and the Union men do it more than any other. You cannot enforce a law as to what a man shall sell his labour at. If circumstances require a man to work for just enough to keep life in him, no law will prevent him—he will do it.

74. *By the Hon. T. D. Wanliss.*—Supposing you had the export trade that this city used to have, would it not tend to do away with a great deal of sweating?—I think so. I know every colony in the southern group, and sweating does not exist in any other colony in the same proportion as it does in Victoria.

75. This previous interference with trade has brought about sweating?—Yes.

76. And this further interference will bring about more sweating?—Yes, it is creating labour that there is no demand for—inducing people to flock into the cities.

77. Then, in your opinion, this Bill, which is intended to prevent sweating, will increase it?—Yes.

The witness withdrew.

Adjourned to to-morrow, at Four o'clock.

THURSDAY, 16TH JANUARY, 1896.

Members present :

The Hon. Lieut.-Col. Sir F. T. SARGOOD, K.C.M.G., in the Chair ;	
The Hon. S. Austin	The Hon. J. Sternberg
S. W. Cooke	N. Thornley
H. Cuthbert	J. A. Wallace
F. S. Grimwade	T. D. Wanliss
J. M. Pratt	W. I. Winter-Irving.

Thomas Harkness examined.

78. *By the Hon. the Chairman.*—What are you?—A member of the committee of the Boot Manufacturers' Association.

79. How long have you been in business?—Since 1882.

80. Have you read the Bill?—Yes.

81. Do you approve generally of it?—We have every desire to see sweating put down, but we do not want to be hampered in the management of our business, and we think this Bill, as it has passed the Lower House, will have that effect.

82. Do you do any export trade?—Very little.

83. Used you to do any?—We always did a little, not very much.

84. As far as you are concerned, the export trade has not much fallen off?—No, not much.

85. Has it fallen off in connexion with the trade as a whole?—Undoubtedly. It fell off some ten or twelve years ago, when the railways were opened through from Sydney to Riverina. That was one thing, and the duties on leather have hampered the trade a good deal in Victoria.

86. *By the Hon. F. S. Grimwade.*—If this Bill were carried into effect, would it make it any worse?—I do not know that it would have much effect upon the export trade, there is so little of it—there is only about £6,000 a year altogether—it has a tendency to increase lately. The duties coming off in New South Wales is leading to more pushing of the trade in that colony by Victorian manufacturers.

87. *By the Hon. J. A. Wallace.*—The duty upon leather here is so large that they cannot make the boots so cheaply for the purpose of exporting them to New South Wales as they can there, where there is no duty?—The bulk of the boots made here are made of Victorian leather; it is only a certain part of them that is made with imported leather, and the duty affects that part only.

88. *By the Hon. the Chairman.*—What is the first clause you wish to touch upon?—Mr. Bedggood, I understand, has drawn attention to the power of the Chief Inspector being so much enlarged. The first clause I wish to refer to is the 9th, giving him the power to refuse registration. We would like the present law in regard to that maintained, that is, that there may be an appeal to the courts. Under the present law, if the inspector wants premises altered and the manufacturer does not see the necessity of it, the inspector has to proceed by summons. We would like that continued, instead of its being put wholly into the hands of the inspector.

89. *By the Hon. H. Cuthbert.*—Do you read this Act with the Principal Act?—I have not been able to read it altogether in that light—I simply speak of what we know of the working of the present Act.

90. If the appeal given under the Principal Act is preserved under this Act would it not do away with your objection?—I am not in a position to say, not knowing what the Principal Act says, but at the present time, if the inspector wants alterations made in premises which the manufacturer thinks are unnecessary, he has to proceed by summons. Under this Bill he could require us to do what he pleases.

91. Assuming that your reading of that Act is not strictly correct, but that the right of appeal is given in the Principal Act to proceed by summons and so on, if that is preserved would that not do away with your objection?—Yes, if we had the power of appeal it would.

92. *By the Hon. the Chairman.*—Section 50 of the Principal Act reads as follows:—"Where any person is charged with an offence against this Act, such charge shall be heard before, and all fines imposed by this Act shall be recovered before two or more justices; and where in this Act it is provided that anything may be done by any justices, the same shall be done by two or more justices." You want the present course of procedure to be followed?—Yes. I do not know whether it properly comes in under section 14 or under section 29, but I wish to refer to that part where it speaks of the certifying medical practitioner for the district. In clause 14 it speaks of having the name and address of the certifying medical practitioner for the district put up. At the present time we cannot give employment to any boys or girls under sixteen unless they are examined by the medical officer appointed for the purpose. This medical officer charges a fee of 5s., which is a great tax at the present time upon the parents of poor children, and it has always seemed to me to be in many cases altogether superfluous to examine a boy who is the picture of health as to his fitness to work in a factory eight hours a day. I should think it would meet all that is necessary if the examination were only required when the inspector of factories who examines those boys' papers, and has them up before him, thought it was necessary. We frequently have paid the inspection fee ourselves, sooner than put the parents to the expense of it.

93. *By the Hon. J. A. Wallace.*—What is done with a boy who cannot pass the examination?—Let him go as errand boy in a shop, and he has to work until nine o'clock at night very often.

94. *By the Hon. H. Cuthbert.*—Has your attention been attracted to clause 7 on this point; do you see that where there is not a certifying medical practitioner the public vaccinator has to perform the duty; that is put in to meet that very objection that you now raise, because it was represented to the framers of the Bill that the charge of 5s. was excessive; that fee will be reduced to 2s. 6d., and then there will be only one charge under the Bill. If a boy goes to a medical practitioner he has to pay a fee of 5s., and if he leaves one factory and goes to another, he has to undergo a second medical examination?—Not if it is in the same district.

95. If it is not in the same district he has to undergo a second examination, and this clause was framed to meet that?—Yes, I did not read that clause because, as a matter of fact, there are certifying medical practitioners for all the districts of Melbourne at the present time, and this 7th clause says—"where there is not a certifying medical practitioner."

96. Sub-section 2 of clause 29 says—"Notwithstanding anything contained in the said section 32 of the Principal Act, a certificate of fitness for employment, as in that section mentioned, shall be required only in such cases as may be prescribed, or in such cases as the Chief Inspector, owing to special circumstances, may by written notice require;" does not that get rid of your objection?—Yes, perhaps so. I had some correspondence with the Chief Secretary some time ago on the subject, and he said that was the law and he must administer it. The next thing is in sub-section 4 of the same clause 14. It seems a most excessive penalty for some slight breach of such things as putting up names and addresses and so on.

97. It says—"not exceeding 40s. a day," it might be only 1s.?—Yes. I should think if it did not exceed 40s. for the offence altogether, instead of 40s. per day, it would be sufficient. I think the penalties all through are excessive.

98. *By the Hon. J. Sternberg.*—What would you suggest in connexion with that?—That it should not be more than two guineas in any case, no matter how long it continued. It is only as to putting up notices, and they might get torn down, and the manufacturer might not know that they were torn down. I do not profess to speak of outside work so much, but there is another illustration in section 15, sub-clause 2, there is another tremendous penalty as to the record of outside work.

99. *By the Hon. H. Cuthbert.*—One of the witnesses examined yesterday suggested the fine should not exceed £2?—I think that would be ample. We come now to clause 17, which affects more particularly the boot and clothing trade, as to the power to fix prices for certain work. I do not think the boot manufacturers as a whole desire to have any Board at all to fix their prices.

100. *By the Hon. the Chairman.*—Do you refer to the manufacturers or the workmen?—The manufacturers as a whole. It is more natural that people should like to manage their own business than have it managed for them by a Board appointed politically or otherwise.

101. If a Board is to be appointed, what would you say as to the mode?—If a Board is to be appointed, we would suggest that it be a Board for the boot trade only, not for the boot trade and the clothing trade together; and that the manufacturers in the boot business should appoint their own representatives. Under this Bill each manufacturer is registered, and he has to give in his registration-paper the number of his employes, and I would suggest that it would be a proper thing that, as registered, they should be called upon to elect their representatives. Supposing one man has 135 or 150 employes, he should have a proportionate vote for that number, as against a manufacturer who has only three or four. Under this Bill two constitute a factory, and up to last year six used to constitute a factory. At that time there were over 100 in Victoria, but the number might be increased considerably, and it would not be desirable that a man employing two people should have the same representation in a matter like this that a man employing 150 should have.

102. You would have a graduated scale of votes?—Yes.

103. Would you have a maximum number of votes?—It should be simply on the number of his employes; take the gross number, and give him so many votes—it would be a lot of figures, but it would be the fairest way.

104. *By the Hon. H. Cuthbert.*—You have not worked that out as to how many votes you would have as the maximum?—I do not think any manufacturer in the boot business employs more than 400 hands.

105. Would it be a vote for every 30 hands?—Just as was thought desirable. It would have to be a vote for every ten, I think, because some manufacturers do not employ more than ten; and it would not do to deprive them of a vote altogether. I would give one vote for every ten hands or less.

106. A man employing 400 hands would have 40 votes?—Yes, on that scale. The manufacturers think that the number on the Board as it is here is altogether inadequate. There are many classes of work; there are no two manufacturers in Melbourne conversant with all the work that is made in Melbourne—you must have five or six representatives at least. We have had two conferences with the working classes. I was at both of them. I was chairman of the last one, we had six manufacturers and six workmen on the conference.

107. Did you arrange a tariff of prices?—Yes, that was in 1892. Our difficulty has not been in arranging prices, the difficulty was in getting them observed when they were arranged.

108. *By the Hon. F. S. Grimwade.*—Has that been kept up?—There are a few firms paying these rates now, others do not act up to them.

109. *By the Hon. S. W. Cooke.*—Is that from your own knowledge, or from hearsay?—I say we pay it from my own knowledge, and I say that some other firms are not paying it from what they have told me—they do not deny it.

110. *By the Hon. T. D. Wanliss.*—Is that owing to the employers or the workmen?—It is owing to both.

111. *By the Hon. J. A. Wallace.*—What effect would those fixed prices have upon old people?—Most of the work in the boot business in several departments is done under piece-work.

112. The rates are fixed under piece-work?—Yes, a certain proportion of the work is done under weekly wages.

113. *By the Hon. S. W. Cooke.*—If the law fixes the payment, can that law be evaded easily?—I think it can be evaded.

114. Without much fear of detection?—At the present time the work is not sufficient for the number who are seeking it, and, of course, it is difficult to get any log of prices observed.

115. *By the Hon. the Chairman.*—By this Bill you notice that the employer is subject to a penalty in the event of his paying less than the fixed price?—Yes.

116. What would you do in the case of an agreement between a manufacturer and a workman, both being prepared to break the law?—If it be the law both should bear the penalty. Under this Bill it appears to me as if not only is there a compulsory price to be charged, but the manufacturers are to have no voice in what that is to be. They have no assurance that they will have any voice at all, neither have the workmen. The Bill simply says the Minister may appoint two as representatives.

117. *By the Hon. S. W. Cooke.*—Assume it is a Board constituted as you would wish, and that Board fix the price—is there any possibility of the law being kept?—I have no doubt the bulk of the firms would observe it, but there is nothing to hinder two people laying their heads together to evade it.

118. *By the Hon. the Chairman.*—Is that likely to be done?—I have not the slightest doubt attempts will be made.

119. *By the Hon. H. Cuthbert.*—How is the law evaded at the present time?—There is no law at present on that point.

120. There is a fixed price arranged between the trades?—Yes.

121. That is violated from time to time by some manufacturers?—Yes; they simply say they do not recognise it, and work upon their own lines. A workman goes in seeking work, and if he cannot get it at one price he takes it at another. There is as much difficulty in keeping workmen from offering their work for less than the statement price as there is to get some manufacturers to pay the price.

122. Are you aware that certain manufacturers pay the regulation wage to the employé, and a certain portion of it is handed back to the employer?—I believe that is the case.

123. *By the Hon. the Chairman.*—What have you to say about the election of a chairman?—At the first conference we had a chairman with a casting vote—Mr. James Ferguson, who represented East Bourke in the Legislative Assembly at one time, though he was not in Parliament at that time. He spent some thirty-two nights at this business and he did it very satisfactorily. We must have some one who is altogether independent.

124. How should he be appointed?—Both sides asked Mr. Ferguson to act, and he agreed.

125. *By the Hon. H. Cuthbert.*—If the two sides could not agree how would you suggest the chairman should be appointed?—I think they ought to agree. If they do not agree about that one thing there is very little chance of their agreeing about anything else.

126. Would you leave the appointment to the Governor in Council?—We do not like political appointments, we feel that we are always in a minority.

127. Assuming that the two parties interested in the matter cannot agree as to the chairman you must leave it with some person to make the appointment; whom would you leave it to?—If we had to leave it to any one we could not leave it in better hands than the Governor in Council, but we would want some one who was not affected by either side.

128. *By the Hon. N. Thornley.*—Would you be more satisfied if the appointment were left in the hands of a Supreme Court Judge?—Yes; we would be quite satisfied then.

129. *By the Hon. J. Sternberg.*—You would rather have the appointment outside politics altogether?—Yes.

130. *By the Hon. F. S. Grimwade.*—You would not mind if the Governor in Council appointed any one as long as he was not a politician?—As long as it was some one in an independent position altogether. We do not want to make a "set" at politicians at all. In the first sub-section of section 17, the last two lines are very objectionable; anything at all can be dragged in. I think all the words after "work" should be struck out altogether. There is a continual development in machinery. The mode of to-day may not be the mode of years hence. Sometimes it is difficult to persuade others that the new method is better than the old, but I think every manufacturer should be able to work his own business to some extent as he thinks best, whether by machinery, or by more weekly wages and less piece-work, and so on.

131. *By the Hon. T. D. Wanliss.*—You think this would prevent enterprising manufacturers from getting new machinery?—Yes.

132. *By the Hon. H. Cuthbert.*—"In fixing such lowest price or rate the special Board shall take into consideration the nature, kind, and class of the work, and the mode and manner in which the work is to be done." In framing that the intention of the framers was not to interfere in the slightest degree with the manufacturer, but only that in the fixing of the price a difference was to be drawn between "slop" goods and goods made to order, and that was the reason for inserting the words—"and the mode and manner." Reading it by that light, that the words were put in to more clearly define the meaning, would that not remove your objection?—Yes, if it were made plain that in this fixing of prices they had only to take into consideration the way in which the work was done, but we have had more friction with the operatives as to the subdivision of labour than as to price—that is those who are paying statement wages; there has been a difficulty in agreeing as to the way in which the work should be subdivided, and this matter could be held to deal directly with such a subject as that.

133. It was never intended to say a manufacturer must produce an article in a particular mode or manner. He was to be left perfectly free to do that, but, in taking into consideration the price that was to be fixed by the Board, they would have to consider whether the goods were intended for "slop" goods or goods made to order?—Yes. We read it in conjunction with the words in the last line—"and any matter which may from time to time be prescribed."

134. *By the Hon. N. Thornley.*—Suppose a majority of the Board were favourable to the employment of men as against a machine, when they came to consider the way in which a thing was done, they would be inclined to put on a price favourable to the men as against the machine?—It is not so much that. Suppose we are running a set of finishing machinery, this Board may tell us under this Bill that we have to work those machines by paying the operatives piece-work prices, whereas we might think it more advantageous to have weekly wages. Another thing is that in the factories where no machines are employed the Operatives' Union, as a rule, has strongly objected to the subdivision of the making of a boot. Some manufacturers have had a good deal of contention on this point, that one man should last the work and another should put the heels on. The operatives say—"Let one man do the lot." All those things have been causes of difficulty; of course, they are getting settled in a way now, but they are not entirely settled, and under this Bill all those arrangements might be referred to the Board, and the manufacturer might have simply to carry out what the Board told him.

135. *By the Hon. the Chairman.*—The Board might arrive at the decision that the boots should be made in an expensive way as compared with what you knew you could turn them out at, and as a consequence the consumer would have to pay more?—Not only that, but it might suit one manufacturer to make one class of boots in one way, and another in another.

136. *By the Hon. J. A. Wallace.*—You want a free hand?—Yes.

137. *By the Hon. F. S. Grimwade.*—If a manufacturer got out the most modern machinery, he might under such a Board be placed at a disadvantage, and not be allowed to use the machinery?—I do not think there is any opposition to the use of machinery even among the operatives; that day has gone past; but it is a matter of consideration daily as to how the profits of the machine should be divided.

138. *By the Hon. T. D. Wanliss.*—You think if you had improved machinery the Board might tell you to pay the workmen more than you think you ought to pay?—They might say—“You must operate those machines at piece-work prices and give the workmen so much a pair,” and that necessitates a great deal of clerical work. The workmen in some places in England have prepared a statement for operating the machines at piece-work prices, but we think that entails too much clerical work.

139. *By the Hon. J. M. Pratt.*—A witness stated yesterday that he did not believe in having so many Boards. Do you require a Board for your trade alone, or would one Board suit you and other trades?—If we are to have any Boards at all, we want one for our own trade; but we want one Board to do the whole business, and not to have another to fix hours, and so on.

140. *By the Hon. S. W. Cooke.*—You would not object to the Board fixing the hours?—No. The one Board could fix the price and hours of labour both. With regard to the districts, we think if a price is to prevail in one district, it should prevail throughout the colony.

141. *By the Hon. H. Cuthbert.*—You would have the same price in Melbourne as in Ballarat or Bendigo?—Yes.

142. *By the Hon. T. D. Wanliss.*—Suppose a workman could live cheaper in Melbourne than in Ballarat or Bendigo and could get his goods cheaper, should they not have some advantage in Ballarat?—The Ballarat manufacturer does not supply Melbourne. As a rule he makes for the Wimmera and Ballarat districts. The rent and other expenses are about the same, but if the Board has fixed the price in Melbourne, and the manufacturer does not like it and says—“I cannot tolerate it,” he has simply to go outside the bounds and do what he likes.

143. The people of Ballarat and Bendigo object to have the Melbourne rates?—As a matter of fact, I believe they generally pay the Melbourne rates in the boot business. The next point is under sub-section 6 of clause 17. It seems as if it were contemplated that when the Board does its work it should dissolve and rest on its oars, but it is almost necessary to have a continuous Board if you have one at all. There are always fresh items cropping up, fresh articles to make and fresh prices to fix.

144. *By the Hon. H. Cuthbert.*—Would it be well to appoint the Board for two or three years?—Yes, I should think so. In fixing prices there is nothing contemplated as to any dispute or anything such as the strikes we have had, but I think this Board, if any dispute does arise as to the administration of the price list, should be there to be appealed to. Very often difficulties occur in interpreting the price list as to whether a certain line comes under a certain price. The Board would have to be permanent for that reason.

145. *By the Hon. the Chairman.*—Would you let that Board decide it absolutely or would you have an appeal?—The Board would have to decide as to prices; we could not have appeals on that point to any one. Then with regard to the 7th sub-section, at the present time any little arrangement we have had with the workmen as to improvers and boys has always applied to the male sex. There are girls, of course, in boot factories in the machine-rooms, but the girls are young as a rule. There are no, or very few, middle-aged women in them. Many are competent machinists before the age of eighteen. We think this clause should not apply to girls at all in boot factories.

146. That is as to the number and proportion of apprentices and improvers?—Yes; it has never been sought to apply to girls, as far as I know.

147. *By the Hon. J. M. Pratt.*—Would that lead to the employment of more girls?—Girls do the machining; you would not dream of employing men. They are in a different position to workmen. A man looks to spending his whole life in the trade; a girl does not.

148. *By the Hon. J. Sternberg.*—What is the period of apprenticeship?—The period for girls is three years. They begin at 5s. a week, and gets 2s. 6d. rise every six months, as a rule. We have never employed any one without any salary.

149. *By the Hon. the Chairman.*—Do you find any difficulty in getting them apprenticed for three years?—No. The difficulty the parents have at present is to get employers to take them.

150. *By the Hon. H. Cuthbert.*—Does the word “improver” apply to the boot trade?—Yes.

151. What is the difference between an apprentice and an improver?—An improver is one who has not acquired a thorough knowledge of the business, and who comes there with a desire to improve what knowledge he has, but without being bound as an apprentice.

152. *By the Hon. the Chairman.*—Able to leave or be discharged at any time.—Yes.

153. *By the Hon. H. Cuthbert.*—When they learn their trade do they generally leave?—I think improvers, as a whole, are not desirable. It is better to have apprentices. It is better for the employés themselves. When things are prosperous the parents are anxious to get them taken as improvers. They can go in and get a smattering of knowledge, and by making a change they can get more money. It all depends upon the circumstances of the moment whether trade is good or bad. When trade is good parents object to apprentices; now they are desirous of having them apprenticed because they get employment on the one hand, and they are certain to learn the trade on the other. The manufacturers object to apprentices for the same reason. We do not like this sub-section at all.

154. *By the Hon. the Chairman.*—What about sub-section 8?—We think the punishments imposed are altogether excessive, and that if there be any punishment at all it should apply both to employer and employed. There is another thing that is very significant. Under the 16th clause, where it applies to employés, in sub-section 8, there is a kind of escape-valve for one that is brought up under it, but when it comes to the employer paying a certain wage there is no defence at all. As a matter of daily business our clerks or foremen make up the wages books, and under this clause, as it has passed the Lower House, our foreman might put down a shilling a dozen less, simply through a mistake. The wages-statement is rather a comprehensive document, and very few know it by heart, and if the man was ill-natured we might get into trouble.

155. If there were 252 different lines, and your clerk made a mistake, either intentionally or unintentionally, you might be liable to a penalty?—Yes. My partner and myself, particularly when it came to the third offence, might both be imprisoned. If it be such a serious offence as that a man has to go out of business for the third offence, it seems superfluous to put him in gaol as well.

156. *By the Hon. H. Cuthbert.*—Has your attention been called to section 57 of the Principal Act, bearing on this particular subject, which exempts an occupier from fine or conviction. It reads—“Where the occupier of a factory or work-room or shop is charged with an offence against this Act, he shall be entitled, upon information duly laid by him, to have any other person whom he charges as the actual offender brought before the justices at the time appointed for hearing the charge, and if, after the

commission of the offence has been proved, the occupier of the factory or work-room or shop proves to the satisfaction of the justices that he had used due diligence to enforce the execution of the Act, and that the said other person had committed the offence in question without his knowledge, consent, or connivance, the said other person shall be summarily convicted of such offence, and the occupier shall be exempt from any fine"?—I did not read that as applying to this, because this is a thing that is not in the Principal Act at all, this is a new departure. It is not enforced in any part of the world, as far as I know.

157. This clause would govern that?—I was not aware of that. These are new offences. In the abstract, it is an open question whether they are offences at all.

158. You complain that the penalties are too severe?—Yes. I would like to see the imprisonment abolished as quite unnecessary. If a man is to be put out of business surely that is punishment enough. Then we come to clause 19, as to the hours. We think we ought to have only one Board to do the whole thing for the trade. At the present time the question of overtime only applies to women and boys; now it is proposed to make it apply to all, and that is a departure that we think is very extreme, more particularly in the boot trade. It is a season's trade. There are certain times in the year when the difficulty is, no matter whether things are in their normal condition or are depressed, to find full work in boot factories. It seems only fair when there is a good deal of work about that the workmen who have had short time should have the opportunity of making it up.

159. *By the Hon. the Chairman.*—Would you pay them for the extra time?—There is a difficulty in the payment of an extra rate for overtime. The boots are sold at a fixed price, and it is impossible to go in to a shopkeeper and say—"I had these boots made in the evening, therefore I must charge you more than the price at which they have been sold." I do not think he would give it. The net profit per pair may be only a matter of a penny or so, perhaps not that; in some lines it might be more.

160. *By the Hon. F. S. Grimvade.*—You make more of them if you work overtime, and it does not cost you more to make them?—If this proposition in the Schedule is carried out they would all have to be paid overtime at an extra rate.

161. *By the Hon. T. D. Wanliss.*—What view do the workmen take of it?—The workman would rather get 48 hours a week all the year round, but he cannot get it in many cases. It more particularly applies to what are called in the trade "turned goods," that is, pumps, ladies' light shoes that have no in-soles, just the upper sewed to the sole and then it is turned when it is sewn. Those goods are worn only in summer as a rule, except for evening wear. This present summer, though business has been depressed, it has been impossible for those who make pumps to get enough made in the period from September to November to meet the demand. Those workmen, many of them, go idle during winter, and it seems absurd that they should not be allowed to work when the work is there.

162. They are willing to do so?—Certainly.

163. For the ordinary wages?—Yes. If there is a sweating evil in Melbourne in connexion with work it does not follow that legitimate trade is to be hampered, and if it is done in the factory and they get the full price they are quite satisfied to work, and I do not see why the Legislature should come in gratuitously and say—"You shall not."

164. *By the Hon. H. Cuthbert.*—Do the workmen complain of having to work beyond the eight hours?—Not that class of workman. Of course they would prefer to get the 48 hours per week all the year round, but they cannot get it, and there is a certain class of trade that, if you cannot get it at a certain time, you cannot store goods up for until you can get it.

165. Would your objection to section 19 be removed if it did not refer to men who were able to take care of themselves?—I think it should only refer to those who are supposed not to be able to take care of themselves. I do not like legislation of this character, that is, a compulsory Board, compulsory price, and compulsory hours; it is a new departure. I do not know of them anywhere, but if we have a compulsory Board and compulsory prices, we do not want everything compulsory. The same party who says to the workman—"You must not work when there is work about," should say to him when he cannot obtain it through slackness in trade—"Here is work." With regard to the present law, sometimes permission to work overtime has been refused by the Chief Inspector of Factories to respectable firms, simply from a notion that business is depressed and it is not necessary to work overtime, without knowing that there is always a possibility of a certain class of work being wanted, for which there is not an adequate supply of labour. I think we ought to have even a little more liberty, if anything, than we have now; but, if this Board is to fix the hours, it should also deal with the question of overtime, and, if it is said that they could not be got together at a day's notice, it would not hurt for us to have liberty to work overtime, say three days in one month, without any one's permission at all. We do not favour overtime; we do not like it ourselves, but it is necessary sometimes. In section 22, this "substantial wall" should come out, we think. In our own factory we have a man sleeping on the premises to take care of them, and we have a good sized room partitioned off with a wooden ceiling and a wooden partition. It is not a substantial wall, and it is not necessary to have one. Inspectors are apt to read those things very literally, but this partition is substantial enough for the purpose in our opinion.

166. Do you know of a case in which exception has been taken?—We have had no exception taken, but we might have under this Bill.

167. *By the Hon. T. D. Wanliss.*—If there was no wall at all could he not be a more efficient watchman?—No doubt, but we put it up because it was too draughty. Under section 37, as to accidents, we are a little sensitive as to that. We have a fairly strict Employers' Liability Act, and we have a good many things to do now; we have the responsibility to bear, and it seems like adding something more.

168. *By the Hon. the Chairman.*—You think this is provided for under the Employers' Liability Act?—Yes. Where there are machines running at great speed there is always danger, but we seem to be under too many people in connexion with it. The Employers' Liability Act is a safeguard, and why should we have expert or medical practitioners' reports?

169. Is any one entitled to come in under the Employers' Liability Act and examine the machinery?—The factory inspector comes in now under the Factories Act and examines the machinery.

170. You do not object to that?—No; we have not had any difficulty with him in the past. The present Act seems to work very well, and I do not see that we want any more.

171. *By the Hon. H. Cuthbert.*—I do not think you can find in the original Act a clause similar to this. This is for the purpose of preventing accidents by the explosion of gas or by electricity. Suppose it is reported to the Minister that the machinery is dangerous, or the way the factory is lighted with electricity

is dangerous, should he not be in a position to take prompt action to call upon the owner of the factory to cure that defect?—I do not know what the present Act says, but I know in the administration of it the factory inspector makes it his business to see that those arrangements are satisfactory. He calls attention to anything he thinks wrong and we have to deal with it.

172. *By the Hon. the Chairman.*—You are content with the present arrangement, and you do not want any expert or medical practitioner called in?—No.

173. *By the Hon. J. M. Pratt.*—Does the factory inspector inspect the boiler?—He inspects the machinery as to the protection that is afforded to those that are working and sees that the cog-wheels are covered up.

174. He is hardly competent to tell you if the boiler is safe?—We have gas. We are well inspected now, and we do not want any more if we can help it.

175. *By the Hon. the Chairman.*—The inspector under the present Act can take any expert in with him he thinks proper?—He has that right now.

The witness withdrew.

John William Billson examined.

176. *By the Hon. the Chairman.*—What are you?—A bootmaker. I am secretary of the Operative Bootmakers' Union.

177. What is your opinion generally of this Bill?—Generally speaking, we are in favour of it, although there are one or two things that we would like altered.

178. You appear here as representative of your association?—Yes, the number of which generally averages about 1,000.

179. *By the Hon. F. S. Grimwade.*—Is that the only society in connexion with the operatives?—There is a society of bespoke bootmakers, but they represent only one or two shops in Collins-street.

180. *By the Hon. the Chairman.*—Are the members in your association both male and female?—We used to have females, but they are not organized at all now, so we have only males. In reference to section 16, we would rather that no work was given outside at all—that no permits were given. Our chief reason for that is because the outdoor work has been the means of reducing the wages right through the trade. A man may get work outside and employ a number of other persons, as is the practice now in many instances. The fact that they are able to work longer hours and employ members of their families enables them to work cheaper. The manufacturers are anxious to compete in the market, and get the work done as cheaply as possible, and the result is it reduces the wages all round.

181. *By the Hon. J. A. Wallace.*—Suppose a person were not fit to go to a factory, would you deprive him of work altogether?—There may be a few instances where it would be rather hard, where a person was physically unable to work inside a factory, but we think provision should be made for that in preference to reducing the wages of the whole of the trade. We think the State should make provision for those that are not capable of working inside a factory, or, if not, we would prefer that the operatives should keep them in preference to reducing the wages.

182. *By the Hon. T. D. Wanliss.*—Has that ever been done by the operatives?—It has, but not to any large extent, simply because the bootmakers have been constantly in trouble with their employers, and this outside work has been the chief reason; the employers were able to get the work done cheaper outside and we have had to defend our wages.

183. *By the Hon. S. W. Cooke.*—Have you any idea how many people are employed outside?—No, we cannot possibly get that. We can see so many persons take work out from a certain place, but we do not know the quantities they take, or the amount taken out by the carts, and we do not know how many the men employ at their own homes.

184. *By the Hon. the Chairman.*—How would you arrive at the conclusion that a certain man or boy should not work at a factory, might there not be malingering?—I think a medical certificate or the Board should decide whether a person was able or unable to get a living inside a factory.

185. *By the Hon. N. Thornley.*—Suppose there were no work for him in the factory?—Then there would be no work to give out.

186. While he is working outside, the man inside is out of work?—Yes, that is where our trouble comes in. A man taking work out, even if he does not employ any other labour, works nearly double the hours, and this throws another man out of labour. If the outdoor work were abolished, the unemployed trouble would be settled, as far as our trade is concerned. The men working outside are nearly always fully employed, and it is the men working inside who are out of work.

187. *By the Hon. J. A. Wallace.*—Some men can work ten hours as easily as others can work seven, if a man can work two or three hours longer than another why should he not be allowed to do it?—I think the time has arrived when the State should define the hours that people should work, in order to enable them to all stand a fair show of living, because if a strong man is determined to do two men's work, it must throw one man out of work. I think the strong man would not object to giving the weak man a fair show of living, and if he did the State should protect the weak man.

188. *By the Hon. J. Sternberg.*—You advocate the eight hours' system in your trade?—Yes.

189. *By the Hon. the Chairman.*—Suppose that by-and-by it were decided to work four hours a day, what effect would that have upon the consumers?—If a Board is appointed to decide the time which the people shall work, it might, if the people could provide everything that was necessary and there was no demand for more than four hours' work, decide that instead of one half being at work eight hours and the other half unemployed, all should work four hours. If one half were fully employed the eight hours, and the other half were walking about, the half that were walking about would be a clear danger to the State.

190. *By the Hon. J. Sternberg.*—You desire the eight hours because you are over-producing?—We are producing more than the people can buy.

191. *By the Hon. J. M. Pratt.*—Your stocks are accumulating?—Yes, and unless some regulation of labour takes place that accumulation will go on; it might be over-production, or it might be under-consumption, because if one half are thrown out of work they have no means of living, and they have no power of purchasing, but if they are working half-time they all have some power of purchasing.

192. *By the Hon. S. W. Cooke.*—Would you not fix the price of goods too ; if I supply wool, have I not the same right to ask for a paying price for wool as a workman has to ask for a fixed price for his work, if I can show that wool at a low price does not pay?—How would you arrive at the conclusion that it did not pay unless you knew what you had to pay for the labour?

193. We all know that wool in certain parts of Australia has not paid ; the workman sells his labour, and the employer sells his goods?—If the person who grew wool based his calculations upon the expenses that it cost him to produce it, he would say—“It cost me so much, and I want so much for it.”

194. *By the Hon. the Chairman.*—Suppose he cannot get it?—If the people do not want the boots that we produce we are thrown out of employment.

195. *By the Hon. J. M. Pratt.*—Then the employers offer you less?—Yes; and we cannot take less unless we go into the insolvency court.

196. Is it not the same with the producer of wool?—Yes, but I prefer to confine myself to what I am to be examined upon. I have no doubt the growers of wool know their own grievances and can give a good remedy for them. If the purchasers of wool in the world are not prepared to give that which the wool cost to produce, they are clearly asking someone for something that they have no right to.

197. *By the Hon. H. Cuthbert.*—You see the clause about permits, sub-clause 2 of section 16—“No such permit shall be given or renewed unless and until proof be furnished to the satisfaction of the Chief Inspector that the person applying for such permit is prevented by domestic duties or bodily affliction from working inside a factory or work-room, and is depending on such working for the means of living,” would you do away with the permit system altogether?—Yes, but if we cannot have our own way, and the permit system is to come into operation, we have not the slightest objection to trusting the Chief Inspector as far as the permits are concerned, but we think it would be safer to put it into the hands of a Board. It would take it from the hands of one man, and very likely it would give more satisfaction. I know that at present there is very often great dissatisfaction with the inspector, though I believe he does his best.

198. *By the Hon. the Chairman.*—You think the Board should be constantly sitting?—I do not see why they should not.

199. How are they to be paid?—I think it would be a position of honour. I do not think they would exact any payment, but if they did I do not think it would be very difficult to pay them.

200. Would you have a levy?—The Government might pay them 1s. an hour. At the same time I do not think the operatives would trouble the Government in that respect. I do not think there would be any difficulty in that. The next point is in reference to section 19 ; we have an objection to the constitution of the special Board.

201. You think there should be only one Board?—Yes ; that their duties should be to fix the hours of labour, the mode and manner of working, the apprentices and improvers, and the prices.

202. How would you appoint that Board?—I would leave it to the Governor in Council to appoint, and I would insert in section 2, after the word “shall”—“be nominated by their respective bodies ; if no organization exists a special meeting of those interested shall be convened for that purpose,” and then the Governor in Council would appoint on their recommendation.

203. You propose they should be nominated by the trade, but appointed by the Governor in Council?—Yes ; that would not take away the power from the Governor in Council ; he would appoint upon their nomination.

204. *By the Hon. J. A. Wallace.*—Why do you bring in the Governor in Council at all?—I do not object to his being struck out, but we do not wish to interfere with the Bill more than we can help, but they must of necessity be elected by their respective bodies. If you were to take two of the most intelligent manufacturers we have, they might know nothing of the technicalities of the trade ; they might know all about a warehouse, but nothing about a factory. It took us a considerable time to prepare that schedule of prices, and it looks very difficult for a man outside to understand, but there is no difficulty in a man in a factory understanding it ; there would be no difficulty if the Governor in Council appointed some one who understood it. It would be an advantage if the number of the Board could be increased. I should recommend five on each side, because there are certain divisions in our trade, and it would be better to get a representative from each division. There are some manufacturers who make one class of work and not another. So far as the “mode and manner of working” is concerned, that is absolutely necessary. No schedule of prices could be framed unless you first decided the mode and manner in which the work shall be made. There are five modes of making boots—the pumps, the riveted work, the peg work, the machine sewn, and the goodyear welts. The price of the goodyear welts is more than double that of the riveted, so that unless you decided in which way they were to be made you could not possibly decide what should be paid for them.

205. *By the Hon. the Chairman.*—You put a different interpretation upon “mode and manner” from the previous witnesses ; they took “mode and manner” to apply to the mode in which the business is carried on?—We have nothing to do with the business ; we refer only to the actual making of the particular work. Take a split kid boot, that is in a particular class, but it might be made in four or five different ways, and you must decide in what mode and manner that class of work shall be made before you can possibly fix what price shall be paid for the making of it. If you make it one way it will take perhaps twenty minutes, and in another it will take nearly two hours, so that unless you first decide the mode and manner of making it you cannot possibly decide what price to pay for it.

206. Does not that of itself show a difficulty in this Bill ; if the manufacturers read it in a totally different way to what you do, it will need some alteration to make it clear?—Suppose a boot were made right through (though very few are made right through now) and the price is fixed ; then, afterwards, the boot is subdivided, and machinery comes in which does heeling, you have subdivision there at once—you take a certain portion of the original price off for the work the machine does, but in doing that you decide at once the mode and manner of making it.

207. Mr. Harkness read it to mean that the Board could decide that a man should make a boot right through, where he, as a manufacturer, would say—“I can do it better by dividing it.” Would you go so far as to let the Board dictate to the manufacturer in which way he should do it?—I do not think the Board, if properly constituted, with an impartial chairman, would do any injustice to either side. While I would give a manufacturer the fullest liberty to have them made as he thought fit, it would be impossible to fix any price unless the mode and manner were fixed by the Board.

208. *By the Hon. J. A. Wallace.*—Should not a man be allowed to make them as he thinks proper?—There is a form of subdivision which which has been objected to nearly all over the world, that is on the team system, where none of the operatives ever become efficient in their work. They are very seldom apprentices; they just learn to do one little thing, and are easily replaced. Generally speaking, one man does the principal part, and there are quite a number of boys who follow him. About twelve months ago we had a dispute; in one shop there were eleven boys and one man, and this is the kind of subdivision that the operatives generally object to. We think it well that every boot-maker should be able to make a boot from beginning to end, but we do not insist that a boot shall be made from beginning to end by the one man. Every machine that has come in we have welcomed, though up to the present it has been a curse to us, because it has thrown a number out of employment with no possibility of obtaining it.

209. The essence of modern manufacturing is division and subdivision of labour?—The machinery forces that.

210. So that the principle of a man being able to make a boot from beginning to end cannot be carried out?—It can be carried out. In the old country where they have apprentices they put one boy to one portion and then shift him further on, so that before he is out of his apprenticeship he can do the whole of the work.

211. *By the Hon. H. Cuthbert.*—One of the witnesses examined yesterday, as to the “mode and manner,” read it very differently. He said—“In America no one attempts to interfere with the mode and manner in which the work is done inside. No two manufacturers in our line of business work on the same lines, and it would be impossible for any Board to come to a conclusion as to what we should do as to the mode and manner of work. I do not say they could not fix the price and what I should be compelled to pay, but the mode and manner must be erased if possible. We work certain machines that our fellow manufacturers do not work, and *vice versa*. The Board might impose upon us the working of such machines in such a way that we might become bankrupt, or they might be in our favour. They must leave the ‘mode and manner’ of a man working his own business to himself.” How far do you agree with him?—I can simply repeat what I have said. So far as fixing the price is concerned, if you intend to fix the price at all, before you do so it is absolutely necessary that you should fix the mode and manner of making it—there is no getting away from that. So far as America is concerned, the outdoor work is practically abolished on account of the extensive use of machinery. To quote one of the manufacturers’ own words, when he came from there lately, where he bought some machinery—“With the system under which they are working, it is painful to see the operatives at work; they work with such rapidity that it must necessarily injure them to a great extent; sooner or latter it must sap their physique.” I do not care about advocating such a system as that, but outdoor work there is non-existent. We would also like, when the Board is appointed, that they should remain in existence for a stated time. A witness said yesterday that two years would be a good time; that would suit us, because they would get into working order, and would do their work better than if a Board were appointed for each dispute, without knowing anything of the previous working. They could also settle the apprentice difficulty and the improvers’—one Board could do the whole. As far as section 57 is concerned, we would very much like that boots also should be stamped as well as furniture, which is referred to in this clause. It would be very much better if the whole of the manufacturers would stamp their work with their name. We have certain manufacturers who have always been fair, as good as they can possibly be under the system under which they are forced to work on account of competitors who are not so fair. The latter manufacturers make work very cheap, and do not observe the conditions which we think they should, and they turn out very cheap work. The result is that they can undersell the manufacturers who deal fairly with their employes and observe reasonable hours, and the latter are compelled to buy the cheaper work. If they did not, the result would be that the manufacturers who do not observe either the hours, conditions, or wages, would sell the work to the customers of the fair men, and force them out of the market, so the good employers are large purchasers of the sweated work. That is the reason they give us, that if they did not buy this class of goods it would be sold to their customers, and they would be forced to close; they do it in self-defence. We are of opinion they should not be forced into doing it in self-defence, and the sweating manufacturers should be compelled to place their names on the goods, in order that people should know whose goods they are buying. The public know that certain employers are dealing fairly with their employes, and I have not the slightest doubt that they would prefer to deal with them.

212. *By the Hon. the Chairman.*—Those cheap goods are made because the public want a low priced article?—One feeds the other. If a person is sweated, that person’s wages compel him to purchase sweated goods because he cannot amass enough to buy goods made under proper conditions; it applies all round. Take a man in the furniture trade who desires a pair of boots; he has to accept something like the same terms for his labour as the Chinese, or not do any work at all. He finds it difficult to get any money to buy anything but provisions, and if he has to buy a pair of boots he buys a pair of sweated boots rather than go without them.

213. Those consumers are few as compared with the great bulk of consumers; the farmers are not sweated, and judging from the large quantity of boots that are sold to them, they want a cheap kind of boot?—Yes, and they can get the cheapest of boots made under fair conditions. Very likely in this particular work there are only a few pence in it, but the few pence make all the difference to the shopkeeper, who knows exactly the price of the boot in the market. You make a blucher boot and your wholesale price is 3s. 9d.; the sweating manufacturer can do them for 3s. 8d.; the shopkeeper will buy them at 3s. 8d., though the farmer will not get the advantage of the penny. I think the farmer stands in a different position to the manufacturer, because the price of what he produces and the prices of manufactured goods work differently; he has to depend upon the weather to a large extent, which a manufacturer does not; the farmer depends upon Providence for a good harvest, and he may be ruined by a bad season.

214. *By the Hon. J. A. Wallace.*—Do you know any trade in any country where it is made compulsory to brand all goods?—In America and England in several of the trades they are allowed to register a Trade Union stamp.

215. It is not compulsory?—Then they can advertise that their goods stamped with this stamp, both in hats and boots, are made under fair conditions. A body such as the Anti-sweating League can give a clean bill to any firm in the city. Public opinion is so alive to the matter that they are anxious to support

those who are dealing fairly, and the result will be that they get an increased sale, and it does not pay the sweater to remain in business. In many instances the public themselves compel the manufacturer to deal fairly with the employés. That is the evidence of the hatters in England and America.

216. *By the Hon. T. D. Wanliss.*—What is to prevent your trade from doing that here?—I am not quite sure that the Government would accept the registration of any society stamp.

217. They could have a trade mark?—I am not quite sure that if they had a trade mark they could defend it if the trade mark were infringed.

218. *By the Hon. the Chairman.*—Take two manufacturers, one manufacturing his goods in a straightforward, honest way, and dealing fairly with his men, and the other making a sweated article. You dealt with the class of manufacturer who buys the sweated article in self-defence, but there is another class, that is the middlemen who go to the manufacturer from whom they can buy their goods the cheapest?—Yes; but if the article were stamped, no matter where he sells it, the public would know where it was made. We thought at one time of advertising the whole of the employers who dealt fairly with their employés, but we found it impossible to do so, because the shopkeepers who sold one article also sold the other, and so where we advertised the one we might also advertise the other.

219. *By the Hon. N. Thornley.*—You say these good manufacturers are compelled to go to the man who manufactures sweated goods to supply their customers; if those goods are stamped, as you propose, by the sweated manufacturer, you will shut out the good manufacturer, who stands by you, from supplying his customer with the goods that his customer wants?—On the contrary, the manufacturer who deals fairly with us only manufactures certain kinds of work, because up to now the sweated labour has not gone into those lines. Were the whole work stamped, the good manufacturers would start manufacturing this work which at present they buy from the sweating shops.

220. Though it would cost more?—It would cost a little more, but not much.

221. You say shopkeepers will buy the cheapest goods?—Every shopkeeper buys what he can sell, and if the public demand that the goods shall be stamped with a certain stamp, because they know they will be made under certain conditions, the shopkeeper will buy those goods which he knows he can sell; and if it were well advertised that certain employers dealt fairly with their employés, the public would ask for those goods. That has been the experience of the hatters and one or two other trades in England and America; and I do not think the people of Victoria are more inclined to cheapness than in other countries. They are protected by legislation there, because the Unions can legally register and defend the brand, whereas here they cannot. In reference to the overtime, we would like that the overtime should be abolished while there are unemployed men and women who are able and willing to perform the work. We are not at all desirous of having overtime, because if there are a certain number of unemployed—and there are certain busy seasons in the year—we feel, in justice to those who are unemployed, they should have a fair share of the work; if not, we continue to keep them out of employment, and sooner or later necessity will compel them to offer themselves cheaper than the men who are working.

222. *By the Hon. N. Thornley.*—Would not that make the production of an article more costly, bringing fresh men into the machines?—It would not apply to the machines so much as to those working in conjunction with them. Generally speaking, the machines are not as fully employed as they might be. The machines turn out a wonderful amount of work, more than can possibly be disposed of at the present time, and not much overtime is necessary.

223. *By the Hon. J. A. Wallace.*—Suppose a job took nine hours, and a man will only work eight hours, would you bring in another man to finish that other hour's work?—There is no necessity for that. Generally speaking the men are engaged rather short time than overtime, and when a job wants finishing a man can come in the morning and finish it.

224. *By the Hon. the Chairman.*—The last witness gave evidence that for a certain class of goods there is a great demand during the summer time, and it is impossible to get the demand supplied without working overtime?—They must either work overtime or get others to do the work. An employer naturally prefers to work the hands he has in preference to putting on others, because his own men are accustomed to his work and his ways. It is like getting a stranger in the place for a few days or a week. A man would sooner see old faces in his factory than strangers. At the same time every man has got to live. There is no doubt about the old hands being willing to do it, because if they did not do it they would be discharged.

225. *By the Hon. J. M. Pratt.*—He said there were times when they were short of work and, therefore, this overtime made it right?—That is a fact, but, generally speaking, all the year round for a long time there have been some unemployed. The question is, whether it is better to give some of the unemployed an opportunity of working a little during the busy season than to allow those to work overtime who have had a reasonable amount of work all the year.

226. *By the Hon. the Chairman.*—May there not be a special class of work and not a sufficient number of workmen to do that work?—I said where there were men capable of doing the work.

227. Who is to judge of that?—I think if an employer puts a man on to do a certain work he will soon tell whether the man is suitable or not. Generally speaking a man is given one pair, and if the quality of the work is satisfactory he continues to work; if not, he is told so, and there is an end of it.

228. *By the Hon. J. A. Wallace.*—So long as a man does not work more than 48 hours a week all the year round why do you not give him an opportunity of doing so?—Because we think a man who has not work all the year round has a greater claim than a man who has, even if the latter is not working full time.

229. *By the Hon. T. D. Wanliss.*—Cannot those men who cannot get employment go out of the trade and try and find employment in some other direction?—There is a tendency for the unemployed to go elsewhere and try to obtain employment. Just now, to a large extent, Western Australia is getting the benefit of that as far as Victoria is concerned; but I do not think that is desirable. I think it is more desirable that the people should be induced to stay here.

230. *By the Hon. J. A. Wallace.*—Is not protection the cause of this great flood of labour in the market?—I think that if instead of manufacturing boots we bought them from somewhere else it would not give our people employment. It would rather throw men out of work than increase the work. I do not see how buying the boots somewhere else would benefit the manufacturer here or the men who make them.

231. *By the Hon. the Chairman.*—Do you suggest any amendment of this Schedule?—I do not go any further than we have; we would be very sorry to load it in any way, though there are many things we would like. We think it a step in the right direction, and we will do our best to help the Council by any information that they might want at any time.

232. *By the Hon. J. M. Pratt.*—You object to permits?—It has been very injurious to us, chiefly because of the abuse, and I do not see how we can prevent the abuse. You might, perhaps, say that the person permitted should not be allowed to employ any other labour, or that he should not be allowed to earn more than a certain wage, that wage being a fair wage.

233. *By the Hon. S. W. Cooke.*—If the price is fixed by law you think there would be no difficulty in enforcing it?—Not the slightest. We have met the manufacturers from time to time, and although the contract has not been kept the employés have never asked for a higher wage, though the rate agreed to has been the minimum. They have never asked for a higher wage than that agreed to by the manufacturers. There have been certain manufacturers who have not kept to it, and there have been certain men who have been compelled to accept a lower wage or starve. We do not think men who have accepted it under those conditions should be punished for doing so. If a schedule of prices were adopted we believe it would be kept by the employés.

234. *By the Hon. the Chairman.*—Suppose the employés are parties to breaking the law, how would you punish them?—If a man is next door to starving, and an employer says—“I will give you work at a certain price”——

235. You might say—“Suppose a manufacturer is on the verge of insolvency”?—Then it is clear there would be no less trade if he were out of business, and it would go to other manufacturers.

236. You do not propose to punish the workmen?—No.

237. *By the Hon. J. A. Wallace.*—If they both break the law, you are in favour of one being punished and the other not?—No; but I think some effort should be made to make the employer deal honourably with his employés, seeing that the employer has the power, and very often an employé may be in such a state that he has no power to resist.

238. *By the Hon. T. D. Wanliss.*—Suppose an employer is not able to pay those wages when trade is bad?—If trade is very bad, and a man has only two days a week, there is all the more reason why the man should get full wages. If I were an employer and could not possibly give a proper rate of wages, I think I would go to one of the other employers and ask for a job.

239. *By the Hon. the Chairman.*—Suppose a manufacturer has machinery, he could not throw that up and ask for a job?—It would be better to do that than to make up the deficiency out of the earnings of the men. If there is work to be given there is no inducement for the workmen to break the law, because they would naturally rather have 1s. than 10d.

240. Is it not a fact that it is being done now?—Some of the manufacturers say it is, and I am willing to take their word for it. I cannot tell of any particular instance, except from hearsay. I would not like to say any manufacturer does it because another says he does, but I know nearly every manufacturer suspects his fellows of doing something wrong, but I prefer not to be a judge. These penalties are for cases where it has been proved that an employer has broken the law knowingly.

241. Suppose it is proved that a workman broke the law knowingly?—Then I have no objection to treating him in the same way; but there is a great difference between a man who is next door to starving, and will do anything for a meal, and a manufacturer.

242. *By the Hon. H. Cuthbert.*—The punishment might not be the same. A rich manufacturer might be able to pay the full fine where a poor workman cannot?—I have always been opposed to fines; it is no punishment if a man has the money; it is only a punishment if he has not the money and has to go to gaol, so he is punished because he has no money. I think in reference to fines it would be well to fix a minimum as well as a maximum, because in certain branches of the Factories Act in the past there have been some very low fines, which have been an inducement to a manufacturer to continue, because it paid him.

243. *By the Hon. N. Thornley.*—Was the offence serious?—The bench said it was serious and must be put down, and they finished by fining one shilling, or something of that sort.

The witness withdrew.

The Honorable Frederick Thomas Derham examined.

244. *By the Hon. the Chairman.*—You represent the Victorian Chamber of Manufactures?—Yes. I am also managing director of Swallow and Ariell, Limited, employing 500 hands.

245. You speak now as a manufacturer?—Yes.

246. What is your general opinion of this Bill?—I feel bound to speak first of all on behalf of the Chamber. We had a number of meetings night after night, perhaps six or seven meetings, and very late meetings they were, because we saw the matter was of great importance and we wished to give it the fullest consideration. The intention of the Government appeared to be to touch the sweating—with which we had the strongest sympathy, and if we could have seen our way to approve of the methods suggested in the Bill we should have been delighted to do so, but the discussion on that particular point occupied two or three nights by itself. After hearing those particular trades that are to be affected in the first instance, the clothing, boots and shoes, and furniture, and feeling that they were telling us the truth over the matter, we saw that the appointment of a Board would not have the effect of suppressing sweating. We found that the difficulties in the way of the Board carrying out such work were so numerous and so great as to render success impossible.

247. Are you referring to the Board as provided in the Bill?—Any Board. We take the primary objection that no Board can effectively do the work sought to be imposed upon it.

248. Even supposing the Board was appointed by the operatives on the one side and the manufacturers on the other?—Yes. It applies to any Board however constituted. They could not have a technical knowledge of each of those trades in all the various branches, with the constant changes of fashion, shape, and style, and in the number of stitches in a garment. No Board that we could think of could reasonably be expected to fix prices justly.

249. Could not a Board of five or six practical manufacturers and five or six workmen deal with those matters?—It was considered not.

250. How is it that a Board in the boot trade, consisting of six on each side, have for years past regulated the prices?—I asked that question with regard to the clothing, and I was told that the log system has broken down.

251. Was there any reason given for its having broken down?—It was found to be unworkable.

252. Was it on account of the large amount of labour and the small amount of work available?—That was not stated. When I found those objections to a Board of any kind, I asked how was it there was a log in the clothing trade, and the reply I got was it had broken down; it was not workable.

253. *By the Hon. F. S. Grimwade.*—The tariff could not be carried out?—Yes.

254. *By the Hon. the Chairman.*—On the other hand, was not evidence given before the Sweating Board that, in some instances, the prices fixed had not been varied for a number of years?—I do not know as to that.

255. *By the Hon. J. A. Wallace.*—That would refer to certain classes of goods?—I was told the log system had broken down.

256. *By the Hon. the Chairman.*—Then, so far as you are concerned, representing the Chamber of Manufactures, you desire to express your dissent from any Board?—Yes, as being unworkable. That was the unanimous opinion of the whole of the members of the Chamber of Manufactures present at the meetings.

257. *By the Hon. H. Cuthbert.*—When was that?—We held the meetings in November and December.

258. Were there many of the clothing manufacturers present?—There appeared to be manufacturers in almost every trade present.

259. I am informed that some of the principal clothing manufacturers have been asked, and they said they were not consulted and were not present?—That is quite a mistake. The first meeting was called by advertisement under the auspices of the Chamber of Manufactures. That Chamber asked all its own members to attend, and all manufacturers outside too. It was open to any one to attend.

260. In your opinion, it would be almost impossible for a Board to give satisfaction in the discharge of its duties. Are you aware that in Melbourne the tailors have a trade log, which has been successfully in operation since 1872?—I was told the log had broken down. I was told the log was chiefly observed in regard to slops.

261. Here is the tailors' log established in 1872. It is worked out in the various things—[*producing the same*]. Are you prepared, from your own knowledge and experience, to say that that has not worked admirably since 1873?—No. I am here representing the Chamber. I have no personal knowledge of the clothing trade myself. The members of the clothing trade who were there were perfectly confident a Board could not work, and they satisfied the rest of us it would not work.

262. Was any reference made to this log?—Only that I asked about the log, and they told me the log had broken down.

263. Here is another log, the Victorian Tailoresses' Union, schedule of prices for coats, trousers, setting, machining, vests, buttonholes, weekly wages, and so on—[*producing the same*]. Has not that worked satisfactorily?—I am not in a position to say. Of course, in objecting to the system of a Board we felt the great responsibility. We felt the sweating evil ought to be grappled with in some way, and as this was proposed we did not like to object to it. The only suggestion that was the outcome of our discussion was that Parliament should extend the permit system so as to check the giving out of goods at very low rates to persons outside of factories.

264. *By the Hon. J. M. Pratt.*—Would not that lead to more being given out?—We think it very wrong to force persons into factories against their will. They should be protected by giving fair rates of wages for that work. It has been said that persons worked outside factories at very low rates; we say we would be very glad to see the permit system extended, to see that starvation rates are not paid.

265. *By the Hon. S. W. Cooke.*—Who would fix those rates?—That would have to be done by some authority.

266. *By the Hon. J. M. Pratt.*—At piece-work the more a man can do, the more likely he is to reduce the wages at the factory. If I can do double the work out of the factory, I can do far better than a man who comes into the factory?—The piece-work should be done at a living wage.

267. *By the Hon. the Chairman.*—Do you mean that this permit system should only be allowed to be carried on in buildings that would be deemed to be factories and subject to legislation?—That led to the proposition that each house where piece-work was done should be a factory under the Act, but that was not carried, though a large minority were in favour of it. It was thought a fair thing would be to find out the average amount of work that a reasonably good employé could get through in a certain time, and make that the standard; then if some persons outside could do more they would earn more.

268. Would they be allowed to have more than a certain quantity at a given time?—Yes, if they could do more.

269. Suppose a woman takes home four or five suits more than she can finish in eight hours, how can you prevent her working ten hours?—There was no disposition on the part of the Chamber to encourage working beyond eight hours.

270. How are you going to stop it?—It would need a very large amount of inspection. The whole thing is surrounded by difficulties. We are of opinion that the proposal in the Bill will not meet the difficulties. As far as we can make out, the sweating is chiefly outside the factories, and we thought the factories should be, to a large extent, let alone.

271. The workmen say the work should not be allowed to go outside the factories?—We strongly object to people being forced into factories against their will.

272. *By the Hon. F. S. Grimwade.*—Did the Chamber of Manufactures propose in any way to grapple with the difficulty of the people outside the factories working long hours?—They wished to prevent all working long hours.

273. They do not wish to force them into the factories?—We do not want them to be forced into factories, or to work extra hours outside.

274. How would you avoid that?—That is one of the difficulties of the situation. We think the Board will not stop sweating, and this is the best suggestion we can offer.

275. *By the Hon. S. W. Cooke.*—There must be a Board under your proposition?—The Board will fix the prices.

276. *By the Hon. the Chairman.*—And an army of inspectors to see that a man or woman does not get through more than a certain amount of work in a week?—Yes.

277. *By the Hon. J. A. Wallace.*—If a mother and daughter were working outside, you would not call that a factory under the Act?—No. We do not propose that, but it was considered; a large number were in favour of making one person a factory.

278. You know how long it takes to make a certain garment?—The clothing manufacturers know.

279. If a man sends two pairs of boots out and gives a certain time to make them, you would give out a week's work on the same principle?—Yes, and then not give any more for another week.

280. *By the Hon. W. I. Winter-Irving.*—How would you treat a mother and two daughters who have been brought down in circumstances; would you allow them to work in their own private houses, or in a factory?—We would leave them perfectly free to work where they thought proper.

281. Would you have inspectors over the drawing-room where they were working?—It is very undesirable.

282. *By the Hon. J. A. Wallace.*—You would not have it marked up in Roman letters outside the door?—No. The standard of work to be done outside should be akin to the standard inside; that is they should have a similar amount of pay.

283. *By the Hon. the Chairman.*—And no man should be allowed to do more work outside than inside?—No.

284. *By the Hon. F. S. Grimwade.*—How are you going to control that?—Only give them a certain amount to do.

285. *By the Hon. the Chairman.*—What would you do in the event of a manufacturer issuing some coats in addition by mistake?—Manufacturers must not make mistakes. If they are discovered to be doing it in a wrong way they should be punished for it. Then as regards the Board—if the Legislature should insist upon the appointment of a Board the present proposal is objectionable, as the Governor in Council, meaning the Minister of the day, would have the power to appoint a Board that might not deal fairly with the persons appearing before the Board. We contend that the Board should be appointed by the election of representatives from both sides.

286. How many would you advise?—We did not discuss that very much. I think about five on each side would be sufficient.

287. *By the Hon. J. M. Pratt.*—Should they elect their own chairman?—If possible they should appoint the chairman from outside themselves; if not, the Governor in Council should appoint some one. Then comes in the question of the status. We thought of a County Court Judge. It was suggested that a police magistrate might do, but we do not think he would have the same experience as a County Court Judge.

288. *By the Hon. the Chairman.*—Have you considered how many Boards there would be?—Some people think that as soon as the Act came into operation there would be a great rush for Boards.

289. Do you think that the Board that could decide upon the prices in connexion with the clothing trade could also decide for the boot trade?—No; we think a Board for each trade would be necessary.

290. How many County Court Judges would be required?—That is the question.

291. The Board would be perpetually sitting?—Not perpetually sitting; it would have to be perpetually at command.

292. You would need to have five or six County Court Judges?—They would not be always at work. It is a pure guess how many disputes would arise.

293. *By the Hon. S. W. Cooke.*—Would it meet your view if the chairman were appointed by a County Court Judge?—I am inclined to think that would be a very good way out of it.

294. *By the Hon. the Chairman.*—Should not the chairman be a man who understands practically the business submitted to him?—Yes, he would have to understand the circumstances.

295. Can we expect a County Court Judge to understand much about boots or breeches?—Perhaps not. Our great aim is to have someone who shall be absolutely impartial.

296. *By the Hon. H. Cuthbert.*—If the matter is left to the Governor in Council, would he not exercise as good judgment in the selection of a chairman as a County Court Judge?—It is the Minister of the day; the Governor has really nothing to do with it.

297. It could not be passed by the Minister without the sanction of his colleagues?—If he is a strong Minister he could carry it in the Cabinet, and he might be under political pressure in Parliament.

298. *By the Hon. the Chairman.*—Do you not know that innumerable Orders in Council are passed on the signature of the Minister, and the Cabinet never sees them?—Scores of them.

299. *By the Hon. H. Cuthbert.*—The Minister of the day administering the Act and the Premier settle those things. Nearly every matter that comes before the Governor in Council is submitted to the Premier?—The Premier would not interfere with a good colleague much.

300. He would be guided very much by his recommendation, but if he saw there was any objection would he not postpone the matter?—There are Premiers and Premiers.

301. *By the Hon. J. A. Wallace.*—How do you expect those Boards would be paid, and by whom?—We have not discussed that question; perhaps the litigants might pay.

302. *By the Hon. H. Cuthbert.*—Would that not be an important element to consider. If the Board is to be paid it would come to a very heavy item?—Yes.

303. Is it not your experience that a small committee, or small board of directors, will do work in a more satisfactory manner than a large one?—Yes, decidedly.

304. Then how is it that the Chamber of Manufactures desire the number to be doubled. They have not taken into consideration the question of expense, which is a very important one, in the consideration of the matter. With four good men—two chosen from the manufacturers, and two from the employes—with a good chairman, do you not think they would really accomplish their work in as satisfactory a manner as if you appointed ten or fifteen, seeing that that is the case in a company?—The comparison is not quite a fair one. The one situation is not on all fours with the other. In the case of a company all the directors have the company's interests at heart, whereas in this case each side has its own interests to consider, not the interests of the other.

305. Do you think those gentlemen would give their time and attention to the important duties devolving on them without remuneration?—I think they ought to.

306-7. Do you think they would?—There is always a difficulty in getting men to work for nothing. I think they ought to.

308. I suppose, so far as the manufacturers were concerned, there would be no difficulty in selecting five men who would give their time without the hope of remuneration; with the employés it might be different?—It is a very serious sacrifice to a man of business to give his business hours to other people's work.

309. I suppose the meetings would generally be in the evening?—Yes, I suppose so.

310. In that case men would be prepared, on each side, to sacrifice a little without putting the State to the expense of reimbursing them for their loss of time?—Yes, if the contending parties did not call upon them frivolously.

311. *By the Hon. J. A. Wallace.*—The honour itself would be sufficient?—It should be so.

312. *By the Hon. the Chairman.*—What is the next point you wish to bring under notice?—With regard to the operation of the Act altogether. The mere existence of a Board having the power to alter the cost of producing an article is introducing into business an element of uncertainty which is very objectionable. Manufacturers are frequently asked to contract for a foreign market over a period of time, and if they are liable to have their tariff of wages altered that introduces an element of uncertainty, and to protect themselves from that they must make some allowance.

313. In any large contract for shipbuilding there is a clause inserted providing for strikes. They undertake to deliver the ship in a certain time, strikes excepted?—Yes. We have that here in the Newcastle coal contracts, but a merchant in India would say—"You must make your contract to deliver the stuff. I have nothing to do with the rise and fall of wages. If you do not make the contract someone else will."

314. They would be all on the same footing as far as the colony is concerned?—Yes, but we do not want to handicap the colony as against other competitors.

315. *By the Hon. H. Cuthbert.*—What section would that refer to?—The Board having the power to fix prices whenever it liked.

316. That power is confined to certain articles; it would not refer to your business?—Some of those expressions are extremely wide. I read it as giving power to apply the Act to any trade.

317. Your remarks would apply to section 4?—Yes, and to the appointment of the Board to fix wages. Then under clause 9 there is immense power given to the inspector. We think that is too much power to give to any officer.

318. *By the Hon. the Chairman.*—That is governed by the Principal Act?—The justices would not care to act in antagonism to the Chief Inspector. They would not undo a thing that has been done as readily as they would do it in the first place.

319. *By the Hon. H. Cuthbert.*—You object to the latter portion of that clause?—Yes, from the 35th line. We propose that all after that should be omitted. Then as to clause 14, sub-clause 4—"In the event of a contravention," and so on; we think fourteen days' notice should be given.

320. Sub-section 4 refers merely to the non-compliance with the provisions of section 14, and that provision is, to a great extent, the law at the present time. It is only slightly magnified here, and surely, if there is a contravention of that, to give fourteen days' notice might to a great extent defeat the object of the Bill. If it was said—"in the event of a contravention of any of the provisions continuing for a longer period than forty-eight hours," I could see something reasonable in that?—The Bill provides for no notice at all.

321. All that a manufacturer is bound to do is to keep true records giving such particulars as may be prescribed. This is in substitution for section 15 of the Principal Act. The objectors ought to show that section 15 has worked a hardship to the manufacturers. Can you give any case of the kind?—No; I do not propose to cite any cases, but we felt we ought to have fair notice of anything of this kind.

322. People think that this is general all through, but it is limited to an offence created under section 14. There is a duty imposed under that section to keep the records, and if they do not keep a record they are liable for each day to a fine. It says—"In each and every factory or work-room there shall be made a true record in such form and giving such particulars as may be prescribed, and such record shall be produced for inspection whenever demanded by the inspector, and shall be forwarded annually to the Chief Inspector at such time as may be prescribed." It does not refer to anything beyond that?—We were afraid it meant some other record.

323. *By the Hon. W. I. Winter-Irving.*—Do you think that is a fair way of putting it?—Speaking as a manufacturer who has always tried to deal fairly and honestly with his employés, I look upon this as an insult. If it was submitted to a vote of our own people they would not have it.

324. *By the Hon. the Chairman.*—It differs very little from the Principal Act?—There are some portions of the original Act that are very much to be objected to.

325. *By the Hon. H. Cuthbert.*—Were you in Parliament in 1884?—I was. As to the clause providing for meeting the exigencies of trade, clause 24, which is an amendment of clause 30 of the existing law, the Minister of the day has the power to lay down whatever conditions he thinks proper under which a manufacturer may employ his people overtime. They appear to be words that were smuggled in, that Parliament did not take notice of at the time, and they can be construed by the Minister to mean that he can insist upon your paying such wages as he thinks proper. A case recently occurred with us. With the present Government we have nothing to complain of, but last year we applied for our usual overtime that we have had for many years. Our goods being perishable we cannot make them beforehand; we must make them in time to have them fresh. Last year we applied for overtime, and we met with no obstruction from the Department, yet from the time we applied for the overtime to the time at which we got it eight days were consumed. To a man in business who, when he makes up his mind to do a thing, does it at once, a loss of eight days is most serious; it may be disastrous. You cannot get people outside to understand this.

326. Whose fault is it when such a delay occurs?—You have to ask the Government for permission to carry on your business in a particular way, which your employés are willing to do, and which you will pay them well to do, and you cannot get permission at once.

327. *By the Hon. J. Sternberg.*—Are not certain officers responsible for that laxity in carrying out the Act?—You cannot call it laxity. The Chief Inspector has to satisfy himself as to what you want, that it is really a pressing emergency of trade. Having ascertained that, he has to advise the Minister as to what will be a fair rate of wage.

328. *By the Hon. the Chairman.*—The Minister may be out of town?—He may, and I have given that as an instance to show the blighting effect upon trade of Government interference. We are working now in this colony under the most adverse conditions. We have to compete with other nations who have cheap labour, and if we are not allowed to have free scope for the employment of the people, how are we going to make a wage fund in the colony and general prosperity?

329. *By the Hon. J. M. Pratt.*—Yours is a business where, particularly at Christmas time, it is necessary to have this overtime, because you are never sure what orders are coming in, but you must be always ready with fresh goods for those orders?—Yes, the officers of the Department carry out their duties as well as they can; we have nothing to complain of in regard to the officers; it is only that the law imposes certain duties upon them.

330. *By the Hon. H. Cuthbert.*—In this particular instance that you have given, how did it come to pass that it required eight days before the Department were in a position to give you the concession that you asked?—It was explained to me that on the first two days the Chief Inspector was engaged in some court, and therefore could not attend to this matter. I am not imputing any delay to the inspector, but I say this interfering with business is detrimental to the interests of employers and employes alike.

331. Is it not so at the present time?—Yes, I am referring to the existing law; that is why I ask the Committee to be careful how they pass any of those small ambiguous phrases that cover a lot of ground and give the Minister power to do things that Parliament never intended he should do.

332. *By the Hon. J. A. Wallace.*—Supposing you had extra work in hand, and required to have overtime, would it be just as handy for you to get in strangers as to employ your own hands?—No; they must have experience in the goods—they might spoil a lot of goods unless they had experience.

333. *By the Hon. J. M. Pratt.*—If there is overtime, naturally you desire your employes to continue on, as they know most about your business?—Yes, we could not get in strangers to do it, and we always pay them an extra rate.

334. *By the Hon. H. Cuthbert.*—And they are well satisfied to do it?—Yes, they are glad to earn the money; we pay more than the ordinary rate of wages.

335. Do you pay them a rate and a half?—In this particular case in regard to some young people the Minister required us to pay them double. They were hands getting below a certain rate of wage.

336. *By the Hon. J. A. Wallace.*—Whose pockets does that come out of?—Out of the company's pockets—the public will pay in the end, no doubt.

337. *By the Hon. F. S. Grimwade.*—What is your opinion of sub-section 4 of section 14, that is as to a fine of 40s. a day?—It is monstrous.

338. *By the Hon. H. Cuthbert.*—It may be 1s. a day, it says “not exceeding”?—The offence may occur through inadvertence. Our buildings cover two or three acres, and we do not know in which part the inspector would like to have the notice posted. If we omitted to post it in any particular part we should contravene the Act unwittingly, and there is no provision for escape.

339. What would you recommend in lieu?—Make it not exceeding £5 for the offence.

340. If a man snaps his finger and says—“I am not going to keep a record,” you would not allow him to escape the performance of his duty?—There is not much in it, it is a trifling matter.

341. But if it is the law, the law should be enforced. We cannot allow a man to snap his fingers and say—“I am not going to do it”?—We object to it in the first place being the law.

342. Assuming we think there ought to be a fine; if an offence is continued after notice has been given, you would surely say for any continuation there ought to be a fine per day?—This Bill does not say that; if it were altered in that direction, that would improve it very much. Then I come to clause 15, providing for a record of outside work; we propose to put in there—“as far as practicable.”

343. *By the Hon. the Chairman.*—Is not that implied?—No; we might be told—“There is the Act.”

344. *By the Hon. H. Cuthbert.*—Is not that governed by the word “substantially”—you are not compelled to keep a correct record, but a substantially correct record, that is, having regard to the circumstances of each particular case. It would be for the court to give the interpretation to that word?—It makes it safer if you say—“as far as practicable.”

345. *By the Hon. the Chairman.*—Who would have to decide that?—The court.

346. Then it comes to the same thing; they would have to decide what was “substantially”?—Yes; then there is a penalty mentioned. All the penalties all through the Bill seem to us enormous. As to sub-clause 4, that the records may be published by the Governor in Council, it is thought inadvisable that the records of persons' private business should be published in the *Government Gazette* or anywhere else. It is most unfair to publish those particulars, letting your competitors know exactly what you are doing. In sub-clause 7 of the same clause the first line is—“No person shall be convicted of a contravention of this section,” we think the word “convicted” is outrageous. We suggest—“No person shall be deemed to have contravened this section.”

347. *By the Hon. W. I. Winter-Irving.*—Clause 16 deals with the restriction on persons who may hold permits; is that desirable where a mother and two daughters may take a work-room?—I stated that we object altogether to persons being prevented earning their living. I think that restriction is most undesirable.

348. *By the Hon. H. Cuthbert.*—How would you propose to modify that?—We do not propose to issue permits in that way at all. If persons can do work at their homes, let them work by all means and earn their living.

349. *By the Hon. J. M. Pratt.*—In other words, you do not require any permits?—No.

350. *By the Hon. H. Cuthbert.*—They are free to work at present at their own place, where there are not more than four or six engaged. Do you propose that persons taking in work shall be permitted to carry on that work at a place without any restriction?—If it can be done without sweating I would, but in face of the difficulty of sweating, I think they must submit to some inspection and to a permit.

351. *By the Hon. J. A. Wallace.*—Then it comes to what you said before—you would regulate the quantity of work given out to each individual?—Yes.

352. *By the Hon. H. Cuthbert.*—Would you put people under any disability ; suppose people could not attend in a factory, would they be entitled to a permit, or would you say that every one who wished to obtain a permit should be entitled to it?—Decidedly.

353. *By the Hon. J. Sternberg.*—The Chief Inspector has the power to grant or cancel permits—do you not think the Minister for the time being should be the person to whom they should apply, and who should upon the recommendation of the inspector grant a permit, or would you give the sole power to the Chief Inspector?—It is a great deal of power to give to the inspector, but the other course would be throwing too much work on the Minister.

354. *By the Hon. the Chairman.*—He would have to be guided by the Chief Inspector?—Yes.

355. *By the Hon. J. Sternberg.*—Do you not think the power given to the inspector under this section is far too great, inasmuch as he has in his province the right to do an injustice to an applicant for a permit, without any appeal from that applicant?—Yes, it is too much power. I would give the applicants power of appeal to the court.

356. *By the Hon. J. A. Wallace.*—Is a permit actually necessary in giving work out?—That is going back to the previous question—I am afraid it is, in order to grapple with the sweating.

357. *By the Hon. W. I. Winter-Irving.*—Who is to be the judge of the quantity of work to be done in a certain time?—I am afraid you must have a Board for that.

358. *By the Hon. H. Cuthbert.*—If the Board has to deal with that, should not it sit from week to week?—You have the great evil of sweating to grapple with. Inconveniences of trade must not count as against the great offence against humanity—you must give the people all the benefit you can, and to meet the outdoor work we would consent to a Board, but not a Board to govern the rates of wages in all factories.

359. *By the Hon. S. W. Cooke.*—You think those permits are given as a matter of course?—So long as the inspector is perfectly satisfied they are not working too long hours, and are not sweating.

360. It is not a question of permit ; it is a question of wage and of work done?—Yes.

361. *By the Hon. H. Cuthbert.*—Suppose, if a permit is refused by the Chief Inspector, there were the right given to the parties to appeal to the court of petty sessions, would that be an improvement?—I think it would be a great improvement.

362. *By the Hon. J. M. Pratt.*—It is too arbitrary a power to put in the hands of any one man?—It is.

363. *By the Hon. the Chairman.*—How could a widow appeal to a court of petty sessions?—It is very hard upon them ; that is where the trouble comes in.

364. *By the Hon. J. A. Wallace.*—Suppose the Board limited the quantity of work for each individual, would it be necessary to have a permit at all?—It would be registration, which would be almost an equivalent. On the point of outside sweating, several cases were cited by the Chief Secretary in his speech in the Assembly in perfectly good faith, I am sure ; he cited cases of widows who were earning about 11s. a week ; but the difficulty a manufacturer has to face is this, a widow with four or five children cannot do more than a single girl can, a single girl is only worth 11s. a week—the widow says she wants the work to give her children food—what is the manufacturer to do? Is he to say—“Go and starve?” It is easy to cite these cases, but it is not so easy to find the remedy ; that is one of the missing links in society, there is not a sufficient provision for widows. In this clause there is a penalty again ; we object to the penalties right through as being excessive. It says the registration of a factory in that case shall be cancelled forthwith by the inspector, he has no option, he is bound to do it.

365. *By the Hon. J. Sternberg.*—Do you recommend an appeal in that case?—We ask for the right of appeal in all cases.

366. *By the Hon. J. M. Pratt.*—It would be a controlling power, even with the Chief Inspector, if he knew the parties had the right of appeal?—Yes. Clause 17, sub-clause 1, says—“In fixing such lowest price or rate the special Board shall take into consideration the nature, kind, and class of the work, and the mode and manner in which the work is to be done, and any matter which may from time to time be prescribed.” It is these general phrases that we object to. Whatever duties are to be imposed upon us we wish imposed upon us by Parliament, not by any one Minister.

367. *By the Hon. H. Cuthbert.*—That would be done by the Governor in Council?—What is the need for those words?

368. If anything new arose, in place of having recourse to a new Act of Parliament, it could be provided for by regulation?—We object to that ; we have had a bad experience of that already in the case I have cited. Then sub-clause 7 of the same clause says—“apprentices and improvers,” that seems to us to have a tendency to limit the area of employment, which is a bad thing for the country. It is bad for employers, employés, and for the country, if persons able to earn a living are not allowed to do it.

369. How is the proportion of apprentices ascertained at the present time?—The employer is glad to get as many as he can find work for.

370. And the same with improvers?—I do not know about improvers. I am desired by the Chamber to ask that this sub-clause may be withdrawn.

371. *By the Hon. J. Sternberg.*—What do you recommend in lieu of the age of eighteen years set out in that sub-clause 7?—You have already a law that you cannot work young people under thirteen, I think. I would have no other limit but that. Clause 19 provides for the appointment of a special Board to fix the hours of labour ; that is one of the most extraordinary things I ever heard of in my life. It does not even mention eight hours. It can say a man shall work six hours or five hours. It is bad for the State to teach people to be lazy, if they have to earn their living ; in these times they must be taught to work. We object altogether to this proposal.

372. *By the Hon. H. Cuthbert.*—Does your objection apply to the whole of clause 19?—To the whole of it. I hope that none of it will become law. This clause was not introduced by the Government. Clause 21, sub-clause 2, says—“unless such council, within two months from the date of such notice by the Chief Inspector, signifies.” Supposing the council omits to do so who is going to compel them to do it?

373. There is a duty imposed on them. Under the Act it is mandatory that they shall do so?—But supposing they do not?

374. Any person dissatisfied can compel the council to perform the duty cast upon them under the Act?—It might take months to do that. Is a man to have the use of his building, which he has perhaps just completed at enormous cost, delayed to him for months pending an appeal to the Supreme Court?

375. I do not think it is reasonable to suppose that the council will not perform the duty imposed upon them under the Act?—Sometimes they will do very strange things. Suppose it is a labour district, and there is an election coming on, and the men want votes, those men will do anything.

376. Will they run the risk of an appeal to the Supreme Court?—Yes; the cost will not come out of their pockets. The council will pay for it. They will ruin you and get a lot of votes.

377. The inspector has first of all to report to the council that in his opinion it is dilapidated, unsafe for use, or injurious to health. Surely if he gives that notice to the council, and the Act says that the council shall look into the matter and report within two months, it is not reasonable to suppose that the council will object to perform their duty?—I am afraid it might easily happen. I do not think we ought to be in the power of the council in that way, to say whether we shall work or not.

378. What is to be done in the case of a place being unsafe for use or injurious to health?—We are quite ready to have that, but we object that we are not allowed to resume work unless the council notifies to the Chief Inspector—let the Chief Inspector proceed without reference to the council.

379. This Act only goes so far as this, that the council is bound within two months to report to the inspector; suppose it does not, and the inspector is satisfied at the end of two months that the repairs have been made, and that the place is fit for habitation, there is nothing to prevent him from granting registration?—Supposing it is a large factory that has been closed for repairs, why should the factory-owner have to wait for two months; why should it not be done just as promptly as they are required to do things at the instance of the Chief Inspector—why should an immense place and plant be kept idle for two months?

380. Suppose the council have to do it in a reasonable time, not exceeding two months?—They have only to make an inspection.

381. Under the Health Act we can only interfere where, in the opinion of the medical officer, the place is injurious to health—this goes beyond that, it is where the place is dilapidated, unsafe, or unfit for use. If it is unfit to be inhabited it may not be injurious to health, but it may be very disagreeable to the people who have to assemble there, and the inspector may say—"I want this repaired;" it is only right to give that power?—Yes.

382. *By the Hon. N. Thornley.*—Would not the Board of Health be the proper body to attend to that?—Yes.

383. Is it within your own knowledge that a council has persistently for years kept an abattoirs that has been condemned as objectionable and injurious to the public health?—I have heard of such a case.

384. *By the Hon. S. Austin.*—Would it be satisfactory if provision were made for the Chief Inspector to take proceedings by summons against the owner of a factory?—I am assuming that the repairs have been effected.

385. *By the Hon. J. A. Wallace.*—Why not leave it in the hands of the inspector, with power of appeal?—I do not see why they should not be required to inspect the place in a few days. It would be far better for the inspector to be able to say—"I am satisfied that those repairs have been carried out."

386. *By the Hon. H. Cuthbert.*—The factory is not to be closed during the two months. It is not closed until the expiration of the two months, and no recommendation having come from the council, so the business can go on for the two months?—The marginal note says—"Registration of a factory cancelled." I now come to clause 24, sub-clause 1—"No person shall employ, or authorize or permit to be employed, in any factory or work-room any person under the age of sixteen years, or any woman or girl for more than forty-eight hours in any one week, or for more than ten hours in any one day." Sometimes it is necessary to employ them a little longer than the ten hours in one day.

387. *The Hon. the Chairman.*—Sub-clause 3 provides that the Minister may suspend the limitation of hours.

388. *By the Hon. H. Cuthbert.*—Does it often happen that those girls have to be employed more than ten hours in a day?—It is mostly boys. Just at Christmas time it is wanted. It is not done day after day, but sometimes when a steamer leaves next morning early, you must have the stuff made up during the night.

389. How many hours are they employed?—Not more than eleven hours. They are delighted to do it, and they get extra pay for it.

390. It would meet your objection if "ten" were changed into "eleven"?—Yes. Sub-clause 3 says—"In order to meet the exigencies of trade, the Minister, after due inquiry, and on payment of the prescribed fee, may, if he thinks fit"—that payment of the prescribed fee is an innovation; why should a manufacturer be asked to pay a fee to get his rights under the law, and what is the fee? Under the regulations they can make the fee anything they like. There is no fee under the old Act.

391. There is a fee under the English Act?—I am not aware of it. I think we pay no fee under the existing law; a small fee would not bring in much revenue.

392. *By the Hon. J. Sternberg.*—Do you recommend the clause to be struck out altogether?—No. Then in line 15 it says—"subject to such conditions as may appear requisite."

393. *By the Hon. J. M. Pratt.*—It has to be published in the *Government Gazette*; if you make an application just after the *Gazette* is published you would have to wait for a week?—It is very objectionable.

394. *By the Hon. the Chairman.*—If ten is altered to eleven, that sub-clause 3 might be struck out altogether—you do not want to work more than eleven hours a day?—No. We find the Department very accommodating as to the publishing in the *Gazette*; directly they have made up their mind they say—"Go ahead and do not wait for the *Gazette*."

395. *By the Hon. H. Cuthbert.*—Would you prefer to have the clause struck out altogether, or to have the power vested in the Minister as to the limitation of hours?—I think it might be well for the Minister to have the power to prevent young people being worked an excessive number of hours. As far as our business is concerned, I would say—Yes, strike it out—but I do not want to be selfish, I do not want to see young people overworked.

396. *By the Hon. F. S. Grimwade.*—This clause gives power to work more than 48 hours?—Yes, but it goes on to meet the exigencies of trade. I do not like the Minister to have the power to say what we shall do. In our case we were required to pay the hands double and to pay tea money. It is rather a small matter to mention, but it is 6d. a night for tea money to each child, and, if you have 150 hands, in addition to the double pay it comes rather heavy.

397. *By the Hon. N. Thornley.*—Who determines the amount?—The Minister, as far as we know, but it is on the recommendation of the inspector, no doubt. My suggestion is that the Minister has too much power; if we are to pay extra money, we prefer Parliament to say how much we are to pay. If the Committee think it a fair thing that an employer should pay them time and a quarter, or time and a half, let the law say so, but do not let the Minister say what the employer has to pay, otherwise you will have favoritism or corruption creeping in, or political influence, to settle a private trade matter.

398. *By the Hon. W. I. Winter-Irving.*—Have you found that the employment for the extra time has had any deleterious effect upon the health of the young people?—No, it is only a few times in the year; they are very pleased to be employed. If a girl is at all delicate, we will not let her overwork herself. The next is clause 26; the form of suspension—"Every notification by the Minister of the suspension of the operation of section thirty of the Principal Act as amended by this Act in any one or more factories or work-rooms, or in all factories or work-rooms, shall be in the form and contain the conditions set forth in the Schedule to this Act, and such other conditions as the Minister may think fit." We object to the words—"as the Minister may think fit." The Minister may introduce conditions that Parliament never dreamt of.

399. *By the Hon. H. Cuthbert.*—You suggest that the latter portion—"and such other conditions as the Minister may think fit" be struck out?—Yes. The next is clause 46, referring to section 51 of the Principal Act; we presume it is intended to refer to bread bakehouses, and if it is made explicit, that is all we ask.

400. *By the Hon. the Chairman.*—Would that exempt your factory?—It would.

401. Is that intended by the present Bill?—I read over the Principal Act at the time—I forget what it refers to.

402. Section 51 of the original Act refers to the fine for not keeping factory or work-room in proper order, surely you do not wish to be exempted from that?—No, we do not wish to be exempted from that, but I am informed this refers expressly to bread bakehouses. The next is clause 55—"Additional purposes for which regulations may be made;" the first sub-clause says—"Regulations for prescribing the parts of the Factories and Shops Acts to be posted in factories and work-rooms, and the forms of, and particulars to be given, in records to be made or kept by occupiers of factories or work-rooms." Under that we might be required to publish the most private affairs of our business; it is altogether too vague; it is a sort of drag-net.

403. *By the Hon. F. S. Grimwade.*—Could that apply to the recipes of the different things you put up?—They might require you to keep a record of all the ingredients you put into the different articles.

404. *By the Hon. H. Cuthbert.*—What would you suggest?—It is altogether too vague. I do not think it is requisite. In another part of the Bill you are ordered to post those notices in the factories.

405. What we do not provide in regulations we must provide under the Act?—We would rather have it under the Act, so that we may know the law we are living under. The next is the 3rd sub-clause of the same section—"For prescribing the classes of factories and work-rooms in which persons under the age of sixteen are to obtain certificates of fitness for employment," I was asked to object to that—I do not see so very much in it. Then—"for prescribing the character of the examinations and conditions under which certificates of service and competency may be granted under Part VI. of the Principal Act as amended by this Act." I think that refers to engine-drivers, and I understood from the Chief Secretary they were going to rectify that themselves. He told me he would arrange that in a way satisfactory to the deputation I had with me at the time. There are a large number of worthy men who have been working as firemen in factories for many years, and some of those men are not educated men. They could not pass an examination, but they are quite competent to look after a boiler—they do not hold a certificate. A time was named to the Minister as qualifying them and the Minister named a still more favourable time, and the men were quite satisfied.

406. *By the Hon. F. S. Grimwade.*—In the same clause there is a sub-clause prescribing the fees, what fees are those?—We suggest there should be no fees; it is a very small matter. We do not think there ought to be the power in any one but Parliament to say what fees or taxes we shall pay. The last sub-clause of that clause is—"generally for the better carrying out of the provisions of the Factories and Shops Acts."

407. *By the Hon. the Chairman.*—That is in nearly every Act that is passed?—It is a drag-net.

408. *By the Hon. H. Cuthbert.*—What have you to say about section 49?—We have nothing to do with that.

409. Is the Chamber in favour of making the breaking of that clause an offence?—It was really laughed out of the room. Under the present law there is a small fee paid by young persons for examination by medical men, 5s.; we think that as they are chiefly the children of poor people there should be no fee. The Government should give a small retaining fee to some medical man in each district, who would pass them.

410. We are going to reduce the fee to 2s. 6d.?—Two shillings and sixpence is a great deal to poor children in these times. When the children we put on cannot pay the fee, we pay it for them and take it out of their first week's wages. The returns that we are called upon to make up we think ought to be for statistical purposes only; the private concerns of a business should not be made known even to public officials.

411. *By the Hon. the Chairman.*—Who is to decide what are statistical purposes?—That could be easily settled, I think, if the Statist required it—let the Statist say what he required.

412. Do any evil effects arise from furnishing these returns?—We are called upon to make up a large number of returns which are very unnecessary and harass us very much. We have a large number of people, the names keep on changing, and we have to give fresh names every time. In clause 32 there is a penalty on employés if they do not give information when called upon. An employé might refuse to give official information, thinking he was betraying the interests of his employer, and we do not think an employé should be punished for fidelity to his employer.

413. On the other hand he might be shielding a dishonest employer?—Let the inspector apply to an employer, and if he will not give the information, let the employer stand the brunt of it, and not the man.

414. *By the Hon. H. Cuthbert.*—Surely the man in charge of an engine ought to give information to an official?—He might not; some men are so loyal that they will not give information to an official at all.

415. *By the Hon. F. S. Grimwade.*—There are lots of engines where the employer is never there?—It was thought an employé should not be under that liability.

The witness withdrew.

Alfred Harley George examined.

416. *By the Hon. the Chairman.*—What are you?—Managing director of George and George, Limited.

417. Do you represent anyone besides your firm?—Yes, I have been asked by Messrs. Robertson and Moffat; Buckley and Nunn; Hicks, Atkinson; Craig, Williamson, and Thomas; the Mutual Store; Stainer and Company, and Manning and Company, to represent them; that is eight firms, including our own.

418. What is your opinion of this Bill generally?—We have no very great objections to the factories portions of the Bill. We think the supervision which is asked for outside is to a certain extent satisfactory, but of course it will have to be amended in the way the permits are to be issued. The first clause I will refer to is clause 15, referring to the records. We all keep records at present, but we object to sub-sections 3 and 4, under which we may be asked to periodically supply them. At present the inspector has to call and ask to see the records, and they are produced. In the present Act the inspector or officer divulging the contents of those records is deemed guilty of a misdemeanour, which is omitted here.

419. *By the Hon. F. S. Grimwade.*—Roughly speaking, how many operatives do you represent?—I counted up to-day how many we have in our own employ; there were 406 in our establishment, and the eight establishments employ, I should think, about 2,500 or 3,000 altogether of shop employés and operatives.

420. *By the Hon. the Chairman.*—Are you entitled to say you represent the employés or the employers?—The employers. I represent employers employing about 2,500 employés.

421. *By the Hon. J. M. Pratt.*—You speak on behalf of the employers?—Yes.

422. Would the employés agree with what you are going to say?—I think they would.

423. Do they propose to have anyone to represent them?—It has only been mooted just now. I had a paper put before me asking if they should sign it would I present it. I told them they were too late for to-day.

424. Section 4 of Act 1333 says—"Such record shall be kept for the information of the inspectors, who alone shall be entitled to inspect the same and who may at all reasonable hours examine the same"—now it is required that you may be called upon to furnish these periodically to the inspector?—Yes, we object to that. We think the present clause is quite sufficient.

425. Who is to judge of the sufficiency; why do you think it is sufficient?—We object to have our business published in the *Government Gazette*. It is continual worry and expense getting up these returns, and we might have some party in power who would want us to supply these every fortnight or every week; they are always there, we keep them for our own business.

426. *By the Hon. the Chairman.*—In the meantime, your books are thrown open to the inspector whenever he likes to call?—Yes; he can demand to see them whenever he likes.

427. Section 4 says they may be published by the Governor in Council?—Yes, we object to that.

428. Do you know any good reason that would arise for such a publication?—No. It is the private business of the firm, and the Government might for some reason or other see fit to publish it. I do not see why they should do so.

429. *By the Hon. F. S. Grimwade.*—Supposing the words—"where sweating is alleged to have taken place," were added, would you object to that?—No; we are all anxious to put down sweating.

430. *By the Hon. the Chairman.*—Even if that were done, what good would be derived, as far as the public are concerned, from the publication?—I do not see any good at all.

431. Would the publication of this information in any way tend to decrease sweating?—I do not think so.

432. *By the Hon. F. S. Grimwade.*—The idea is that the public would be ashamed to buy their trousers at a place where they knew they were made for 3s. 6d. a dozen?—The public would run after them.

433. *By the Hon. the Chairman.*—Assuming that a factory were known to sweat to a most disgraceful extent, would the fact of its being known that the goods of that factory were obtainable at your place prevent the public from coming and buying them?—I do not think so; they will buy at the cheapest place.

434. Irrespective of whether they are buying sweated goods or not?—I think so. The next point is clause 16, sub-section 2, as to permits. We think that is very arbitrary, though it does not affect the firms I represent very much.

435. *By the Hon. F. S. Grimwade.*—Do you give out much work?—Not much.

436. *By the Hon. the Chairman.*—What class of people do you give it to?—We manufacture most of it ourselves on the premises.

437. Does that apply to all the firms you represent?—To a large extent, they do give out some; perhaps more than we do.

438. Do they give it to factories or private individuals?—Both.

439. *By the Hon. F. S. Grimwade.*—Is the great bulk of the work done by the firms you represent done in the factories?—They do a large portion on the premises, but a portion is done in the factories, and a certain portion, though I do not think it is very much, is given out. I have asked several of them, and they tell me there is very little given out.

440. Then why do you object so strongly to these permits?—We have a feeling that there should not be a restriction upon people earning their living. There is no such restriction in the English Act that has lately been passed—the only clause dealing with outside work makes it compulsory on the manufacturer to see that his work is done in a sanitary building where there is no infectious disease. He also has to keep records of all work given out.

441. *By the Hon. the Chairman.*—It has been submitted to us that there is a considerable amount of work done in private houses by people who take it at prices considerably under the log prices, thereby reducing the prices in the factories?—I quite believe that, but that is almost entirely where there is a middleman engaged.

442. *By the Hon. W. I. Winter-Irving.*—Is that work done by gentlewomen and ladies in reduced circumstances?—No.

443. *By the Hon. the Chairman.*—What have you to say as to permits—should they be abolished?—I think the permit gives supervision over outside work, which is good, but I do not think the permits should be restricted—I think everyone should ask for a permit if he or she wishes to make up goods to be sold again. This Act restricts permits to people physically incapable of working in factories.

444. You would allow anyone to have a permit subject to proper supervision?—Yes, and with one or two other restrictions. I would not allow more than two permits in any house unless they are a family; then I would allow a family permit.

445. *By the Hon. F. S. Grimwade.*—What control would you have on them to stop their working twelve and fourteen hours a day?—I have inquired into that. They keep the log hours strictly; they cannot work more than eight or nine hours a day.

446. *By the Hon. J. A. Wallace.*—There is nothing to prevent you limiting the quantity of work for two, three, or four in a family?—There would be a difficulty there, because one firm might give out work to the holder of a permit and after she has done that she might go to another and get the same quantity.

447. *By the Hon. F. S. Grimwade.*—At the current wage, working eight hours a day, can they earn a decent wage?—Yes, we only give out high-class work, and they earn about £1 a week each.

The witness withdrew.

Adjourned to Tuesday next, at half-past Two o'clock.

TUESDAY, 21st JANUARY, 1896.

Members present:

The Hon. Lieut.-Col. Sir F. T. SARGOOD, K.C.M.G., in the Chair;

The Hon. S. Austin

S. W. Cooke

F. S. Grimwade

J. M. Pratt

The Hon. J. Sternberg

J. A. Wallace

T. D. Wanliss

W. I. Winter-Irving.

Alfred H. George further examined.

448. *By the Hon. the Chairman.*—When we adjourned you were being examined in reference to permits; you objected to the permits?—I objected to the clause as framed, as being too arbitrary altogether.

449. In answer to Mr. Wallace's question—"There is nothing to prevent you limiting the quantity of work for two, three, or four in a family?" you said—"There would be a difficulty there, because one firm might give out work to the holder of a permit and after she has done that she might go to another and get the same quantity." Then Mr. Grimwade asked you—"At the current wage, working eight hours a day, can they earn a decent wage?" and you say—"Yes, we only give out high-class work, and they earn about £1 a week each;" what else have you to say?—I think that pretty well finishes that subject as regards ourselves.

450. Do you think there is a considerable number of people unable to work in factories?—I think so.

451. From what causes?—From their home duties and perhaps their health, and I think there are a number of people who would object to work in factories.

452. Do you know anything of the recent English legislation on the subject?—Yes; occupiers are allowed to give out work freely, but they have to keep strict records which are examined by the inspectors who, from the clause in the Bill, are evidently presumed to visit those homes and see that they are in a sanitary condition. I find there is one clause which provides that, if an inspector gives an occupier notice that a certain place where goods are being made for him is unhealthy, and he continues to give goods out to that party after a month of receiving the notice from the inspector, he is liable to a fine of £10.

453. The English Act deals almost solely with the sanitary question?—Yes.

454. Are you aware in connexion with the exemption that in the English Act there is the following clause:—"The exercise in a private house or private room by the family dwelling therein, or by any of them, of manual labour for the purposes of gain in or incidental to some of the purposes of this Act in that behalf mentioned, shall not of itself constitute such house or room a workshop, where the labour is exercised at irregular intervals, and does not furnish the whole or principal means of living to such family"?—Yes.

455. Do you think there is any considerable number of families here who take in work, which work is not the whole or principal means of living?—I am sure there is; I have no idea of the number.

456. You are aware it has been stated there are a number of well-to-do people, young ladies, in fact, who take in work to make "pin money" or pocket money?—That is exaggerated, I think.

457. The charge is that those young ladies interfere with the work of legitimate workers?—Yes; I think that is exaggerated.

458. *By the Hon. J. A. Wallace.*—There is a class of people who, at one time, were much better off than they are now; they have lost their money through the banks' failure, and one thing and another, and this class of people are now in very straitened circumstances. Do you not think there is a number of those people who would rather want than go to a factory?—Yes, I am sure of it. I have had experience of that myself.

459. *By the Hon. S. W. Cooke.*—Have you any idea of the number of people outside factories who take work?—No, I find that the bulk of the outside work is given out through the factories.

460. Could the factory buildings hold all the employés if they were compelled to work inside the factory; would it not throw on factory-owners an enormous expenditure in bringing their buildings up to the standard necessary for all the employés?—Yes. They would have to enlarge their premises. Why I think permits should be issued is that I do not think it fair that a factory hand who is working inside a factory should go home and take stuff home with her, or help in her home until ten and eleven at night working at outside work. I think that is the principal reason of the sweating. A mother goes to a factory and gets, perhaps, two or three dozen pairs of moleskin trousers or shirts to make up. She will do a portion of them herself, but I am told, in many instances, the girls who are employed in factories during the day go home and then start working at these other things at night.

461. That is specially provided for in the English Act?—Yes, I believe it is.

462. You say you are told that this happens; do you know it for a fact?—I could not state it for a fact, but I understand so. I have had some conversations that have led me to make further inquiries on the question. In sub-section 4 of clause 16, we do not think those words—"or who receives or has in his possession, custody, or control for the purposes of trade or sale, or who sells or exposes or offers for sale any articles prepared in contravention of such provisions" should be in. We think retailers should be exempt from that. They should be responsible for all stuff made up directly for them, but when they purchase it from wholesale houses or middlemen we do not think they should be responsible.

463. Why?—We cannot trace it. Some of our buyers might not have asked if those goods were made up under a permit.

464. *By the Hon. J. A. Wallace.*—You do not believe in permits at all?—Yes; to a certain extent. I think anyone who makes up goods for sale should not object to ask for a permit.

465. *By the Hon. the Chairman.*—You do not think the retailers should be subject to this clause unless they knowingly receive?—No; section 8 provides for that to a certain extent, but we have to prove our innocence, which may entail a lot of trouble. It is not of much importance, but we would like those words to be struck out. The next point is about the price, in clause 17, section 1. We regard it as a practical impossibility to fix the prices for our business in our various lines. It is too big an order altogether; the fashions and styles are changing so often. You get a price for one article, and when you have been working at it for a fortnight you have to submit another style for a price. The Board would be sitting continually; the styles are so numerous. If you walk down Collins-street you will not see two dresses alike, and all have to be paid for at different prices. If you make up 50 skirts you get a price fixed, and a couple of days afterwards you may decide to alter the making to a small extent, entailing more work or less work, as the case may be, and you have to get a price for that. We look upon this Bill as forming a huge Government Union and nothing else; it is fixing the price and hours of labour. We do not object to factory legislation; we want to help the employés and keep them in a satisfactory position, but we think this Bill goes too far.

466. *By the Hon. J. A. Wallace.*—You do not think it is workable?—I do not think this clause is.

467. *By the Hon. the Chairman.*—What would be the effect of it upon the consumer?—I know how it will affect us; it will disorganize business. We shall not know where we are for a bit.

468. Suppose you have to do it, what would be the effect; would it cost you more or less in the business?—It all depends upon what prices they fix.

469. I mean the machinery in connexion with this?—There is more machinery in this Bill in the records we shall have to keep, and waiting on the Board as to prices; we cannot see how it will work in regard to prices.

470. *By the Hon. J. A. Wallace.*—In fact you think it is not workable?—Not this clause about the prices.

471. *By the Hon. the Chairman.*—Supposing the Board were constituted, in what way should it be formed?—One price should be fixed for the whole of the colony.

472. But, assuming the Board is constituted, how would you constitute it—by the Governor in Council or by election?—We have talked it over, and we think it is an absolute impossibility. We do not see how a Board can come about—each trade would have to have its own price-makers. There must be a Board for each trade; a bootmaker cannot tell the price of making up a skirt.

473. Taking your own trade, do you think that the employers should elect one-half the Board?—Certainly.

474. And the employés the other half?—Yes.

475. How will you deal with the employés in your trade?—There is no Union. It is a very difficult question. We have really taken it almost for granted that that clause will not pass as it stands.

476. Assuming Parliament decided that there should be a Board, you think it should be by election?—That would be the best way.

477. How many would you have on each side?—Three or four.

478. Do you mean for the whole colony?—I do not see why Ballarat should make up cheaper than Melbourne.

479. We are dealing with the Board now?—That is another question. How can those people from Ballarat get down to Melbourne for the Board? You would have to have a Board up there, I suppose.

480. You would have a Board for each district?—I should think so.

481. How would you bring those various Boards into line to carry out your idea of one price for the whole colony?—We look upon it as an impossibility; we have talked it over all round, and we cannot see how it can come about in our business.

482. Not from any wish to retain sweating as it is now?—No; we are most anxious to put down sweating. We look upon sweating as the outcome of the depressed state of the trade.

483. Was there no sweating in the boom times?—We did not hear much about it.

484. *By the Hon. J. A. Wallace.*—How do you expect those Boards to be paid?—I do not know.

485. *By the Hon. S. Austin.*—How do you propose to elect the chairman?—If they can agree upon a chairman, well and good; if not, I suppose the Governor in Council might appoint an impartial one. Then as to sub-section 7, as to apprentices and improvers, it is a very small matter with us, but of course at certain times of the year our work-rooms are quite full, and at other times there are only half the number of employés in them. It is almost impossible to provide for a certain proportion to be apprentices and a certain proportion improvers, but there is not much in that point.

486. *By the Hon. the Chairman.*—How would you get over the difficulty, assuming the Board fixed the price of making up any article; take skirts for example—those improvers and other hands in your employ are from time to time slack, and you can employ them in their idle time in making up those skirts—how would the question of price come in there?—We pay them weekly wages.

487. Assuming you pay them by a weekly wage, might not the result of that working in the slack time be that you would produce a skirt very much lower than the fixed price of the skirt, and to that extent you might undersell the factories?—Yes, we might.

488. That question has arisen in New Zealand?—Yes, it is quite possible that would be the result.

489. In other words you would not only be able to supply yourselves, but to supply outside traders at a lower price than the factories can make the goods for?—Yes.

490. *By the Hon. J. A. Wallace.*—That would depend upon what wages you gave?—Yes.

491. *By the Hon. J. Sternberg.*—Do you find you have ample applications for work in the factories?—At certain times of the year we cannot get enough hands—we have to apply for overtime. At other times we might get the work done at a lower rate than the price fixed by the Board, if it were made up in slack time by apprentices and improvers who were paid low wages. Going back to that clause 17, as to “mode and manner,” I have taken that to mean that the Board is to take into consideration the machinery that is used, whether it is hand labour or treadle labour or gas engine—you would have to have three prices.

492. *By the Hon. the Chairman.*—If a Board is appointed and has to fix prices, they would have to take all that into consideration?—Yes.

493. You do not think the meaning placed upon it by some is the correct one—that the Board would have the power to say to a manufacturer—“You must make that article in a certain way”?—No, I do not put that interpretation upon it. We think the penalties all round are excessive. In the last English Act I find the English fine for failure in keeping the records, for instance, is 40s. as the maximum; the first penalty is evidently supposed to be nominal. It also provides that for the second and third offence the penalty shall not be less than £1.

494. As to clause 19, do you think the Board should have power to fix the hours of labour in your work-room?—No, we do not—we work 48 hours.

495. Suppose the Board thought it should be 45 hours?—It would tell very much against us; if they made it 45 hours they might bring it down to 30 hours, but we do not anticipate that is the intention of the Act.

496. *By the Hon. J. A. Wallace.*—It would affect the employés as well as you, because they could not earn so much money?—It would bring down the wages of course. Then, in sub-section 4, we object to the word “indirectly.” In our business we have so many hands under us—the buyers and heads of work-rooms—that, after giving instructions to them to carry out the Act, we think we should be absolved—we do not want to get three months’ imprisonment. If we prove we have given instructions to those men to carry out the Act we do not think we should have any further trouble. Coming now to clause 24 it has been asked what is the prescribed fee; no one seems to be able to say what it is. The words—“subject to such conditions as may appear requisite the Minister may suspend the operation of the section” are objectionable; we think some fixed rule should be laid down for allowing overtime, so that it should not be at the will of the Minister or the inspector.

497. *By the Hon. S. W. Cooke.*—Have you any idea how you would get at a fixed rule?—In the last English Act they provide that no boy under sixteen, or woman or girl, shall be employed overtime for more than 30 days of three hours each during the year; they limit it to that. At the present time we have to come up to the inspector, he consults the Minister, and they lay down a rule, and perhaps provide that we have to pay so much extra salary.

498. *By the Hon. the Chairman.*—You mean that if you apply for a permit you should know at once how much you will have to pay your hands?—We should like some fixed rule, whether it is time and a quarter or time and a half. Before the Act came into force we had no grumbling at all; we used to pay the hands 1s. overtime all round; that worked out very well, they were quite satisfied. In our case we do not have much overtime.

499. We have to deal with those who will try to get the most out of their hands?—Yes. At this last Cup season we applied for overtime and were refused in the first instance, and we were instructed to advertise for more hands; we did so, and the outcome of it was that we got one or two applicants, but overtime was granted after a lapse of three or four days, on our agreeing to pay every hand that was kept overtime, at the rate of 15s. a week, and time and a half. That worked out very funnily; it meant in the case of an improver, who was getting perhaps 10s. a week, and worked four hours overtime during the week, that we had first of all to make up her salary to 15s. a week; then we had to pay her time and a half on 15s. for her overtime; and besides that we had to provide them with tea or pay them 6d. each. There was one girl who worked three hours; she was getting 10s. a week, and her overtime cost us at the rate of 2s. 1d. an hour, besides the tea. A girl who was an apprentice, and was getting 5s. a week, worked an hour and three-quarters, and we had to pay her at the rate of 6s. an hour; that was absurd. I told the head of the work-room not to keep back any of those young people, but this occurred on Derby

Saturday ; they were extremely busy finishing off things for the Cup, and this girl was kept behind. There are a number of other instances in which girls receiving under 15s. a week cost us from 4s. to 1s. 1d. an hour—we do not think that is good business—we do not think we should be subjected to that.

500. Who fixes the rates of pay ?—The Minister or the inspector.

501. Is the inspector a practical man of business, who knows what should and what should not be paid ?—I do not know—I am afraid not. I saw the inspector and he put the matter before me, but I did not grasp it. I thought it was understood that we should pay the girls for their overtime at the rate of 15s., which would perhaps have been a reasonable pay, about the rate of 5d. an hour; but when we had to make it up to 15s. for the whole week it came very awkward indeed.

502. You do not know why he arrived at the sum of 15s. ?—No.

503. The inspector really had the power of fixing the wages you were to pay the employés for that time ?—Yes; it was the first time it was ever done, but under the Principal Act the words creep in.

504. *By the Hon. S. W. Cooke.*—Supposing overtime were abolished altogether, as has been suggested by some of the English inspectors, would the public then learn to order their goods in time for an emergency ?—You cannot arrange for emergencies entirely.

505. Some of the English inspectors think that if overtime were abolished altogether the public would gradually get into the habit of ordering their goods beforehand ?—In retail shops we are bound to work overtime sometimes. There are hundreds of visitors from the other colonies who come down here about Cup time (and we look for them) and order one or two or three dresses; if we were full up with our own work we could not possibly execute those orders, and we are very anxious to secure these little crumbs, especially in these times.

506. *By the Hon. S. Austin.*—If overtime were abolished altogether, would it not interfere seriously with your business ?—Yes.

507. You cannot get the work done within the hours ?—No. We do not work overtime for pleasure; it is more costly to us. We try to keep it down to the smallest limits; it is only the pressure of business that makes us do it.

508. *By the Hon. T. D. Wanliss.*—It exists in every country in the world, as far as you know ?—Yes.

509. *By the Hon. S. Austin.*—You cannot get outside hands to do the work within the prescribed hours ?—If you have to go up to the inspector to ask for a permit it takes time. The other day we had a very good order from Western Australia if we could execute it in a very short time. I had to arrange to work certain batches of the girls up to ten o'clock at night, but I had to give them a holiday the following day so as not to make more than the 48 hours for the week ; this was very awkward. If some clause were introduced, as in the English Act, allowing us to work the girls three hours a day without permits, not more than 30 days in the year, I think that would be fair.

510. *By the Hon. T. D. Wanliss.*—If this clause were carried out stringently it would lead to a large portion of this business going to other colonies ?—Yes, we would lose the business.

511. It would go to Sydney or Adelaide—the other shops here could not do it ?—They wanted to drive the business into shops that were not busy, but everyone is busy at those times. Clause 40 is a small thing, but it provides for fixed or movable seats for females and men. Section 2 provides accommodation for all persons employed in a shop. We think it quite right for the females, but rather absurd for the men.

512. *By the Hon. the Chairman.*—Are seats now provided ?—Yes, we allow our hands to sit down. We do not provide seats, but in quiet times we allow them to take two chairs behind each counter.

513. In the existing Act there is a provision that on the demand of the inspector you have to provide them ?—Yes.

514. Have you ever been required to do so ?—No.

515. It is optional on your part to allow the employés to sit down or not ?—Yes. A lady from one of the Ladies' Associations happened to come in and speak about this clause. I said—"You have come in on a very good day, we are quiet; come and have a walk round the shop, I will show you." We went through the show-rooms and through the front shop, there were chairs behind almost every counter, one at either end, but there was no girl sitting down in the front shop. Up stairs there was one girl sitting down, though they had the option.

516. *By the Hon. F. S. Grimwade.*—Do I understand that they are allowed to sit down if they like ?—Yes.

517. *By the Hon. J. Sternberg.*—Why do you object to men being allowed to sit down ?—I do not think they ought to want to—they ought to find enough to do. We treat ladies on a different footing from men.

518. *By the Hon. the Chairman.*—You have been behind a counter yourself, with long hours ?—Yes.

519. Did you never feel tired by the end of the day ?—Yes; but I was always kept busy. I used to start business at seven o'clock in the morning at home in the old country, and finish off at eight at night.

520. *By the Hon. S. W. Cooke.*—If you are busy you are not so likely to get tired, but if you have nothing to do, do you not get tired ?—A man ought always to find something to do ; there is always something to be done. If they have any writing work to do, we allow them to take a chair behind the counter, at stock-taking times, and so on—we have had no complaints. At some of the smaller suburban shops, where they have to work until ten o'clock at night, it may be different. The next is clause 42—"Regulations as to hours of employment of young persons and women in shops;" line 42 says—"providing that every person whomsoever employed for hire or reward in any such shop, or at any work in connexion with such shop, shall have a half-holiday on some afternoon in each week." We give our hands a half-holiday, but it is impossible to give every person a half-holiday, such as the packers, porters, and carters. It would mean that we should have to engage extra ones, and that would bring their wages down. At the present time most of the men get off at about half-past two or three. We pay them for all the public holidays, which are nine during the year. If you arrange to give them 52 more half-holidays, that would mean that they would get 35 days during the year.

521. *By the Hon. F. S. Grimwade.*—You find it impossible to give the men who deliver your goods a half-holiday?—It is.

522. Do they begin early in the morning?—About the same time as the others, eight o'clock.

523. They cannot deliver goods at that time?—No, but they help sweep out. Then they have a spell for an hour or so, and go round to the stables and bring their carts. They start out about twelve on week days and two o'clock on Saturdays. It is sometimes half-past two or three before some of them get away.

524. *By the Hon. the Chairman.*—Suppose you shut up the shop, the packers and porters would still have to go out to deliver the goods?—Yes.

525. Then in certain branches of your trade it would be utterly impossible to restrict the hours of labour to eight, or to give them a half-holiday?—Yes. We propose that the words—"salesmen, saleswomen, apprentices or improvers," should be inserted there, instead of "every person whomsoever," leaving out the porters, packers, and delivery men.

526. *By the Hon. F. S. Grimwade.*—The delivery men always get finished long before the general carriers do?—Yes, in slack times they do.

527. Sometimes a carrier delivers goods as late as eleven at night; do your men deliver as late as that?—Never, except in the Cup season.

528. *By the Hon. the Chairman.*—Do you have any complaints from the delivery men as to the long hours?—No. I find that I have missed clause 38. It is an amendment of a sub-section of the Principal Act, and runs:—"For closing all shops or all shops of any particular class within its municipality other than those mentioned in the Fourth Schedule for one afternoon in each week; provided that before any such by-law be made a petition, certified to by the municipal clerk as signed by a majority of all the shopkeepers or of all the shopkeepers of the particular class (as the case may be) substantially interested and affected thereby, shall be presented to such municipal council." This clause would mean that it is a possibility under the present Act, and with this clause, that a majority of shopkeepers might combine and close us up on a Wednesday. When I say "us," I mean all the two o'clock on Saturday houses in the city proper.

529. Do all the shops in the city proper close on Saturday?—No, only the leading shops—the drapers, a few of the jewellers, booksellers, stationers, and people like that. We are very strong on this point. We would propose that a saving clause should be inserted after this sub-section—"Provided also that no shopkeeper shall be deemed guilty of a breach of any such by-law by reason only of his not complying with the same, if he shall close and keep closed his shop on the Saturday of each and every week during which he shall fail to comply with such by-law from the hour of two o'clock in the afternoon."

530. You do not object to close on one afternoon in the week, but you want to have the liberty to close on the Saturday, even if others in the same trade prefer to keep open on the Saturday and close on some other day?—Yes, for the last 24 years our houses have given a voluntary half-holiday on Saturday, and they have educated their customers on the point of closing on Saturdays. They do the bulk of their business with the better class of people, who do not come into town on Saturday. It would mean ruination to some of us to have to close on any other day in the week.

531. *By the Hon. F. S. Grimwade.*—You would have two half-holidays in the week?—It would practically mean that. We would keep open on Saturday, but we would not do any business. We think that Saturday is by far the best day for a holiday for the employés. They have from two o'clock, and they can enjoy the sports or go down the bay, or go into the country and visit their friends. Again, the houses that close at two o'clock on Saturday have no ten o'clock night at all. They only work forty-seven and a half hours during the week all the year round. A half-holiday from two o'clock on Saturday is better than from one o'clock on any other day in the week.

532. *By the Hon. T. D. Wanliss.*—Those shops that close on Saturday afternoons should be free of this clause?—Yes. I am told that one or two of the houses were interviewed and asked about the one o'clock closing. I believe they seemed to think at first it would not be a great hardship to close at one o'clock, but now we are all of opinion we should be left as we are, and any that decide to close at one o'clock can do so.

533. *By the Hon. the Chairman.*—You would rather come under the 51st section, that provides that every shop assistant should have a half-holiday on any one day?—Yes. We object to a majority of shopkeepers being able to close us up on a Wednesday or any other day than the Saturday in the city. We are combined with Carlton, and extend to Punt-road, South Yarra, and Toorak-road, and we should be completely swamped by the small shopkeepers in the event of a vote. We look upon it in this way, that under the Principal Act it was only a voluntary half-holiday, and we ran the risk in that case, but this is a compulsory half-holiday, which makes all the difference.

534. *By the Hon. S. Austin.*—Is there not power under the present Act to compel a half-holiday? Not to compel it, but if the majority of shopkeepers are in favour of it they can have it.

535. *By the Hon. the Chairman.*—In the suburbs they close on Wednesday?—Some of them do.

536. They keep open on Saturday because that day suits their customers the best?—Yes, but in the city the Saturday would not suit our customers. Then as to clause 43, section 2—"Hours may be extended by Chief Inspector," we do not think any terms should be allowed. This is for shop hands. The English Act refers to factories. We think the written consent, if it is to be got at all, should be a free one. He should not have the power to say—"You shall pay every hand 2s. 6d. a night."

537. That is in accord with the Imperial Act?—The Imperial Act only deals with the factories; this deals with the shops.

538. You think you should be allowed to work your employés three hours a day extra without extra pay, not more than 30 days a year?—It says 40 days here. We are quite prepared to accept that.

539. *By the Hon. J. A. Wallace.*—Without the consent of the inspector?—We prefer that; but if we have to ask for it, it should be free. There should be no terms.

540. *By the Hon. F. S. Grimwade.*—Clause 51 says the half-holiday shall be from one o'clock; you do not want that?—We say two o'clock on Saturday. We hold that two o'clock on Saturday is worth more than one o'clock on any other day. The only trade we do on Saturday is between twelve and two, and if we had to close at one o'clock it would mean that we should have to start closing at a quarter-past twelve. At present our instructions are that no one is to start closing up until a quarter-past one.

541. *By the Hon. J. M. Pratt.*—How would the Saturday half-holiday affect the Bourke-street houses?—I think it should be optional which day they chose. I should propose cutting out the clauses about the majority of the shopkeepers closing on a particular day.

542. *By the Hon. the Chairman.*—That would be under clause 51?—Yes. Every one is to get a half-holiday, and let the employers give the holiday as they like. If they want to close on Wednesday, let them do so.

543. *By the Hon. J. M. Pratt.*—You would not have the trade determine which shall be the holiday?—I would not have the majority decide; what is good for one might not be good for another.

544. *By the Hon. J. Sternberg.*—Would it not be well to divide the district and let each part shut up when it likes?—Yes. I mean that every house should close on any day that suits it. I do not mean to force them all to close on Saturday.

545. *By the Hon. the Chairman.*—As long as they close on one half-holiday?—No, let them keep open all the week through, so long as their hands get a half-holiday. This Act does not close any shop any day in the week.

546. *By the Hon. J. M. Pratt.*—You would leave it optional with the shopkeeper; he could keep his shop open, and let some go away one day and the others another day?—Yes. Almost all the big shops are also factories, and the factories close at two o'clock, and we cannot get in our 48 hours unless we close at two o'clock. If we close at one, we would have to put an extra quarter of an hour on to the morning, or keep them a quarter of an hour longer at night several nights in the week.

547. *By the Hon. the Chairman.*—Under clause 51 you are punishable if your employés have not taken the half-holiday, even though you have given it to them?—That point escaped me, but we do not find them behind-hand in taking their half-holidays.

548. Suppose the Board is absolutely appointed, and the prices are absolutely fixed, do you imagine those prices would be kept?—We should try and keep them, but I do not see how they can be kept. As regards the price question, we look upon it as utterly futile; it is too big an order altogether.

549. You must leave it an open question between your work-people and yourselves as to how much you pay?—Yes.

550. That cuts at the root of what the representative of the boot trade maintained. He maintained it was absolutely necessary some independent body should fix the prices, to prevent sweating?—They could limit the hours of labour which those permit-holders are allowed to work, say between eight in the morning and eight at night. They would be open to supervision, so that if the inspector went in at half-past eight or nine, or ten, and found them working, there would be a breach of the law.

The witness withdrew.

John Kelleher examined.

551. *By the Hon. the Chairman.*—What are you?—I represent Messrs. Foy and Gibson. I am manager of the clothing factory.

552. How long have you been in that business?—I have been ten years in the firm's employment, and seven years as the factory manager. We think clause 17 in this Act is altogether unworkable. It says that Boards will be appointed to determine the mode and manner in which work will be done. In our business when the season starts we have to start making up our samples for the season. We have to make mantles, ties, clothing, and everything that we sell, and the consequence would be with regard to the Board that we should have about six Boards sitting in one day in our place. Take our mantle trade; in that trade there is a great variety of designs, and in each day there might be fifty made up. We would have to get the designs made and submit them to the manager of the department that sells them. He would have to select which he thought most suitable. For the Board to determine a fair price for all those things they would have to stand by the operator while she was doing each individual part of the garment. They might stand there and look at it, and they might determine the price, but you might come along and say—"I see a very much more expeditious way of doing the work. I can re-arrange things so as to get it done for half the price and still pay the girl a fair wage." Then it would have to be re-submitted to the Board. That would be one of the objections. Not only that, but it would take such a long time to determine the price of the garments. Anyone who knows anything about the mantle trade knows the variety of fashions. When we applied for a Board for mantles, if there were only the one Board for mantles, we might be told—"The Board is sitting in some wholesale house in the lane just now, and they will be perhaps three or four days there, and when they have done that they will have to go to another wholesale house, and there is also an application from a retail house before yours. It will probably be six or seven weeks before the Board can come to you." We would say—"The winter season will be gone then and we will not want the Board." There is no possibility of working it at all in our business. Take hosiery, it is just the same. There are always new ideas and new machines coming in for knitting and finishing off the stuff. We have a special line of underclothing that we sold large quantities of in our place. We paid duty on it, got it made in either England, France, or Germany, but we saw that there was a big opening if we could make this stuff here ourselves; we could improve our business and give a lot of employment. Mr. Gibson went home and went through the different countries where this stuff was manufactured on the latest and most scientific principles. He bought the latest machinery for knitting the stuff and also the latest finishing appliances, and employed skilled labour and brought it all out here, and brought the raw material and built a factory here and got everything in readiness to start working. Then the Board would come in and say—"It is a good idea to go home, but we will take over your business. We will pay the hands what price we think fit. We will regulate everything in connexion with the stuff, although we have never been outside the colony."

553. Do you mean that you might start a factory upon the assumption that the rate of wage you would have to pay would be the general rate, and after you have obtained all this machinery and built the factory the Board might hold a different opinion and fix such prices as would kill the industry?—Yes; and further, say that we should make the stuff in a certain way, which might be altogether the wrong way.

554. What do you understand by "the mode and manner"?—Supposing you are making a pair of pants, the Board might tell you to sew on the buttons before you do the sewing, or that you must get them cut with a hand knife instead of machinery.

555. Some of the witnesses say that those words mean that, in the event of there being two ways, in fixing the price the Board would have to fix two prices—one for machine-made goods and one for hand-made goods?—They can never fix it. It is perfectly impossible. One man might do it with the scissors, another with a long knife. I will do it with a band saw, and another might come and say—"I will do it with a die." How are you going to regulate the price for those things? because all those different modes are in use. The Board would say—"You will have to do it this way. You must do it in the way we think fit, and you will have to pay the hands what we say. We will have sole control over the whole thing. It does not matter what you have seen in those large manufacturing centres, and what ideas you have picked up."

556. The Committee generally are of opinion that those words do not bear that construction?—The question is altogether impracticable. I am speaking of how it would affect Mr. Gibson's business.

557. Assuming Boards to be appointed—how would you appoint them?—I do not think I could give any better illustration than Mr. Derham gave. We would be quite in favour of that, if such a thing ever came to pass; that is, by election.

558. *By the Hon. S. Austin.*—There are three or four modes of making moles garments?—Yes. The same remark would apply to a great many garments—shirts, collars, ties, mantles, hosiery, and a variety of other things. There is another aspect of that clause I would like to put before you, that is, that it would have a very bad effect taking any employer's business right out of his hands and giving it into the hands of a Board. What discipline can you have in a place that you have charge of? The employes would say you had nothing to do with them. "You do not regulate our pay. You may walk about and look at us, but nothing further. The Board are in charge of your affairs." I would also like to refer to the permits. I think the permit question would not affect us in any way. We do not require any. We get all the work done on our premises, but I think it would be unworkable, because you could not have proper supervision over it. Under the law, the inspector comes to our place once a month and examines the records, and initials them. Suppose there are 500 permits granted outside, how is he to supervise the time they work, whether it is 48, or 58, or 68 hours? You would require two policemen outside every one's door.

559. The mere fact of finding some one working there at ten o'clock at night would be no proof that she had been working all day long?—No. People who have domestic duties cannot work all the day long. They may have to attend to the children or something else. There are very few inspectors now. You would have to appoint another hundred at least. There is another question with regard to the overtime. At a busy season we suffer some inconvenience in regard to it. Whenever we have previously applied for overtime the Chief Inspector always recommended the Minister to grant it on condition that we complied with the regulations. We always did comply with them, that is, we paid time and a quarter for all overtime. Now the conditions are altered, and they were altered quite suddenly. We had work to get out at a certain price, and we had no idea that this thing would have to be altered, that we would have to pay time and a half as the minimum, and provide them with tea besides. It is all very well to do that kind of thing; but I think it was altogether too extreme.

560. *By the Hon. J. M. Pratt.*—You mean paying extra and giving tea?—Yes, there are always a lot of improvers and apprentices. When they go in to learn their business they get 2s. 6d. a week, and get advanced to 5s. and 7s. 6d. and so on. With a lot of experienced hands you must have some of those youngsters to do the least important part of the work. That is the mode that most places work on; but now you compel the people to pay the wages of an experienced hand to a juvenile. You cannot get things out at a proper price under that system. The Chief Inspector told me with regard to that—"We have no other object in the matter than to put a stop to sweating. There are some people who do not pay apprentices anything." "Well," I said, "how are you going to determine time and a half for that?" That is a thing that should be remedied in some way; but it is going from one extreme to the other. It is too drastic. The other Act did not deal fairly with the hands, because while you were compelled to pay the set wage-earner time and a quarter, the piece-worker got nothing at all extra, and in most of the factories the piece-workers are in a majority. I would suggest time and a quarter up to so many hours, say, for six hours a week.

561. *By the Hon. J. A. Wallace.*—I suppose, after all, the customers pay the extra price?—No, they do not, because we have made special arrangements.

562. *By the Hon. J. Sternberg.*—This is a special case, but generally it comes out of the customers' pockets?—I do not know that. If a customer is accustomed to go to a certain dressmaker she knows what she pays for the work, and if you put on 50 per cent. she is not willing to pay it.

The witness withdrew.

John MacLellan examined.

563. *By the Hon. the Chairman.*—What are you?—A partner in the firm of Foy and Gibson. In clause 17, sub-section 1, it says—"The special Board shall take into consideration the nature, kind, and class of the work, and the mode and manner in which the work is to be done." I do not think that is at all clear. It should be "modes and manner," because there are many ways of making goods.

564. You do not read that clause in the same way as Mr. Kelleher did?—No; I fully understand it, but I think it should be "modes and manner," and that would settle the question right away.

565. *By the Hon. F. S. Grimwade.*—Do you think the Board would be workable in your business?—No, I do not think so. Coming to clause 18, I do not see how it is possible to work a Board in the furniture trade. The Board proposes to fix prices for work. A small manufacturer may be working with a few machines, possibly by hand labour, where a large manufacturer may be working almost entirely by machines. I do not see how it is possible to fix the price for both manufacturers.

566. The larger manufacturer would be able to manufacture at a lower price?—Certainly.

567. If the Board fixed the price at the rate at which the smaller man could turn out the goods the larger manufacturer would make an increased profit?—If they fixed the price to be paid to the workmen to suit the man who works by hand there is no advantage in having the big machines. The large manufacturer has to pay the same price.

568. That would rather encourage a multiplication of small manufacturers?—Yes, it would mean going back. Then, suppose the Board fixed the price to suit the large manufacturer, I do not see how the small man would get on at all unless he went in for sweating.

569. If you give the small man prices that would enable him to live, the large man would do better?—No; it is not giving the manufacturer the price. It is giving the workmen the price. If the Board fix the price at which the goods are to be sold, it is a very different thing. Then suppose they take the average price, that would not suit either the small man or the large man.

570. Have you any idea how the smaller manufacturers will answer that question?—No. The question is—what is the Board supposed to do? Is it supposed to kill the furniture trade, or to keep it alive? We have the imported goods to consider too.

571. *By the Hon. J. A. Wallace.*—You think it is impossible to fix the price at all?—I do not see how you can do it. We have an automatic lathe which can turn out 1,000 table legs per day. Our most expert turner cannot turn out more than 50.

572. *By the Hon. the Chairman.*—Does this machine require one man to manage it?—One man and a boy.

573. There is steam power in connexion with it?—With both. A turner's lathe has to be driven by steam.

574. Are the legs as well made by machinery?—Yes; they are better made, because they are so even. No matter how expert a turner there will be slight differences in his work.

575. How would you get the Board to fix the price for that work?—The Board could not do it. They would either have to fix a price for the machine or the man, and whichever way they did it it would not work.

576. *By the Hon. J. Sternberg.*—What do you pay this man to drive the machine?—We pay them by the week. The man gets £2 a week and the boy 10s. Now take the machine for sand-papering timber. That machine will turn out as much in an hour as a man can do in a week. It is just like putting the stuff through a mangle. A man doing that amount of work with sand-paper would use a lot more sand-paper, and would take a week to do it. That machine cost £300. Then we have a machine for making chair backs, the ordinary square-backed chair. The cross-bar that goes along the top has to be made smaller at the ends. As an ordinary thing that means four operations on each piece, but this machine performs the whole four operations in one-tenth of the time a man takes to do one of the operations.

577. *By the Hon. the Chairman.*—Is the result of the introduction of machinery that the number of men employed is less or does it increase the consumption of furniture?—It increases the consumption. It enables us to make goods at a cheaper rate.

578. Does it decrease the number of men employed?—No. We are employing the same number that we did before we got the machines.

579. May not the facilities you have for turning out the large quantities of furniture have killed some smaller men?—I do not think so.

580. *By the Hon. S. Austin.*—Your output is much greater now than it was before?—We are making a lot of things that we never made before.

581. *By the Hon. J. A. Wallace.*—They are much cheaper now?—Yes, we are making deck chairs that used to cost 7s. 6d. for 2s. 9d. each. People buy them who never had them before.

582. *By the Hon. W. I. Winter-Irving.*—The same number of people would be employed as before the cheapening of furniture?—We have the same number now. We had more in 1891, when every one was buying fine furniture, but people do not want that now, they want cheap stuff now where there is no hand work about it; there are certain things that cannot be done by machinery.

583. *By the Hon. J. Sternberg.*—Is your principal work done by contract or by day labour?—All by the week. We pay the men an average of £2 a week, and the boys 10s. a week of 48 hours. Then we have a dovetailing machine for making the dovetails in drawers; it dovetails a complete drawer in two minutes. It takes a very smart workman to do the same thing in 30 minutes, and the machine is very much ahead of the workmen. A workman will put his dovetail $1\frac{1}{2}$ inch between; the machine puts them a $\frac{1}{4}$ of an inch between. Then after that is done we have a machine for putting the drawer together—in the ordinary way it takes a man fifteen minutes to do that.

584. *By the Hon. the Chairman.*—How does the machinery-made furniture compare with the Chinese made goods?—We have only just got these machines, and we have hardly started to touch the Chinese lines, but we are going to do so. That means, that instead of making six chests of drawers we will make 100 sets at a time.

585. The workmen complain that the Chinese have killed them, and they wish the Chinese to be compelled to work under sanitary conditions so that they may have a chance, but even if you succeed in killing the Chinese I do not see how the workmen will be benefited?—In America they have plenty of Chinese, but there are no Chinese in the furniture factories.

586. *By the Hon. T. D. Wanliss.*—Are those machines American?—Both English and American.

587. *By the Hon. F. S. Grimwade.*—Do you know Wannamacher's place in Philadelphia?—Yes.

588. Do they use those machines there?—All American furniture manufacturers use machinery—you go through a large place there, and you will see only 50 men altogether.

589. Chinamen do not work for them?—No.

590. *By the Hon. J. Sternberg.*—Do you find the competition for positions in your factory great?—Our present men have been there for the last seven or eight years—we have had none leave.

591. Is there any excess of labour?—They do not come to me, they come to the furniture factory manager—I do not think there are many coming.

592. *By the Hon. J. M. Pratt.*—The effect of employing all this machinery must throw people out of employment?—It has not thrown any of our hands out of employment; we still keep them on. As to the Board, suppose a manufacturer is making a certain article, and he finds a certain machine being made, which will enable him to turn out twice the quantity for the same cost, he may import that machine. He goes to the Board and says—"I want to get a lower price for this work in consequence of this machine;" the Board may be composed of two workmen who do not like machinery, and two manufacturers who are behind the times, and do not wish to get new machinery, and they are not likely to alter the price for him. The result will be the manufacturers will not trouble about getting machines.

593. *By the Hon. the Chairman.*—Assuming the Board to be constituted, how would you recommend it should be constituted; should it be appointed by the Governor in Council, or elected by the manufacturers and the employés?—I think it would be bad any way—it would not make much difference. I object to the Board from top to bottom. Another point is—a manufacturer who looks after his business will invent new processes, and discover new methods of making goods, which enables him to make them either cheaper or better. He patents that idea, and prevents anyone else using it; is the Board likely to allow that man to get a lower rate for using that patent, and so get the better of his competitors?

594. *By the Hon. S. W. Cooke.*—It is handicapping brains?—Yes.

595. *By the Hon. J. A. Wallace.*—He would not get the benefit of his patent?—No, he would be deprived of what is legally his due. The Board would say—“Why should we throw other men out of employment to suit you?” Supposing a man invents a process which cannot be patented, but which he wishes to keep secret, he has to tell the Board—“I have invented a process which will enable me to do work cheaper;” he has to disclose his secret, and they are not bound to observe the secret, and it may get all over the trade.

596. *By the Hon. the Chairman.*—The result of those two points might be that the general public would not get the benefit of the lowering of the prices?—No, I think the Board would try to protect the other manufacturers. If one manufacturer asked for a reduction there would be 99 or 100 saying they did not want it. I think the Board would listen to the majority, and the public would suffer. Then suppose a manufacturer invents an improvement in the manufacture of tables, and by reason of this improvement he obtains a large sale, the other manufacturers not being able to use his improvement find their sales falling off; the next thing is they try to make the goods cheaper to compensate for that improvement—would the Board be likely to sanction a reduction of the price to enable them to carry on this competition? Take a manufacturer who is turning out articles in dozens—take butter boxes; when they started making them they were from 2s. to 2s. 6d. each, and they can now be bought for 11d.

597. *By the Hon. J. M. Pratt.*—What weight do they hold?—56lbs. That is because certain manufacturers on the south side of the Yarra have gone in for making large quantities. If the Board is to fix the price there, and to fix it either by the large manufacturer or by the small manufacturer, the small man could not turn out boxes at 11d., and if the large man is compelled to pay his workmen 11d. to make them he could not sell at 11d. Then, on the question of skilful workmen, all workmen are not equally skilful; and if we have to pay the workmen by piece-work the careless man will get as much as the careful man.

598. *By the Hon. the Chairman.*—He will not be able to turn out as much?—He might turn out as much, but the careless man might turn it out badly, and the careful man would turn it out well.

599. Could not the manufacturer turn out the careless man?—Then he would go away and start sweating on his own account. The next question is as to patterns; the Board fixes prices for certain patterns, and a certain manufacturer says—“I can produce a new pattern.” It takes a considerable amount of thought, expense, and trouble to get a pattern into proper shape. After he has produced this pattern he has to go to the Board and say—“How much will you allow me to pay my men for making this, it is a new pattern.” The Board knows nothing about it—there is only one man who knows anything about it, that is the man who made it—how is that price to be fixed? I do not see how you can make rules to fit both sides; if it suits the one it will not suit the other. It will infallibly kill all enterprise and machinery.

600. *By the Hon. J. A. Wallace.*—You do not believe in sweating in your business?—No, we do not employ any outside labour at all.

601. Do people generally go where they find the goods cheap, no matter how they are made or by whom they are made?—They do not ask whether they are made by Chinese or not. As regards sweating in furniture, there is no sweating in America in the furniture trade; the reason is that they have very large factories well appointed and with all the latest machinery. It is quite impossible for any hand labour, if they work 24 hours a day, to compete with machinery where there are large quantities being turned out.

602. *By the Hon. the Chairman.*—You have a population there of 60,000,000 to work upon; you could not have factories here of the same size?—I do not see why not. The whole 60,000,000 are not supplied by one factory. I should say, as far as population is concerned, we have as many consumers here to each factory as they have in America.

603. *By the Hon. S. W. Cooke.*—You think a factory such as yours will kill the furniture industry in small factories?—No; there is always a certain amount of opening for what they call the artist. I know many of that sort who are working now and who get good wages. They make a class of work not susceptible of being made by machinery, such as the fine carving.

604. The class of work you make would not be made outside the factory?—No, it cannot. We make good hand-work too; we have some men who do nothing else. They work in the primitive style with planes, chisels, and hammers.

605. Do not your arguments as to fixing prices largely apply to all other trades?—Yes, the question of machinery comes in. At the present date we have got machinery, and the Board fixes the price. The man who takes the trouble to find out a machine has to go to the expense of getting it, and then he has to get the Board to let him get the advantage of the machine, which is a very much bigger job than getting the machine.

606. *By the Hon. W. I. Winter-Irving.*—Do you buy any furniture outside?—Yes, from the small manufacturers who make nothing else. That is the only chance, for a small man to confine himself to the one line. We buy chairs from a man in Collingwood, we pay 2s. each for them—he is making for many people, and is making more than we can possibly make.

607. You recognise that sweating does exist in the furniture trade?—Yes; but particularly in the Chinese trade. You go to a Chinaman and say—“Here is £10 for that furniture,” though you paid £12 for it before, and the Chinaman will take the money—that is not confined to Chinamen, it applies to other men as well.

The witness withdrew.

WEDNESDAY, 22ND JANUARY, 1896.

Members present :

The Hon. Lieut-Col. Sir F. T. SARGOOD, K.C.M.G., in the Chair ;	
The Hon. S. Austin	The Hon. N. Thornley
S. W. Cooke	J. A. Wallace
H. Cuthbert	T. D. Wanliss.
F. S. Grimwade	

John MacLellan further examined.

608. *By the Hon. the Chairman.*—We were at clause 18 when we adjourned. You condemned the formation under any circumstances of a Board to fix prices?—Yes.

609. How would you form the Board if Parliament decided it should be formed?—We started our furniture factory with 150 hands in the first instance; about 75 of those hands were employed in making high-class furniture; but after the collapse of the “boom” the demand for that high-class furniture entirely ceased. Mr. Gibson then saw the Trades-hall people, Mr. Harwood and Mr. Farlow, and put the matter before them. He said—“We cannot continue to make this expensive furniture; there is no demand for it. Are you agreeable to allow your men to take a lower wage, and we will try and employ them on cheap furniture? If you cannot allow them to do so we must discharge some of the men.” The matter was discussed, and finally the Trades Hall said they would sooner have the men discharged than have any reduction in the wages. We were then giving 45s. as the average wage, which is 5s. more than we give now. We discharged the 75 hands, and we continued the balance at the same wages as they had been paid before. There was no reduction made in wages until the collapse after the banks failed. Between those times we had employed those 75 hands making what we might call medium furniture; but after the banks failed the demand for the medium-class furniture went down also, and we had to employ them on furniture to compete with Chinese, a grade lower still. For one year we stopped buying Chinese furniture entirely to give the thing a trial, and we found at the end of the year we were losing trade rapidly. Other people were buying Chinese furniture and selling it for much less than we could sell at. We then had to resume buying Chinese furniture, and I went to America and England to buy machinery to try and compete with the Chinese furniture. We are now fitting up that machinery. We expect to start next week, and we will see the result after we have been at it for a little while.

610. *By the Hon. J. A. Wallace.*—If the Trades Hall had not called out your men would you have purchased the machinery from America?—I do not think that matter came up at all; the question was as to medium-class furniture.

611. If they had taken £2 in place of £2 5s. you would have kept the whole of the men employed at that rate?—We would have tried to; we promised to try the best we could.

612. *By the Hon. H. Cuthbert.*—What reduction did you make in the wages of the 75 men that remained?—None whatever until the banks stopped, then we reduced them 5s. a week, that gives them £2 a week. Some are 35s., some 45s., but the average is slightly over £2.

613. *By the Hon. J. A. Wallace.*—The Trades Hall did not call them out on that reduction?—They did not call them out the first time. They said we had better discharge them. It was a question whether they would accept the lower wage for 150 or the full wage for 75.

614. *By the Hon. H. Cuthbert.*—Were the men themselves willing to take the lower wage?—I understood they were; we were dealing with the Trades Hall, but we understood the men were willing.

615. What became of the 75 men who went out?—I presume a large number started in a small way of business, and worked early and late to make up furniture.

616. *By the Hon. F. S. Grimwade.*—They became sweaters, I suppose?—I do not think all did, but some did. The machinery had nothing to do with the men discharged. We had the same machinery when we had the 150 as when we had 75.

617. *By the Hon. the Chairman.*—You have now new machinery?—Yes, but we do not intend to discharge a single man on account of the new machinery. We will keep 75 men employed with the new machinery, and we are depending upon the increased trade to make up the difference. With regard to the men to be employed on the new machinery, every man employed on it will get an increase of wages right away, because he will be able to produce more goods and we can afford to give him more.

618. *By the Hon. J. A. Wallace.*—Was the increase given to them because they asked for it?—It will be given. We have not given it yet because we have not started, but immediately we start they will have an increase when they are employed on the machines.

619. *By the Hon. T. D. Wanliss.*—Do you find in the United States the use of improved machinery gives increased wages to the workmen?—American workmen are paid higher than they are here, and yet the results of their labour are much cheaper. With regard to wages, we believe that good wages should be paid where it is possible, and we believe the best way to accomplish that is to let the workman have every assistance he can in the way of machinery and other inventions. He can only be paid for what he turns out. As far as ourselves are concerned, the better the wages the better we are pleased, because they spend more money with us.

620. *By the Hon. the Chairman.*—The better the wages the better the buyers?—Yes, and we have more support from the working classes than any other class in the country. Then as to the constitution of the Board, I think if Parliament decide that a Board is desirable the Board should have no power to fix prices in the way proposed under this Bill. I think it should be practically a Board of Arbitration.

621. Are you aware there is an Act of Parliament already in existence, called the Conciliation Act?—Yes, but I do not think that will quite meet the case they intend to put before you.

622. *By the Hon. F. S. Grimwade.*—Has that Act done any good in your experience?—We have never had any occasion to consider it. This Board might be constituted very much as proposed here, that is, two from the employers and two from the workmen. A large Board is unwieldy; it is very difficult to get them all together at one time.

623. *By the Hon. S. W. Cooke.*—Clause 18 says that the Board is to fix the prices—what inference do you draw from that?—We say that no Board can fix prices. One manufacturer might adopt machinery

and another might not. The position this Board should take up should be that they should have no power to interfere with the manufacturer as to whether he should pay piece-work or wages. It might suit one manufacturer to pay piece-work, and another might find it very much better to pay wages. A man with good machinery turning out a lot of stuff would find it better to pay a good man by the week rather than by the piece.

624. *By the Hon. the Chairman.*—Would this Board also have the right to fix the hours of work?—I do not see any objection to that, but what I would call this Board into existence for would be that in the event of a workman doing his best, working hard either by piece-work or wages, and failing to get a reasonable living wage and failing to induce his employer to improve matters, he might call in the Board then to arbitrate as to the total amount of wages he should be paid, but not as to the way the pay is to be made up, not as to the amount he should get for a certain piece of work.

625. Would that not necessarily enter into the question?—Not exactly. If a man is working on a certain thing and making 30s. a week and he thinks that is not a fair wage it lies with the employer to put that man in the way of getting more wages. There would have to be arrangements made between the employer and the employé.

626. Suppose the manufacturer gives evidence that he cannot afford to give more or that the man is not worth more?—If he thinks the man is no good and it is a question of laziness he would simply dismiss him.

627. *By the Hon. H. Cuthbert.*—He has that power now; this would not take that power away?—No; it would be ridiculous to say he must be compelled to employ a certain man.

628. *By the Hon. J. A. Wallace.*—How will the minimum wage affect the question?—I do not think it will affect it. We have not heard anything of the minimum wage for a long time. We are paying the highest wage in the trade at the present time.

629. *By the Hon. T. D. Wanliss.*—Is the minimum wage supposed to be fixed by the Trades Hall?—I believe so. We have not had any occasion to go into the matter.

630. Have you ever heard of any differences between the workmen and the employers on account of the minimum wage?—No, I have not. I know of certain shops where the men are working for very much less than we give, but they are working on contract work. The employer will ask a man how much he will do a particular job for.

631. *By the Hon. the Chairman.*—Do you think that should be permitted?—No, I do not think that is a good thing. It may suit the workmen and it may not, but if there are a number of workmen out of a job they will take it at prices at which they cannot possibly keep to the law.

632. How would you stop it?—By forbidding contracts altogether inside a workshop.

633. *By the Hon. T. D. Wanliss.*—Do you not think Government interference in the relations between employers and employés is very detrimental to the industry as a whole?—That would have to be qualified. It entirely depends upon what the Government interfere with.

634. The interference between employers and employés as regards the price to be paid for labour would seriously interfere with the course of trade would it not?—I believe it would.

635. *By the Hon. J. A. Wallace.*—You do not believe in any work being let by contract at all?—As between one firm and another I do, but not as between two workmen competing for a job. In this particular case where men are inside a shop the men are there all the time, and they are asked to contract for every piece of work they do; they are not outsiders.

636. *By the Hon. H. Cuthbert.*—They are not paid so much a day, but so much for the job?—Yes; and they make a mistake. Many of those men are not very good calculators; they may take a job for £10 which is worth £15.

637. What is done in that case?—They work all hours to try and come out all right.

638. The employé carries out his contract even at a loss?—He has to; he will not get any money until he has done it.

639. *By the Hon. the Chairman.*—He generally buys the material on credit I suppose?—The workman is supplied with material by the man who owns the factory. The contract is for labour only, for putting the thing together.

640. *By the Hon. S. W. Cooke.*—You would prevent that by law; how could you put the law into force?—It is very difficult.

641. *By the Hon. H. Cuthbert.*—Why should not a man be allowed to enter into a contract?—Strictly speaking there is no reason why he should not, but if it is desired that wages should be kept up to a reasonable level there is no quicker way of stopping a reduction than stopping the contract system.

642. *By the Hon. T. D. Wanliss.*—If such a regulation prevented moneyed men putting their money into business would that not tend to reduce wages still further?—I do not see how it should interfere with that at all. It is not a large thing; it is only done in one or two shops.

643. It might become a large thing if you acknowledge the principle that Government is to step in and regulate the price of labour; would it not prevent employers going into the industry if they are liable to have their business interfered with by Government?—I do not say Government should step in and regulate the prices. I have objected to that from the beginning. I have objected to the Board having power to fix prices. I say they might have power to state what is a reasonable wage, and arbitrate between the workmen and employer to secure that reasonable wage.

644. *By the Hon. J. A. Wallace.*—It is an Arbitration Board?—Yes, and the same Board could settle the contract business in the same way. As to clause 19, I do not see any objection to it whatever, excepting that the Board might possibly, in order to employ more men, reduce the hours of labour unduly.

645. *By the Hon. the Chairman.*—Seeing that the Board would consist of part employers and part employed, is there any probability of their doing so?—I do not think so. If they were all workmen, they might say—"There are a lot of us out of work," and they might endeavour to take them in by shortening the hours of others.

646. *By the Hon. F. S. Grimwade.*—They might say it would be better for 100 to be employed four hours a day than 50 for eight hours?—Yes. The same thing is done in the coal-mines in England, where they work half-time and quarter-time. The next clause is No. 22—"Provision as to sleeping places at factories." There is no provision made for the case of watchmen sleeping on the premises. A watchman should be allowed to sleep on the premises without having a room specially railed off for him.

647. *By the Hon. H. Cuthbert.*—How does he manage at the present time?—We have two watchmen who sleep on the premises, and we have six others who go round about who do not sleep there. Those who do sleep there are provided with stretchers and blankets, and are quite as comfortable there as they would be in any room.

648. Are they supposed to sleep?—Two of them are supposed to sleep; they are there as extras who may be called upon as they are wanted. The other men are not supposed to sleep. We have six walking about and two sleeping.

649. You do not want the sleeping apartment provided for your watchmen to be interfered with?—We do not have any sleeping apartment. They sleep in any convenient part of the warehouse where there is a clear space.

650. This clause is framed for the purpose of preventing Chinamen from using their workshop for the purpose of sleeping; if you allow Englishmen to sleep there how can you deny the same right to Chinamen?—The watchmen would not be there during the day.

651. *By the Hon. F. S. Grimwade.*—If they slept in a room made separately for them they would not be so useful as watchmen?—It is not so much that, but if you rail off a room it means a waste of space which is wasted all day long, and it may be very inconvenient.

652. *By the Hon. T. D. Wanliss.*—Do you not think if they were in a close room they could not be so effective as watchmen as they would be if they were sleeping in an open space, where they would hear all the noises and at once see if anything was wrong, such as fire?—Decidedly. A man who wakes up inside a room with no light in it is very stupid at first. He sees nothing, but if he is in a large place and there is a fire he sees it at once.

653. *By the Hon. the Chairman.*—You are dealing with watchmen and caretakers, not people living on the premises?—Yes.

654. *By the Hon. F. S. Grimwade.*—Do you have watchmen in the factories as well as the warehouses?—Yes.

655. Do you want those men to sleep there?—We want one man to sleep in the factory and one man to go round about.

656. *By the Hon. S. W. Cooke.*—Do the eight men take it in turns to watch right through the night?—No, there are six men who do certain work in the warehouse, such as sweeping, but we consider six men would not be enough in the event of a fire, and the two extra men are reserve men who sleep there instead of at home.

657. Are they men who have been working in the factory during the day?—No, they are usually men who have been driving vans during the day—they are all in our employment.

658. *By the Hon. T. D. Wanliss.*—They are kept there in case of an emergency?—Yes.

659. *By the Hon. H. Cuthbert.*—Would it not be very easy to provide a place for those men to sleep in apart from the factory or work-room?—We want them inside the factory for its protection against fire. If they are not in the factory they might as well be at home. They are not engaged in the factory during the day. Now, as to clause 24—"Working hours for females and boys." In line 19 it says—"No such suspension shall have any force or effect for more than two months from the date of such notification, and the same may at any time be revoked by the Minister by a notification under his hand posted to the occupier of the factory or work-room affected thereby and also published in the *Government Gazette*." I think that should not be allowed. If the suspension is granted it ought to be granted for the full time.

660. How long would you grant it for?—For the time specified here in the permission. If a manufacturer makes a contract to deliver goods in a certain time in expectation of getting this suspension, or even with this suspension granted, he might lose very heavily if it is revoked.

661. Suppose he knows he can complete his contract within two weeks, and applies for the limitation of the suspension for two weeks, and it is granted, why should that extend beyond the time for which it is granted?—I do not want it to be extended, but I do not want it revoked at the end of one week. It should not be revokable at all after once being granted.

662. It all depends upon the nature of the application—if it is for a week it should continue for a week and so on?—Yes.

663. *By the Hon. the Chairman.*—Suppose the permission has been granted on certain conditions, and it is found those conditions are violated, would you still allow him to go on for the rest of the time violating the conditions?—I presume you can proceed against him for violation of the conditions under sub-clause 2 of the same section.

664. *By the Hon. H. Cuthbert.*—Would you do away with the power of the Minister to suspend the limitation of hours?—After it is once granted I would. If the Minister grants a suspension for one month it should last for a month. He should not have the power to revoke it after a fortnight.

665. Even though there is a violation of the terms on which the suspension was granted?—He can proceed against them otherwise. If he breaks the conditions for one day you have the option of recovering a penalty of £5, and I think that is quite sufficient power.

666. Do you not think it makes the person asking for the concession very particular how he conforms with the terms of the concession when he knows that forfeiture will ensue upon violation of those terms?—It does not give any reason. If reasons are to be given for the revocation that might be all right, but it does not give that.

667. *By the Hon. T. D. Wanliss.*—You are afraid of arbitrary interference by the inspector during the currency of the suspension?—Yes.

668. You might have a big contract on, and it would be a very serious loss to you?—Certainly.

669. *By the Hon. H. Cuthbert.*—Would you say—"The same may be at any time revoked by the Minister by notification under his hand for any breach of the terms under which the concession was granted"?—That would be all right.

670. *By the Hon. J. A. Wallace.*—Do you think the penalties are too high?—The penalties are too high all through, I think. The next is clause 38, regarding the closing of shops on one afternoon in each week. There is no provision made for such a case as this: the grocers may close on Wednesday, ironmongers may close on Thursday, and drapers may close on Friday; in the case of a large concern, which has all those trades in one, and possibly other trades as well, are they to close a portion of their warehouse every day?

671. *By the Hon. F. S. Grimwade.*—At that rate you might have a portion closed every day in the week?—Yes.

672. *By the Hon. the Chairman.*—There is a section in the Principal Act making provision for shops selling goods of various kinds?—I do not think the section would work very well.

673. How do you propose to meet that?—We propose that if there is any closing to be done, all shops should be closed on one and the same day in all trades.

674. Is that likely to meet the convenience of all trades?—It would depend upon the day. A Saturday certainly would not do so.

675. *By the Hon. F. S. Grimwade.*—Do you close early on Saturday?—No; at ten o'clock.

676. *By the Hon. T. D. Wantliss.*—The principal shops in the city do close on Saturday?—Yes.

677. If you made it all the one day it would inconvenience some?—No doubt.

678. *By the Hon. the Chairman.*—Could that not be met by clause 51, which compels you to give a half-holiday to every one of your employés at some time during the week?—Yes; I think clauses 42 and 51 cover the ground very much better than this clause.

679. The one is with regard to closing the shops, the other is as to giving the employés one half-day during the week?—Yes.

680. No doubt those shops in Collins-street and Bourke-street which now close on Saturday afternoon might run the chance of being outvoted by yourselves and others who wish to keep open on the Saturday?—Yes, certainly. The only way to get over that would be to exempt the city.

681. All in the city do not close on Saturday?—No, that is the unfortunate part of it; but in all large cities there are a large number of shops that close early on Saturday afternoons. At the same time it would be almost impossible to do our trade if we had to close on Saturday afternoon.

682. It is either a question of your compelling the Collins-street shops to open on Saturday or the Collins-street shops compelling you to close?—I do not see how it is possible at all. If we were to close on Wednesday it would upset our trade.

683. *By the Hon. F. S. Grimwade.*—Do you close on any day now?—No.

684. Do your employés ever have a half-holiday?—No, no half-holiday in the week, but we give all our employés a fortnight's holiday every year on full pay in addition to the public holidays.

685. *By the Hon. T. D. Wantliss.*—Does that about meet the half-holiday?—We consider it is an equivalent to the half-holiday.

686. *By the Hon. F. S. Grimwade.*—They have about 23 days for which they get full pay?—Yes. We do not object very strongly to the half-holiday for the assistants, but we do object to being closed up; we could arrange to give it to them.

687. *By the Hon. J. A. Wallace.*—Would that interfere with your giving them the other annual holiday?—No.

688. *By the Hon. the Chairman.*—This is only a slight alteration of the existing Act; how has it worked so far?—It has not been put in operation yet. There has been no petition yet. We are in Collingwood on one side of Smith-street. We have another large building on the other side of Smith-street, in Fitzroy. One might be closed and the other opened.

689. Have they closed in Fitzroy?—No, I do not think so.

690. They closed in Prahran?—Yes, and in South Melbourne, Port Melbourne, and St. Kilda, but not universally, I believe; the grocers close, I know. The next is clause 43—"Hours of work of young persons and women in shops limited." We do not object to the clause as a whole, but we object to the point that only on one day in each week eleven hours can be worked, for this reason, that on Saturday we have to work eleven hours at least, and in the event of a public holiday coming, we have to work the evening before the holiday. That is the only qualification we want. We are quite satisfied otherwise, but we want that provision (which is contained in the present Act), that we may be open until ten o'clock on the evening before a holiday, continued.

691. That is not cancelled?—This says—"one day in each week," which is very definite. Take Cup day, for instance, we want to keep open on the Monday evening until ten o'clock; then we have to keep open on Saturday again until ten o'clock.

692. *By the Hon. T. D. Wantliss.*—You do not open on Cup day?—No.

693. *By the Hon. the Chairman.*—Section 46 of the Principal Act says—"Provided that on the day immediately preceding any public holiday any such shop may be kept open until ten of the clock in the evening?"—Yes; this clause 43 overrides that. As to clause 51 I have already said we are quite prepared to make arrangements to allow each hand to have a half-holiday, but not to close the shop.

694. *By the Hon. H. Cuthbert.*—How could you let all your employés go away on that day?—We would not do so; we could let some go away each day, taking it in turns.

695. *By the Hon. the Chairman.*—Just as you arrange for the fortnight's holiday?—Yes, exactly the same. We would not allow anyone to go away on the Saturday, we would allow them to go away on the other days—we would send away more on Friday than on any day in the week.

696. Do you imagine the effect of that would be in some cases that the wages would be reduced?—I could not very well say that. Of course the afternoon is the worst time for giving a half-holiday, because the majority of the buyers come in the afternoon, and we would have to provide other assistants to take their places, but we will certainly not reduce the wages, we shall have to employ more people, and put something extra on the goods.

697. *By the Hon. T. D. Wantliss.*—The public will have to pay for it?—I should say this clause will have the effect of bringing in a class of men you may call travelling assistants who will travel round small shops. I do not see how otherwise they can work it. It is quite necessary in a shop where there are only two hands engaged—they cannot do otherwise.

698. *By the Hon. F. S. Grimwade.*—That might apply to small shops, not to you?—No; we have plenty of reserve in our factories—we have 800 girls in the factories. People take strangers in now to help them in stock-taking, which lasts for a week or a month—this would last all the year round. Then as to clause 52—"Limitation of time," we say twelve months after the commission of an offence is too long—one month is quite long enough.

699. *By the Hon. H. Cuthbert.*—The extension of time was to give time to find out about the stamping of furniture?—Then it would be better to have a special clause relating to that. The next is clause 53—“Inspector may be accompanied by an interpreter,” we would like to know what that means—does it refer only to Chinese?

700. It is really intended for that purpose?—It does not say so. Someone might come in as an interpreter who really had no business to be there.

701. Under the original Act the inspector can come in and take anyone he wishes with him?—I do not think he should have that power at all. I do not wish to say anything against the inspector, but suppose a man were very anxious to see how you were doing your work, he might come in with the inspector and see things you did not want him to see.

702. It is not likely the inspector would bring any person in with the object of that man prying into the secrets of your trade?—I do not say the inspector would do it knowingly.

703. *By the Hon. F. S. Grimwade.*—Do you think if this Bill is passed there will be any trade secrets at all?—It does not look like it.

704. *By the Hon. the Chairman.*—Under section 11 of the Principal Act it says he may take a constable?—That is all right, but here it says he may bring anyone to act as an interpreter. We do not object to the inspector bringing in any number of people so long as we have power to say—“We do not want you,” but there is not very much in that point. Then clause 57 we do not object to. We stamp all our own furniture.

705. Why?—It is a good advertisement.

706. Is it a good advertisement for the [Chinese?—It may be, or it may be a bad one. If the buyers say they want good furniture they will take ours, but if they only want cheap furniture they will take the Chinese, irrespective of the stamp.

707. You say the people want cheaper goods now; that you tried to do away with Chinese manufacture and had to return to it—supposing in your own place there were some articles with your own stamp and some with the Chinese, would a party wanting furniture take the Chinese goods?—We would show it to them; we would show them ours, and if they wanted a cheaper article we would show them the other.

708. *By the Hon. J. A. Wallace.*—If a man makes a superior article and stamps his goods, that brand will always take?—That is the reason we do it—we say our goods are good.

709. Should it be compulsory to stamp them?—I do not see why it should be, except with the special object of distinguishing Chinese from European furniture.

710. Do you think it right to make it compulsory?—It may be expedient; I do not say it is right.

711. *By the Hon. H. Cuthbert.*—What is wrong about it; you make a certain article and put your own name on it—why should not the Chinese also be compelled to do it; you do it because you think it raises the status of the article; is there anything wrong in saying to the Chinese—“You can manufacture here, but you must put your own brand on”?—No, I do not see anything specially wrong, but there is undoubtedly the fact that the Chinese workman brings the wages down for the European competitor.

712. That is no reason why he should not brand the article he puts on the market; the European will be bound to brand under this Act—why should not everyone who manufactures, whether Chinese or other, have to do the same?—I do not see any great objection to the branding; in fact, I think it may be an improvement.

713. *By the Hon. F. S. Grimwade.*—Will it not have the effect of improving the class of manufactures if every manufacturer has to brand his goods?—I do not think it will make any difference.

714. Will people make rubbish if they have to brand it?—It is not the manufacturer's choice to make rubbish. If buyers insist upon cheap stuff they will get it with or without a name.

715. *By the Hon. N. Thornley.*—Where do you brand the goods?—In the case of chairs, inside, underneath the seat. A chest of drawers we would brand on the back; a table we brand on the inside, under the top.

716. *By the Hon. F. S. Grimwade.*—You brand other things than furniture?—Yes, we get many goods branded for us.

717. If you make a pair of trousers you brand them?—Yes, we put our name on all the goods we manufacture.

718. *By the Hon. T. D. Wanliss.*—That can be taken off by the owner?—Yes, the owner of the trousers can take it off if he likes, but no one seems to want to take it off at all. In clause 58 it is provided that European labour should be stamped, and Chinese labour should be stamped. Then in sub-section 5 it says—“European labour and partly by the labour of persons other than Chinese,” to whom does that refer? It is also provided in clause 58, sub-section 1, that one stamp shall be used “partly prepared by.” In section 3 there is another stamp provided, and a third stamp is also provided in clause 57. There is no provision for such a case as a workman who might put a wrong stamp on by carelessness or negligence. A man actually might put a wrong stamp on and then he could get you imprisoned for taking it off.

719. *By the Hon. the Chairman.*—The Principal Act provides that all you have to do is to prove ignorance?—Would it not be well to say—“who removes or erases or tries to erase after it has left the factory.” That would allow all due corrections to be made.

720. *By the Hon. F. S. Grimwade.*—If I bought a chair from you that would not allow me to take the mark off; surely I can do what I like with it after I have bought it?—Not according to this section; it renders you liable to imprisonment.

721. *By the Hon. H. Cuthbert.*—Sub-section (a) of clause 59 says—“Every person who wholly or partly manufactures or prepares furniture of which wood forms a part and who fails or omits to cause such furniture to be stamped as in this Act provided”—does not that refer to persons who prepare furniture for sale?—It seems to me that each of these sections stands alone. Section (d) says—“who falsely stamps any such furniture.” I would understand that any one who falsely stamps would be liable.

722. Take (f)—“who removes or erases from or alters or adds to or attempts to remove or erase from or alter or add to any stamp on any furniture,” when that furniture is sold and goes into a private person's house he can do what he likes with it. I think that was discussed in Parliament and I fancy one or two instances were given where furniture might be sold to a private individual who would remove the stamps and then send it back again for re-sale. It was intended the stamp should remain on as long as the furniture held together—

723. *By the Hon. F. S. Grimwade.*—Would not a clause making it apply to dealers in furniture meet the case?—Suppose a certain person furnished a house very nicely with Chinese stuff; he removed all the marks and after a while he had a sale because he was going to Europe—he would not say it was Chinese furniture, there would be nothing to show what it was, and it might be sold as English furniture.

724. *By the Hon. J. A. Wallace.*—Why should he not sell it to the best advantage?—It would be Chinese furniture.

725. *By the Hon. N. Thornley.*—Suppose your chair was damaged and wanted re-seating, how would you manage about the branding; it would necessitate its being done at your shop to have it branded?—As a rule we do not brand the seat.

726. Take a chest of drawers, suppose a chest is broken and requires a new board; that will necessitate its coming back to your shop to be repaired?—I do not see how you could get over it unless you established some sort of medium for keeping those broken legs.

727. *By the Hon. H. Cuthbert.*—How do you propose the Committee should deal with clause (f) of section 59?—The only difficulty is that question which was raised of the furniture being taken to a private house and the marks erased.

728. *By the Hon. N. Thornley.*—Does not a person become a dealer when he does that?—Yes.

729. *By the Hon. F. S. Grimwade.*—Would it answer anyone's purpose to do that?—I am told it has been done—I cannot say—I have no actual knowledge of the case.

730. *By the Hon. J. A. Wallace.*—You would like to block the Chinese as much as you can?—We want to beat them in a fair way; we do not want anything else.

The witness withdrew.

Henry A. Harwood examined.

731. *By the Hon. the Chairman.*—What are you?—A journeyman cabinetmaker, &c. We think that if the Legislative Council can see its way to pass this Bill substantially in its present form it will confer a very great benefit upon those who work in factories. There are redundancies and some amplification of expression in the Bill which might be toned down, but the principles contained in the Bill the workers generally in factories think would confer a great benefit on them, without doing any harm to the factory-owner.

732. What about those who do not work in factories?—Those who do not work in factories are competing in most cases unfairly with those who do, because they work under no regulations such as are observed in factory work, consequently they can work any length of time they choose, and under any conditions which it may suit them to do. Those who work in factories are subject to some extent to certain rules as to time, conditions of working, and so on.

733. Of whom do you complain chiefly?—We complain, as far as furniture makers are concerned, of the Chinese principally. It is the Chinese influence that is the great factor that has brought our trade down to such a low level at the present time, but in addition to that there have been some men, not a great number, mostly foreigners, who work in their own houses in the different suburbs. They get suites of furniture to make from the big selling houses in Melbourne—they get the material and work it up in their own homes. They are mostly Germans and follow out the German practice; they seem to like to work long hours. It is nothing for them to work fourteen hours a day, because that is the condition of things in places where they come from.

734. Are there no Englishmen who do it?—There are some, but generally they will prefer to work in a factory under proper conditions, because their earnings will be better. There is less loss of time; a man working in his own home has to lose time in getting material every time he wants timber or brass-work. Then he has to deliver the article when made, and all that has to come off the price of the work, consequently his earnings are less as a rule than the earnings of those who work in factories.

735. *By the Hon. J. A. Wallace.*—Do not you think the introduction of machinery has had some effect in reducing the price of furniture?—Undoubtedly.

736. Has not that as much to do with it as the Chinamen?—That should not affect the price that a man should get for his labour per day.

737. When a machine can turn out 1,000 legs a day, it must reduce the price of furniture?—No doubt, but surely the man who produces that 1,000 legs is entitled to a proper wage. When I was a lad, wages were much the same as they were before the depression came here, but the work that they used to turn out at that time used to take about three times as long to do as it would now. Where machinery is largely used, labour, as far as hand-work goes, is very much reduced in quantity.

738. *By the Hon. the Chairman.*—Is the number of men employed reduced?—Necessarily. When the demand is equal, and you introduce labour-saving machines which will do an immense amount of work, it displaces to some extent the demand for labour.

739. On the other hand, is it not supposed that the machine cheapens the article, and to that extent increases the consumption?—That might be taken for granted; it necessarily would do so—that is the rule in every industry.

740. *By the Hon. J. A. Wallace.*—It increases the purchasing power of the people?—Yes, where, of course, the people have the means to purchase. That is the point we are contending for, and we hope that under this Bill we will have the means of purchasing, which at present are very slight.

741. *By the Hon. the Chairman.*—Your loss in the rate of wages is somebody else's gain?—One person may gain; but the whole community loses.

742. If your wages are £1 a week less, and a chest of drawers costs £1 less, that man who purchases the drawers has got £1 more to spend?—Yes, just for that time; but that man has a house that perhaps he wants to let—he wants me to occupy it, and I cannot pay him a fair rental for it, because he would not pay me a fair rate for making the article that he wanted; the consequence is that at the present time the whole community is suffering in this way.

743. *By the Hon. J. A. Wallace.*—You sympathize with the landlord?—Yes, it is anything but good for us that rents should be so low; cheapness is not a gain to the community when it is bought at the expense and the suffering and privation of the mass of the people producing the articles. You can get cheapness at too great a price, and that is precisely the condition we are in now.

744. *By the Hon. the Chairman.*—Your more immediate competitors are the Chinese?—Yes.

745. How do you desire to meet that difficulty?—We think the Chinese should be made to conform to the customs that the Europeans observe.

746. Granted that, you are contented to meet them on even terms?—We believe we can compete with them and hold our own.

747. *By the Hon. T. D. Wanliss.*—You mean regulations, not customs?—It is our custom to work eight hours a day.

748. That is a regulation; you do not want a Chinese to give up his own national customs?—No, he can live as he chooses, providing he does not use his workshop as a dwelling place, seeing that Europeans do not.

749. *By the Hon. H. Cuthbert.*—And that he does not work longer than Europeans, according to the custom of the country?—Yes.

750. *By the Hon. S. Austin.*—Your desire is that the Chinese should conform exactly to the same regulations as the Europeans?—Exactly. We do not want any greater restrictions placed upon the Chinese than are placed upon ourselves.

The witness withdrew.

Adjourned to Monday next, at Four o'clock.

MONDAY, 27TH JANUARY, 1896.

Members present:

The Hon. Lieut.-Col. Sir F. T. SARGOOD, K.C.M.G., in the Chair;

The Hon. S. Austin
H. Cuthbert
J. M. Pratt

The Hon. J. A. Wallace
T. D. Wanliss
W. I. Winter-Irving.

Henry A. Harwood further examined.

751. *By the Hon. the Chairman.*—When we adjourned we were dealing with the Chinese question; which clauses deal with the restrictions that you referred to?—Clause 3 is the first.

752. You do not want that clause to apply to Europeans but only to Chinese?—We want one person to form a factory in the furniture trade, whether European or Chinese, that is, wherever a cabinet-maker is working that place should be considered a factory.

753. Why do you want that?—Simply because we want to cope with sweating, and it is necessary to reduce the definition of a factory to reach sweating, because a great part of the sweating is done in small places in clothing, boots, and furniture. It is not necessary that "factory" should be confined to places where a small number work, but still sweating is done where a small number work.

754. Is sweating done in factories?—In some cases, particularly at the present time.

755. *By the Hon. H. Cuthbert.*—In all factories?—I would not say all factories, but there are factories in Melbourne which really sweat their men.

756. Not connected with the furniture trade alone?—Yes, simply furniture factories.

757. You confine your evidence to furniture factories only?—Yes.

758. *By the Hon. the Chairman.*—In what way is that sweating carried out in the factories?—By giving out work to men at a very low price, so that they are not able to earn more than 20s. and 25s. a week by working hard.

759. By giving out work to be done in the factory?—Yes.

760. That is piece-work?—Yes.

761. Do factories in addition give out work to private parties to do in their private houses?—I am not aware that any of them do that. What work is given out is given out by the sellers, that is, the dealers in furniture.

762. In what way do you propose to prevent those people getting work done at too low a rate?—By restricting the work in the way I have mentioned, by insisting that the place where one cabinetmaker is working should constitute a factory, and also by the appointment of a Board to establish a minimum rate of wages.

763. How should that Board be formed?—By an equal number representing the workmen and the employers; the chairman should be independent, if it be possible to get an independent chairman.

764. Appointed by whom?—In the first place by the parties interested, but, if they fail to agree, we are quite agreeable for the Governor in Council to appoint the chairman.

765. Your idea is that that Board should so regulate piece-work that the average mechanic would be able to earn a living wage?—Yes. My idea of the working of that Board would be that it should meet, take evidence, and determine what should be the minimum rate that should be paid to a cabinetmaker at day work—it may be 8s. or 9s. a day, and any system of prices for piece-work should be based upon that. That is to say, an article would be known as being capable of being produced in a certain time, therefore, according to day-rate work, the piece-work rate should be fixed. That is the practice that used to be adopted years ago in places I have worked in where piece-work was the rule.

766. *By the Hon. H. Cuthbert.*—At home or here?—Here, in Melbourne. The practice was, when any new design came in it used to be given to men to carry out, and their time used to be paid for as day-work; that established the piece-work rate for that particular kind of work. There was no difficulty about it at that time.

767. *By the Hon. the Chairman.*—Assuming a price is fixed, do you anticipate it would be kept?—I think so. There ought to be some provision made to compel people to observe that rate, or punish them for not doing so. There ought to be penalties imposed for the non-observance of any decision or award given by the Board.

768. One witness stated that although there was a rate fixed in the boot trade it was constantly evaded both by the employers and the men; when a man applied for work, the nominal wage being 45s., it

was understood between them that a certain amount would be deducted at the end of the week—has such a practice come under your notice?—Yes, there is such an establishment run under that system; it is a large establishment in Collingwood in the furniture trade. They employ their men at fixed rates of wages—£2 and £2 5s. a week; there are two classes of men there, and it is a very peculiar system. The men who get £2 5s. a week in several cases make the time for the articles; they get the articles, and their time is taken as the standard. Those who get £2 a week have to turn out the same amount of work in the time as the others, and the time is cut very closely indeed.

769. How would you propose to compel the workmen to observe the decision as to prices?—I would impose the same penalties upon workmen for breach of the Act or any regulation or finding of the Board as I would upon any manufacturer.

770. Is it not possible that while you may be able to fine a manufacturer £10 it would be useless to fine a workman £10?—Yes, I grant that. The two cases would be disproportionate; where a manufacturer could easily pay £10 it would be an impossibility for a workman to do so.

771. *By the Hon. J. A. Wallace.*—Money should make no difference in the fault?—No, except that the employer can afford to pay the fine, and his fault may cover twenty men, but if one workman commits a fault he would have to bear the same penalty. There are men who, in order to get work, will offer to work cheaper than other people; that is how it is that wages have been reduced, one undercutting the other.

772. *By the Hon. the Chairman.*—Do you think it is possible to put an end to that?—I do not see that it is impossible; I certainly think that it is worth trying.

773. *By the Hon. T. D. Wanliss.*—How would you do it?—By accepting the finding of the Board as to the minimum rate to be paid for the work done.

774. What would you do with those outside who cannot get work?—They would be in the same position as they are in now.

775. They wish to participate at a reduced rate in the amount distributed for wages?—If they took the work at a reduced rate the consequence would be that all the rest would be reduced; that is how the wages have been forced down.

776. *By the Hon. J. A. Wallace.*—Supposing the wages are £2 5s. a week, what is to prevent a man giving 5s. back?—Nothing, if he is a rascal.

777. *By the Hon. the Chairman.*—While you might probably punish one, supposing there are 50 men who do that, have you any hope of dealing with a large body of men like that?—I regard that as an impossibility, because men for their own interests would not in a number like that agree to take work for less than the accepted rate.

778. You acknowledge that men do it now for their own interest?—They do it because they are hard pushed.

779. *By the Hon. T. D. Wanliss.*—You say those who are working ought to get good wages; is that not very hard for those who are left out?—If there is only a certain amount of work to be done what benefit is it to reduce the pay? There would be no more goods sold.

780. *By the Hon. J. A. Wallace.*—Could a man not use 2 yards of calico at 6d. a yard instead of 1 yard at 1s.?—You do not buy furniture by the yard.

781. You could buy two stools instead of one—you reduce the purchasing power of the people by making the goods at a good price?—Certainly. On the other hand you reduce the purchasing power of the people when you decline to pay workmen a fair rate for making articles—that decreases the purchasing power of the people more directly than the other.

782. *By the Hon. the Chairman.*—Assuming the Board had to fix a minimum price, or assuming on the other hand that the employers and the employes had disagreed, and gone to an umpire, and the umpire had fixed the price, how would you act supposing the employers refused to be bound by that decision?—I take it they would come under the provisions of the Act, and suffer the penalties.

783. Supposing on the other hand 200 of a man's work-people refuse to abide by that decision, what do you propose to do in that case?—We discussed that side of the subject with the Chamber of Commerce at one time; it was pointed out at that time that the necessities of the work-people impelled them to work.

784. There have been strikes lasting for many months?—Yes, but a Board of this character would to a great extent put an end to strikes in the particular trades that it affects.

785. The same thing has happened down in New Zealand now, where the work-people refused to abide by the decision of a Board of Conciliation?—I deplore that, but there are the facts. Supposing you put a penalty upon the workman for not accepting the award of the Board, I take it that would settle the matter.

786. *By the Hon. H. Cuthbert.*—How could you carry that out in the case of a number?—You could punish a number as well as one.

787. *By the Hon. T. D. Wanliss.*—You could not imprison 100 men?—You do not go as far as imprisonment; that is for the third offence.

788. *By the Hon. H. Cuthbert.*—Supposing a workman has no goods upon which to levy, and he does not pay the fine, how are you to enforce the decision of the court?—That is a matter of difficulty I grant, but I do not think that there would be any practical difficulty in the long run—there might be isolated cases.

789. *By the Hon. the Chairman.*—You recollect a case that happened down at Williamstown, where Mr. Service was called in as umpire and gave his decision—to this day that decision has never been carried out?—Yes; there was also a case in Flinders-lane in which Captain Currie and myself were arbitrators; we came to a finding, but the firm did not carry it out.

790. In the event of this Act coming into operation, the firm could be fined, but in the case of 100 men how could you enforce it?—I think they could be forced in exactly the same way.

791. *By the Hon. T. D. Wanliss.*—Supposing they would not pay the fine?—What would be the alternative is a matter for this Committee to consider.

792. *By the Hon. H. Cuthbert.*—In the case of a number a selection might be taken of certain men who might be called the leaders of the movement in resisting the decision, and those men might be prosecuted in place of prosecuting the whole of the workmen?—I think that would be unjust; from my experience of workmen the leaders are simply the mouthpieces of the rest.

793. *By the Hon. the Chairman.*—They are not necessarily the first ringleaders?—No, they are very often the other way.

794. Your view is that, first, there should be a Board elected by both sides, the chairman to be appointed by both sides, failing that, by the Governor in Council; that the Board should fix the rates of pay so as to ensure a reasonable wage; and if either side fails to abide by the Board's decision they should be punished according to the Act?—Yes. It is assumed there will be disagreements, but we must not forget you cannot compel employers to employ men if the rate of wages fixed by the Board does not suit them, nor can you compel men to work at the rate of wages given. The only thing is that if men do work they must accept the rate of wages fixed.

795. Were you present when Mr. MacLellan was being examined?—Part of the time.

796. He pointed out the difficulty that the Board would be in if a firm introduced new machinery, which the members of that Board had not got, and, therefore, it would be to their interest not to reduce the price?—I think that is simply moonshine. That shows the necessity or the importance of some words in one of the clauses about the mode and manner—any Board considering the question of wages would have to consider the mode and manner in which the work was produced before they could really come to a conclusion as to the value of a man's work.

797. Assuming there are four manufacturers on the Board, and a case comes before them of another manufacturer who has imported some machinery which will turn out certain articles at a less rate, will not the Board be strongly influenced by their own pocket not to introduce that rate?—They might be, but I have more faith in human nature than that. I think that is putting the matter in a most extreme light.

798. On the other hand, if the price were not reduced there would be no advantage in employing machinery?—Where one firm employs very little machinery, others employ a great deal. If the wages be fixed at so much per day as the minimum rate, it is easily determined for each establishment what should be the piece-work rate. The piece-work rate should be based upon the minimum rate per day—what a man can do in a given day.

799. There was evidence that a man could turn out 50 table legs a day by manual labour, while another man by means of machinery could turn out 1,000 legs, the man who could turn out 1,000 being paid larger wages than the other—how would you manage in a case like that; the manufacturers who had not the machinery would fix the wages to suit the hand labour, and that would kill the machinery, the object of the machinery being to reduce the cost of the manufactured article?—I can see no difficulty about that. If the Board determine the wages should be so much per day for a workman, any advantage a manufacturer would have by the employment of machinery would be to his benefit, but the man producing the articles under those conditions should be paid the rate fixed by the Board, while in the hand-working shops the men should be paid a similar rate per day.

800. We are speaking of piece-work now?—It could be determined easily.

801. *By the Hon. J. A. Wallace.*—If a man gets 10s. for 50 legs, he should get the same for making the 1,000?—Yes, if he makes them in the same time with the employment of machinery. It will do away with piece-work. I know an establishment in Sydney where they use a great deal of machinery—Anthony Horden's—but the men work on the piece-work system. There is no difficulty there; the prices are fixed in the shop, and the men have worked very comfortably under that.

802. *By the Hon. the Chairman.*—You think the Board should also have the fixing of the hours of labour?—Yes. I think it is unnecessary to have two Boards, one to fix prices, and the other the hours of labour.

803. Are not the hours now practically eight hours?—Yes, but we want it fixed absolutely.

804. *By the Hon. H. Cuthbert.*—What advantage would that be to you, as the custom of the trade is that you do not work more than eight hours?—Because we never know when the necessities of the men may not be taken advantage of, and the hours of working be lengthened. We never know when a demand may not be made to work nine hours a day instead of eight.

805. *By the Hon. the Chairman.*—Assuming the necessities of the men become so urgent as that, would not any legal action be swept aside?—It ought not to be. What is the use of legislation unless it is to protect the weak? You might as well lapse into barbarism at once if you allow things to drift in that way. I take it that the intention of all these Acts is to protect the weak and rectify wrong.

806. Suppose the Board decided that six hours was sufficient?—I do not think that is at all probable. I hope that at some time it will come, but at present we are only too glad to get work at eight hours a day.

807. But are there not some cases where they are not working eight hours?—I am not aware. In the building trade they work 44 hours a week. That was brought about by a concession on the part of the men; they take less wages.

808. *By the Hon. W. I. Winter-Irving.*—Suppose they had six hours a day, what would the trade do for the other eighteen hours—would they interfere with the trades of other people?—I do not think so.

809. What would they do?—They would probably take their ease.

810. Is that advisable?—That is a question that opens up the question of what is the end of humanity, is it to work or to live?

811. You said you would be favourable to six hours' work per day—what would you do with the people who would have eighteen hours to spare?—They would probably have more time to look after their families.

812. *By the Hon. J. A. Wallace.*—Some people could do ten hours' work as easily as others could do five?—Yes, I have known some strong men do that; and I have known strong men break down under it. I have known instances where strong men have become paralysed under it.

813. Under eight hours?—No, not with eight hours' work, but under long hours.

814. *By the Hon. H. Cuthbert.*—You would like to see the hours reduced to six?—Yes, I would.

815. Would you like to see it go still lower?—That all depends upon the circumstances of the community.

816. If the community could do with four hours' labour you would be satisfied?—Yes, and the community would be the happier for it; but in that case every man would have to do his share of the work.

817. You do not think eight hours a day is oppressive for a man to work?—No.

818. It is a fair proportion of the 24 hours?—Yes, I consider it a fair time for working.
819. You would not be an advocate for changing it?—Not under the present conditions; you would have to bring about a state of socialism to do that.
820. *By the Hon. S. Austin.*—You want the power under the Bill to reduce the hours to six, if necessary?—Yes, but that is not contemplated at all. We look upon eight hours as the recognised time for work for tradesmen; we do not seek for any more or any less.
821. *By the Hon. the Chairman.*—Have you anything to say about apprentices or improvers; does that affect your trade?—Not at present; there is so little inducement for parents to send their boys to our trade.
822. If trade improved, are you in favour of apprentices?—Yes, when times are good; we have known shops filled with boys. In Ballarat there was one man as foreman, and there were about 30 boys working.
823. *By the Hon. H. Cuthbert.*—Were those apprentices?—Yes.
824. *By the Hon. the Chairman.*—Was the work turned out any cheaper?—Yes, it was cheaper, but it was terribly nasty.
825. *By the Hon. T. D. Wanliss.*—It was not a Chinese shop?—No.
826. There are other offenders against the trade beside the Chinese?—Yes, that was a case in point.
827. *By the Hon. the Chairman.*—The furniture was made at those low prices because of the demand for those low-priced articles?—That and the desire to cut under the regular furniture sellers. That is generally the ruling principle, not to meet any demand, but to offer things at a lower price, so that they might get the trade out of the hands of the others. We think any decision that may be come to should not only apply to certain districts which are specified or indicated in the Bill, but should apply to the whole of Victoria.
828. In other words, the Board should be for the whole of Victoria?—Yes.
829. How would they be able to work, suppose a dispute occurred in Beechworth, would you have the Board go up there?—I do not think it would be necessary for the Board to go there. It would be possible to decide the point in Melbourne—Melbourne rates rule the country as a rule.
830. *By the Hon. T. D. Wanliss.*—Would the Melbourne Board have control of the Bendigo and Ballarat trade?—Yes.
831. Would the Ballarat and Bendigo people agree to that?—I do not think they would suffer much. It would be simply placing the whole of the traders upon one footing, and would put a stop to this constant attempt to undersell one another. If all the manufacturers had to pay the same price for labour they would be on the same footing; if a firm could import machinery to aid their work they would gain the advantage.
832. *By the Hon. J. M. Pratt.*—Importing the machinery would mean employing less labour?—Yes; but the men employed would get the proper rate of pay for the work they did.
833. *By the Hon. T. D. Wanliss.*—Would not the tendency of that be to concentrate all the trade in Melbourne?—Not necessarily.
834. Are not wages much higher in London than in the provincial cities?—I believe they are.
835. Why should it not be so here; is it not the natural tendency for wages to be higher in the metropolis than in the country?—Yes, I believe so. It is a broad question of justice between man and man.
836. You are going against the nature of things?—No. I say if an article is worth making in Melbourne at £2, it should not be worth less in Bendigo or Ballarat.
837. *By the Hon. the Chairman.*—Even though the cost of living is less?—If the cost of living is very much less it would make a difference; but, as a matter of fact, that is not so.
838. You do not think there is much difference in the cost of living between Melbourne and Ballarat?—No, I do not. House rent might be a little less, though at the present time I dare say the house rents about Melbourne are lower than they are in the country.
839. *By the Hon. T. D. Wanliss.*—That is exceptional?—Yes, no doubt.
840. The cost of getting to work must be greater. If you have a house near the centre of the city, where the work is being carried on, the rent will not be so cheap as away out in the suburbs, therefore the expense of getting into the work must take something from the wages?—Take my own case. I am working in Melbourne. It costs me at least 1s. 6d. a week for travelling to and fro; that has to be added to the rent.
841. The workmen in Ballarat are freed from that; are not the employers entitled to make such a deduction as that; they have to pay for the material up and down, and if they want to export they are put to more expense. If you do not give them some advantage in the way of wages you concentrate all the export trade in Melbourne?—That means that the poor workman is to be made the victim for everything; he has to carry the load.
842. *By the Hon. J. A. Wallace.*—If a piece of wood is carried to Bendigo or Ballarat, the carriage of that wood must be taken off before you can equalize the cost of the article when it is manufactured; therefore the wages ought to be a little less to make up for the cost of the carriage?—That shows the importance of having a Board.
843. Suppose there is a factory with five or six hands in Beechworth, you could not have a Board there for those five or six hands?—Surely there would be more than five or six hands in an important town like Beechworth.
844. Supposing there are not?—That shows you must depend upon the Board in Melbourne.
845. *By the Hon. T. D. Wanliss.*—Then the Board would be unfair to the country interests?—I do not think so. I have sat upon a good many labour Boards, and I have found invariably that they look all round the subject.
846. *By the Hon. S. Austin.*—Do you think any one Board could be formed that would be competent to deal with all the trades?—No, each trade must have its own Board.
847. *By the Hon. the Chairman.*—How are the members to be paid?—That is a question we have not raised. I presume the operatives would be paid by their own people, and the manufacturers by their own people.
848. *By the Hon. W. I. Winter-Irving.*—Have you thought of the position of the country districts?—Yes.

849. Do you think they would come out equal to the metropolitan district?—Pretty nearly.

850. Have you really thought of the position of the furniture makers in Bendigo and Ballarat?—Yes, I have thought about it.

851. Have you come to any concensus of opinion?—We have never considered it in that light, but we have always regarded it as wrong and unfair that the people in the country should be offered less wages than they are in Melbourne; that is so, I know.

852. *By the Hon. J. M. Pratt.*—If you have one central Board you have one central price; if you have local Boards at Beechworth, Ballarat, and Bendigo, those Boards may fix the price for their own districts, but they may so fix it that they can undersell the other districts?—Yes.

853. *By the Hon. H. Cuthbert.*—I suppose that danger would be very remote indeed?—Very remote.

854. That is of the men of Ballarat and Bendigo competing with men in Melbourne; you have not known cases of the kind?—No, I do not think it is likely in remote districts like that.

855. In clause 16 there is a marginal note saying—"Clothing not to be made up outside registered factory or work-room except by holders of permit," what is your view as to the permit system; do you think the system as provided for under sub-section 2 of clause 16 will work well in the interests of people generally employed in the manufacture of clothing?—Yes, most certainly I do, some such provision is absolutely necessary.

856. What are your reasons for supporting that clause?—Because it is asserted very widely, though I have no knowledge of it myself, that people who have no necessity to work for factories take work.

857. *By the Hon. the Chairman.*—There is no permit in your trade?—No.

858. *By the Hon. H. Cuthbert.*—You have carefully considered this Bill?—Yes.

859. You have discussed it with members of other trades?—Yes.

860. Is the general feeling throughout the different trades that the system of providing that the work shall be done in factories, except in certain instances where permits are given, is a good one?—Yes; the first idea was that there should be no work allowed to be done outside factories, but, in order to prevent cases of hardship, they gave way and accepted the idea of permits being given to people who could not work in factories.

861. *By the Hon. T. D. Wanliss.*—Can you name any country where this is carried out?—No, but we are a progressive community.

862. *By the Hon. H. Cuthbert.*—As to clause 18, several of the witnesses we have examined say that no Board that can be appointed under this Act is eligible to fix prices for work for all trades; do you believe that that Board will be competent to fix a fair rate of wages?—Yes, I believe so, because they will be people who will be intimately acquainted with the circumstances of a particular trade and have an intimate knowledge of the classes of work, therefore they should be competent to form a just conclusion.

863. Good all round men will be chosen to represent the particular tradesmen, men who have a varied and general knowledge of the manufacture produced by a particular trade?—Yes, I take it the trade will appoint the most experienced men; I am quite sure that will be the case in my trade.

864. It says—"In fixing such lowest price or rate the special Board shall take into consideration the nature, kind, and class of the work and the mode and manner in which the work is to be done;" several witnesses have taken exception to the words—"and the mode and manner in which the work is to be done," how do you construe that phrase?—That is simply a matter of the common sense of the Board; if they had any common sense at all and were not lunatics or fools they would do this very thing whether it was prescribed or not. They would have to do so.

865. Whether it was for goods ordered or for slops?—Just so.

866. And they would fix the prices accordingly?—Just so; they must do so. If we had a table of this character to make—[pointing to the same]—and a common kitchen table, the mode and manner of making this one would have to be considered in estimating the price, whether you prescribed it or not.

867. *By the Hon. the Chairman.*—Supposing that in one week there is an appeal to fix the price of such an article by a manufacturer who has no machinery at all, and next week another manufacturer who has large machinery applies to have the price fixed, how would you fix the price for that?—You would determine the minimum rate to be paid for a man's wages per day; that would determine the price to be paid for that article.

868. In the first instance, the price has to be fixed for hand labour; assuming a man can make one of these tables in a week, and the price is fixed at 45s.; next week a man who has got machinery says—"I can make two tables per week," what would you do?—The man who was attending to the new machinery would be paid the usual rate of wages per week.

869. You have to fix the price of the article?—No, the selling price has nothing to do with it; it is simply the rate a man shall be paid for doing a certain amount of work.

870. *By the Hon. H. Cuthbert.*—One week will see the price fixed at 45s., but next week, with the aid of new machinery supplied by his employer, the man can turn out two tables—he would also expect to be paid 45s.?—Yes. You have always to allow for machine work; it very soon adjusts itself.

871. *By the Hon. J. A. Wallace.*—Do you think any old people would be engaged who could not do a third of the work a young man could do?—Yes. If you fix a minimum rate and an employer thinks a man is too old to turn out a fair quantity of work under that rate he can give him piece-work, but let the work be computed under the minimum rate, and let him do his best.

872. *By the Hon. the Chairman.*—Is it a minimum rate for an able-bodied man or an old man?—Take the average workman.

873. *By the Hon. W. I. Winter-Irving.*—Take a man of middle age and a man of 80?—I have known some of the old men do more work than a young man.

874. *By the Hon. J. A. Wallace.*—You know that many men object to work on piece-work?—Yes.

875. You would give an old man piece-work?—Yes.

876. That would be entirely against the rules of the societies, because they object to contract work?—Not necessarily, because there are cases that must be met, and that would be one of the cases they mention. In other cases they grade the men; such and such a man is first class, and others are not capable of doing a fair amount of work in a given time, therefore they should not be paid so much.

877. Who has the power of doing this?—The men; but the Board would have the power of doing it.

878. *By the Hon. H. Cuthbert.*—Would it not be an invidious distinction to say one man should receive 9s. and another 7s. a day?—No, that is done now.

879. *By the Hon. J. A. Wallace.*—That is not done in the mines?—Possibly not.

880. *By the Hon. H. Cuthbert.*—Mr. MacLellan, in his evidence, refers to how the Board should be formed. This is what he says—“How would you form the Board if Parliament decided it should be formed?—We started our furniture factory with 150 hands in the first instance; about 75 of those hands were employed in making high-class furniture; but after the collapse of the ‘boom’ the demand for that high-class furniture entirely ceased. Mr. Gibson then saw the Trades Hall people, Mr. Harwood and Mr. Farlow, and put the matter before them. He said—‘We cannot continue to make this expensive furniture; there is no demand for it. Are you agreeable to allow your men to take a lower wage, and we will try and employ them on cheap furniture? If you cannot allow them to do so we must discharge some of the men.’ The matter was discussed, and finally the Trades Hall said they would sooner have the men discharged than have any reduction in the wages. We were then giving 45s. as the average wage, which is 5s. more than we give now. We discharged the 75 hands, and we continued the balance at the same wages as they had been paid before.” Is that a fact?—To some extent that is true. You must remember that at that particular period the wage almost generally paid in Melbourne was 9s. a day, or piece-work prices based upon that rate. Messrs. Foy and Gibson wanted to introduce cheap lines, and they thought that if they could get the men to work at a lower rate they would be able to introduce those lines, but we saw if they took a lower rate the consequence would be that the whole of the rates throughout Melbourne would come down also, therefore the men were recommended not to accept the reduction—the result was a certain number were discharged.

881. Was not it a pity that those unfortunate men were thrown on their own resources?—Those men at that time got work pretty soon.

882. On their own account?—No, in other establishments. There were not so many cabinetmakers as Mr. MacLellan says, by a long way.

883. *By the Hon. the Chairman.*—There might be other branches of the trade connected with them?—Possibly.

884. *By the Hon. H. Cuthbert.*—His evidence goes on:—“*By the Hon. J. A. Wallace.*—If they had taken £2 in place of £2 5s. you would have kept the whole of the men employed at that rate?—We would have tried to; we promised to try the best we could. *By the Hon. H. Cuthbert.*—What reduction did you make in the wages of the 75 men that remained?—None whatever until the banks stopped, then we reduced them 5s. a week, that gives them £2 a week. Some are 35s. some 45s. but the average is slightly over £2.” On the whole your opinion is that it would be advisable to retain in this Bill the constitution of a Board for each trade so as to fix the rate of wages?—Yes.

885. *By the Hon. T. D. Wanliss.*—In Melbourne?—Yes.

886. *By the Hon. H. Cuthbert.*—You have no desire to see the hours of labour diminished below the established custom of each trade at the present time?—No, but we should resist their being increased to the best of our ability in all probability. As to section 22, I believe that was inserted with the view of applying it to the Chinese workshops. We thought, if it were not accepted generally, it might be accepted if it were applied to places used in manufacturing furniture.

887. *By the Hon. the Chairman.*—Why do you want it to apply to Chinese?—Because they use their factories as dwelling places.

888. *By the Hon. J. A. Wallace.*—Should it not be made general?—We are quite willing to have it general; but if the Committee is not agreeable to accepting this clause as it reads, we ask that it might apply to the furniture trade.

889. *By the Hon. the Chairman.*—Clause 27 gives the hours of working where Chinese are employed—will you explain that?—The reason this was put in the Bill was because for years past the Chinese have been in the habit of working from early in the morning until twelve o’clock at night and one or two the next morning.

890. The same men working right through?—As far as we know it is the same men—it is the men occupying the factories. The work is going on all the time, and as the people dwell in the factories we presume they are the same individuals.

891. *By the Hon. J. A. Wallace.*—Why not make it a general thing for Europeans and Chinese?—We are quite agreeable to that. The hours that are indicated here are the hours that we usually observe, and are the hours that I am working at the present time.

892. *By the Hon. T. D. Wanliss.*—One great argument in favour of the eight hours is that as much work is done in the eight hours as in ten; apply that to the Chinese, if they work twelve hours or fourteen hours, does not it follow, reasoning from that, that the work they will do, extending over that time, will not amount to more than an Englishman will do in eight hours?—Probably not; but because they work those inordinately long hours they are able to turn out more, and in addition, too, they work on Sundays.

893. *By the Hon. J. A. Wallace.*—The Jews do the same?—But they do not work on Saturdays.

894. *By the Hon. T. D. Wanliss.*—Though a Chinaman may work fourteen or sixteen hours a day he does not do more than an English or Scotch workman will do in eight hours?—Probably not.

895. *By the Hon. the Chairman.*—Sub-clause 3 says—“In any prosecution for an offence against this section evidence—(a) that at any time during which work is prohibited by this section in any factory or work-room sounds have been heard such as would ordinarily be heard if made by persons engaged in such factory or work-room in the usual work therein carried on; and (b) that during such time any member of the police force or inspector was refused or could not gain immediate admission to such factory or work-room—shall be *prima facie* proof that the provisions of this section have been contravened by the defendant”?—On many occasions our people have gone round, and other people have passed the Chinese places on Sundays as they were going to church, and as they have passed along the street they have heard signs of work being carried on, such as sawing, planing, and hammering. You may take it for granted when you hear those sounds that they proceed from some cause, and that cause is work. That is the reason for that clause being put in. They barricade the windows very often so that you cannot see into the place, and

the door is closed. We regard that clause as essential to any benefit that white people are to receive under this Bill. Chinese should be made to conform to the usual customs of the society in which they are living, they are not asked to come here, and therefore they should conform to our customs.

896. *By the Hon. T. D. Wanliss.*—Would you consider it unreasonable if the Chinese Government said that all the British residents in China should conform to the Chinese customs?—No, I think not. If the Chinese Government invited us to go there it would be a different matter.

897. *By the Hon. the Chairman.*—Would it not be sufficient if clause 27, instead of applying to Chinese, applied to all persons?—Yes.

898. Is there any reason why, if those sounds are heard in your house, and you refuse the police admission, it should not be taken as *primâ facie* evidence that you are breaking the law?—No.

899. You do not want any special privilege over what the Chinese have, or *vice versâ*?—No.

900. Therefore this might apply to you just as well as to the Chinese?—Yes, to all furniture manufacturers.

901. *By the Hon. J. A. Wallace.*—Would you not allow a coffin to be made on a Sunday?—I do not think any officer would object to that being done in the hot weather. The next point is the clauses relating to stamping—Nos. 57, 58, and 59. Clause 57 simply imports a clause that was proposed in the present Act, that all furniture should be stamped. The late Dr. Hearn drafted a clause to that effect, but owing to a disagreement between the two Houses that clause was knocked out of shape and rendered useless. The Legislative Council passed the clause much in the form in which it is here, but the Assembly would not have it—it is in a skeleton form now.

902. What was the intention in making it compulsory?—So that there should be no fraud; people should be compelled to put their name on to goods so that the purchasers might know whose goods they were buying.

903. Is that a customary thing in England or any other country; I have known people brand their furniture to show it was good furniture, but I never knew it to be compulsory?—It should be. It used to be under the old guild system, the remains of which you have now in the Goldsmiths' Hall brand. The reason we ask for this is that we have found for years that most of the furniture sellers, who are not manufacturers at all, put forward the Chinese-made stuff to their customers, offering it in many instances as having been made by Europeans. There are a great many people in this country who have a great objection to Chinese-made articles.

904. *By the Hon. J. M. Pratt.*—Will not a difference of 2s. 6d. rule the market?—In many cases, yes; in others not. In some cases they send back furniture when they find it is Chinese made.

905. *By the Hon. W. I. Winter-Irving.*—You ask people to brand the furniture and depreciate its value 50 per cent. because you say you will not buy the Chinese furniture?—We do not depreciate the value of the furniture. We say people have a right to know who makes the furniture.

906. The best houses in London sell the commonest furniture, such as Maple and Gillow?—Gillow will not sell common furniture.

907. *By the Hon. the Chairman.*—Your object is that a buyer should know what make of furniture he is buying?—Yes.

908. Suppose the Chinese take a Scotch name, how would you get over that?—Then clause 58 will get him; it says that the stamp shall set forth the manufacturer's true name.

909. The manufacturer's name would be the Scotch name which they have adopted?—Such things have been done. As to clause 58, it is possible that people may be carrying on a business under an old trade name; in such a case, instead of the true name we think it would be better to put in the name of the registered firm or company.

910. What does it mean in sub-clause 5—"European and other labour"?—That would lead to a great deal of difficulty, and defeat the provisions of the Bill. It might be held that because a Chinese makes up goods and gets a few turned pillars from a European turner he could stamp the article—"European and other labour." We think this clause would work very well by ending at sub-section 4, leaving sub-sections 5 and 6 out, unless you alter the phraseology, because at the present time sub-section 6 would make it apply simply to a person who has a Chinese father and mother. It only requires a Chinese to show that his mother was not a Chinese, strictly speaking, but she might be a Formosan or from Hong Kong, and the section would be inoperative.

911. *By the Hon. J. A. Wallace.*—Suppose Foy and Gibson were buying four legs of a table and a Chinese made those four legs, when Foy and Gibson made up those legs into a table, would they brand it?—No, the brand would be planed off.

912. That table could be made entirely by Chinese as to the four legs and be branded by Foy and Gibson?—Sub-section 4 meets that—"Where an article of such furniture has been manufactured or prepared solely or partly by the labour of any Chinese person or on the premises of any Chinese employer, such stamp shall also set forth in legible type the words 'Chinese labour.'"

913. That would be a mistake, because it would be partly Foy and Gibson's labour?—If you argue in that way you could fix nothing. You might say because the screws were made in England the Chinese could claim that to be "Chinese and other" labour.

914. *By the Hon. H. Cuthbert.*—You would recommend the omission of sub-clause 5?—Yes, unless the words—"includes a person having a Chinese father and mother," in sub-section 6, are altered considerably.

915. In what direction would you suggest an alteration?—We suggest that this definition should read—"Chinese includes persons of the Chinese race."

916. *By the Hon. W. I. Winter-Irving.*—You go further than sub-clause 6, which says—"European labour' means the labour of persons born in Europe or of their descendants whether born in any British colony or possession or in the United States of America or elsewhere"—what do you mean by that; would that not be an injustice to those born of other than Chinese mothers?—That is the object of this clause. We have to deal with people who are very ready to adopt expedients.

917. *By the Hon. S. Austin.*—You recognise that it would be an injustice to some people born in this colony who are really English subjects?—I do not think so; those people follow furniture making, and live among Chinese in a similar way to the Chinese.

918. They may be born of European mothers?—They are; they are half-castes.

919. *By the Hon. W. I. Winter-Irving.*—Those people do other work outside furniture making altogether?—This Bill will not affect them in that case; we have no objection to their working at any other business.

920. *By the Hon. J. A. Wallace.*—Should not those Chinese have as much to say about a holiday as any other native; are they not Australian natives?—I should be sorry to accept them as such in the ordinary sense of the term, without any want of respect to them.

921. *By the Hon. T. D. Wanliss.*—You extend this to British subjects?—We cannot help it if they are *bonâ fide* British subjects.

922. Is it not rather hard on British subjects?—I do not think so, while they work in the way they do.

923. *By the Hon. the Chairman.*—Your object is to compel them to work in the way you do?—Yes; if Chinese or half-castes can produce articles as well as we can at cheaper rates, they will get the market.

924. And you want to compel them to stamp their work?—Just so. Every article in the colony should be stamped with the maker's name as a sign of good faith between the maker and the buyer; that is the object that the Legislature should take up.

925. *By the Hon. J. A. Wallace.*—Why have not other countries taken it up; they are older than we are?—They have done so in many cases; the makers stamp their furniture because they want to get the market, and it will tend to raise the standard. I think minimum penalties should be fixed all through the Act, because there is so much disagreeableness in the prosecutions which have taken place for breaches of the Act from time to time, when friendly benches of magistrates have given contemptuous decisions, and fined people, for gross breaches of the Act, One shilling, that it has discouraged the officers in carrying out the Act. We think the minimum penalty should be stated in all cases; if you put in the minimum you have no doubt about it.

926. *By the Hon. H. Cuthbert.*—Even for the first offence you would have a minimum?—Yes.

The witness withdrew.

Arthur Wood examined.

927. *By the Hon. the Chairman.*—What are you?—Journeyman cabinetmaker, and president of the Furniture Trade Society.

928. You have heard Mr. Harwood's evidence, is there any point that he has not touched upon that you wish to press upon the Committee?—I generally agree with what he has said. We would like one person to be one factory. We wish to be placed upon exactly the same level as the Chinese. Owing to their low standard of living, the Chinese have had to be singled out; at the same time whatever we wish to apply to them we wish to apply to ourselves. As far as the furniture trade is concerned we do not want any distinction. There are circumstances that have been forced upon us, such as the eight hours' regulation. We work eight hours and the Chinese do not; they do not understand what it is, and we wish that to be applied to the Chinese generally. As far as clause 18 goes, I agree with Mr. Harwood about the Board; it should be elected and be for the whole colony. I do not see how we could manage unless the colony was one district. If I went to Ballarat I should want the same wages as I got in Melbourne.

929. Even though the cost of living in Ballarat was less than in Melbourne?—If circumstances warranted it. The Board would have to take that into consideration. At present there is very little furniture being made in Ballarat. Most of it is sent from Melbourne and is mostly Chinese, and the same in Bendigo and throughout the colony. A member of the Cabinet told me the other day he got some furniture from a local tradesman and after he got it he did not find it satisfactory, and he asked the tradesman what it was, and he said it was Chinese, he could not make it at the price and he had to get it from the Chinese. I was told in Ballarat some time ago that a furniture factory there was like an infant school-room; it was all boys, and what was not made by boys was sent from Melbourne and was Chinese furniture. I agree with Mr. Harwood as to the question of machinery. I do not think there is anything in what Mr. MacLellan tried to point out as to the difficulty in fixing the prices. Foy and Gibson pay day-work and they do as much as they can by the machinery; they do not fix piece prices. In one way they fix the piece price; they find out how much a man can do, and if a man does not do that he gets the "sack." If a new job comes out they get the quickest workman to do the work and get him to fix the price, and another man must slave to do that work.

930. Do you not see any difficulty in the point he raised that the members of the Board, not having this new machinery, would not feel at all anxious to lower the price of an article?—Not in this way—the piece price is always fixed by what can be done in a day. I suppose the Board would take into consideration whether a firm wished to work at day rates or piece-work. At present they work at the day rate, and when any new work comes out they fix the rate by the quickest man in the shop.

931. *By the Hon. J. M. Pratt.*—Does the quickest man in the shop get any extra wages for doing it?—Yes.

932. *By the Hon. the Chairman.*—He is sweating his fellow workmen?—Yes. I am not complaining of Foy and Gibson, because they pay the best wages in the trade, but that is done to compete with outsiders. We do not see any difficulty in fixing wages by the Board. It is better than strikes and lock-outs.

933. How would you deal with a number of workmen who did not observe the Board's award?—There are difficulties, but they could be met in this way—the Board would fix the price, and if the workmen did not care to accept the price they would not work. If the employers did not want to pay the price they would not employ the men.

934. Suppose the workmen accepted a lower price?—They would not in any number. The workmen want a fair rate of wages. One or two might do it, but the great body would not; they have more sense than that. They would be protected by the Board, and they would not take a lower price.

935. *By the Hon. H. Cuthbert.*—Are they not doing that in some instances now, taking a less price than that agreed to by the trade?—There are always some exceptions like that, but not in any large way. There are always some men who will do anything to secure a job.

936. *By the Hon. S. Austin.*—Is it not a common thing in some houses?—I have never known of it. I do not think it is common in any way.

937. *By the Hon. H. Cuthbert.*—You are speaking of the furniture trade?—Yes.

938. *By the Hon. the Chairman.*—How many Europeans are there in the furniture trade?—Some two years ago I went into the matter for the Sweating Board, and I found 400 Chinese to 25 Europeans at work, that is cabinetmakers. I suppose they are much about the same now. The Chinese have a monopoly of the cabinetmaking. The conditions under which they do it will not allow the Europeans to compete.

939. What have you to say as to clause 27—“Limitation of working hours in factories;” do you think that should apply to all in the furniture trade?—Generally; in fact our men would like it to apply not only to Chinese, but to the furniture trade generally. Going back to clause 22, the same principle would apply. It was “Chinese” in the first place, and it was altered to “person.” This clause would apply to every trade, and I do not think that would work. I think it should be made to apply to the furniture trade only.

940. It might apply to bakers?—Yes, if they wished it. Clause 27 we wish to apply to the furniture trade; sub-section 3 (a) is very necessary. Chinese are very cunning. I went round with the detectives and tried to stop Sunday working, and they would not let us in; they locked the door, and when we did get in the floors were swept clean and there was no sign of working.

941. You do not mind this clause applying to Europeans as well?—No; we think eight hours is a fair thing. As to clause 57, the Chinese make very inferior furniture, and that works against us.

942. *By the Hon. J. A. Wallace.*—It is all in your favour?—No, because people go for cheapness, and when a sideboard is made at a certain price it may be inferior, but it is cheap, and people will have the cheapest work.

943. Why do you not go in for the cheaper work?—I do not believe in it. I think it is a very bad principle to go for the cheapest; but as a general thing people do go for it. We find a difference in Melbourne and the old country. In England we have not to contend with the Chinese. There is a better class of furniture made. The Chinese really degrade the trade here altogether. It was a good trade, but it has been ruined by the Chinese.

944. *By the Hon. H. Cuthbert.*—How is the Chinese work inferior to the European?—There is no construction about it. When a job should be constructed in a certain way there is a nail put in instead of a mortise, and so on. The Chinese get our work and make a good imitation; but they cannot design or originate anything, and whatever they copy they degrade.

945. Is not the work they turn out equally good in the mortising and construction of chairs and tables—does not their work last as long as the European?—No. If they did not soon fall to pieces it would be a bad job for us. They are exporting largely to Western Australia now.

946. You could draw a distinction between good work and inferior yourselves. If a Chinese chair was exhibited here and a European of the same pattern you could point out the difference between the two?—Certainly. They do not make chairs now; they used to some years ago.

The witness withdrew.

Charles P. Hodges examined.

947. *By the Hon. the Chairman.*—What are you?—Chinese interpreter.

948. *By the Hon. H. Cuthbert.*—Do you generally approve of the Bill?—No; I disapprove of the Bill. I think eight hours a day has helped to fill our asylums. I know at Yarra Bend the asylum is so full that the patients have to lie on the floor, and I believe it is the effect of the eight hour system leaving so much idle time to men who are not properly employed. I know I would go mad on eight hours a day.

949. Is your view supported by any eminent authority?—I have not mentioned it to any. I think their time is not properly employed, and there is too much strain upon the brain.

950. I suppose you devote from eight to ten hours to sleep?—I never slept more than seven hours at a time in my life.

951. Would you not allow from eight to ten hours to the generality of people for sleep?—I think eight hours is a long sleep.

952. And to refreshment and mental recreation another eight hours?—What is the recreation? I do not think there is much mental recreation. I do not find the Public Library any more fully occupied.

953. Having regard to our climate here, would not eight hours be sufficient for any man?—For outdoor employment it is, but for indoor employment a longer time may be allowed. There are many women in the country districts who, I am quite sure, work far harder every day in the week than any Chinaman in a factory in Melbourne.

954. You think eight hours is sufficient for miners in the drives 1,500 or 2,000 feet down?—I think so.

955. *By the Hon. the Chairman.*—Are there any special clauses in the Bill that you wish to refer to?—I wish to refer to clause 32, referring to steam-engines. I would suggest that after the word “orchards” in sub-section 5 the words “vegetable gardens” shall be added.

956. *By the Hon. T. D. Wanliss.*—Are steam-engines used in those places?—Yes.

957. *By the Hon. J. A. Wallace.*—“Garden” would include “vegetable garden”?—It is best to remove any doubt.

958. *By the Hon. H. Cuthbert.*—Why do you wish to insert those words?—Because a steam pump can only be used in a vegetable garden intermittently. We had two hot Sundays recently, and on both those days it was necessary to flood the gardens. On the Monday morning we had a shower of rain which would obviate the necessity of using the pump for three or four days, so if you had a certificated man he would be idle for three or four days. In winter he would be almost wholly idle. At Sale the Chinese have a garden and there is another at Northcote, and another at Kew, and they find, in order to make the gardens pay, they must use those small pumps. A man has merely to watch the gauge to see that the water keeps up to the proper level. In clause 3, sub-section 1 (a), it says—“Notwithstanding anything hereinbefore contained in this definition a Chinese person shall be deemed and taken to be employed whether he is or is

not working on his own account or behalf or for hire or reward." It reads as though a Chinaman is put somewhat under the same conditions as a dog. Under the Dog Act if you allow a dog to go about your premises, though it does not belong to you, if you do not kick it out you are liable to be fined. The next sub-clause (2.) says—"Meaning of 'handicraft' and 'employed';" that does not seem to define what "employed" is.

959. That is to be read with the original Act, and you do not pay any attention to the marginal note, which is not part of the Act. It is merely to include laundry work?—Speaking for the Chinese I think a laundry should not be brought under the Act.

960. Have you read the evidence about laundries in England; they have found it necessary to include them there?—It may be necessary there, but I do not think it is necessary here. The Chinese laundries which I have been through I found exceptionally clean.

961. *By the Hon. the Chairman.*—What is the disadvantage in having proper sanitary arrangements applied?—None whatever. The Chinese do not object to that, but if those men are brought under that they will not be able to work more than eight hours.

962. You do not object to their being brought under the Board of Health?—Certainly not.

963. You object to the hours of working?—Yes.

964. How many hours do they work?—Nine or ten hours. Necessarily, if they cannot get the clothes dry they cannot keep to any particular time any more than a farmer can in his field. He is dependent upon weather; and the Chinese cannot fix upon certain hours in the day in which to work and in which not to work.

965. *By the Hon. W. I. Winter-Irving.*—Suppose those people had to conform to the Factories Bill what would be the effect upon the ordinary public as to prices?—I do not think prices would be affected much.

966. *By the Hon. the Chairman.*—Suppose a P. and O. boat came in and they wanted all the dirty linen washed by a certain time, how would you meet that difficulty?—By allowing them to work their own time and not interfering with labour.

967. *By the Hon. H. Cuthbert.*—Allowing them to work eighteen hours out of twenty-four?—They do not do that. The most extravagant statements are made by the public about the Chinese, which are quite untrue.

968. If we say the men and women engaged in a laundry shall not work beyond eight hours a day, would it not be fair that the Chinese should conform to that law?—Certainly, but I think some of the laundries in the outlying districts are not aware of the provision, otherwise they would be opposing it.

969. *By the Hon. the Chairman.*—Suppose a P. and O. steamer came in and they wanted their dirty linen done quickly and they could not get it done, would they not take it on to Sydney and we should lose it altogether?—That may be.

970. *By the Hon. S. Austin.*—It would necessarily be so—if you could not do the work in a certain time it must be taken on?—Certainly.

971. *By the Hon. the Chairman.*—What have you to say about clause 27, limiting the hours in the furniture trade?—I think the average work of Chinese would be about nine hours and a half a day, not more at the present time. In 1893, when I gave evidence before the Sweating Board, I said the Chinese gets up late and works late. The Chinese does not stick to his work from eight o'clock to twelve without putting his tool out of his hand. He sits down and has a smoke, and takes a walk outside, and on a warm day he will have a rest or a siesta and work in the cool of the night. A Chinese does not work long hours. The Chinese would be content if all places were open from seven to seven, with an hour for breakfast and an hour for dinner.

972. Is there any reason why they should be allowed to work nine hours and a half when European furniture makers only work eight hours?—If one set of people like to spend a part of their time in idleness I do not see why another set of people should not be allowed to spend their time in work. I do not think they should be restricted.

973. Is it a fact that the Chinese furniture makers have driven the European furniture maker out of the market?—I have never thought so. I think if the European cabinetmakers had gone into Little Bourke-street and opened a shop, and competed with the Chinese there, they could have prevented such a large number being employed. It is the same as with the laundries. There was a great cry out about the Chinese laundries a few years ago, and you were appealed to to help women to start laundries. The Chinese do not do that. A man gets a house and a copper and a tub, and starts a laundry, and gets to work. All our efforts in that direction came to nothing. You do not get the Europeans to combine together.

974. Would co-operation be a cure for a great deal of this?—Yes.

975. *By the Hon. J. M. Pratt.*—Is there any necessity for the Chinese to work on Sundays?—Certainly not at carpentering.

976. *By the Hon. the Chairman.*—Do they do any on Sunday?—I believe not now—they used to. The police visit them very often, and so far as I have seen of late there has been no Sunday work at all. I heard a remark just now about the Chinese being cunning, and locking the door. If I thought a person was coming to my house, very likely I should lock the door, and go outside and do something else.

977. *By the Hon. H. Cuthbert.*—If you were working, and a police constable came, would you not open the door?—If a police constable came, that would be a different thing. It was private persons I referred to.

978. If you were not violating the law you would open the door at once?—Certainly. There may be isolated cases where Chinese have wasted the time in the week, because they will waste time as well as our own people. There are idlers among them who like to spend their money freely, and have to make up lost time and work on Sundays, but taking the great body of merchants and storekeepers, they do not want to work on Sundays any more than Europeans. I am sure if the Committee went to the Chinese quarters next Sunday they would find all the factories cleaned up and swept.

979. *By the Hon. the Chairman.*—What do you think about the clause referring to sleeping in factories—clause 22?—The Chinese rent a large place, and where the men sleep in the factories they perhaps take a flat, and that is devoted to the dormitories—they do not sleep where they work. The Chinese do not throw down their tools and then throw down their bodies on the shavings without taking

their clothes off, as I have heard said they do. A Chinese is very particular about his bed; it is also his lounge and his sitting room, and he is very particular about it; it is where he receives his friends, and so on. It is just the same as the case of a European who has only one room in which to receive his friends and to sleep.

980. Are the Chinese as observant of sanitary regulations as Europeans?—Except in their closets they are. In their food and the preparation of their beds they are as particular as we are.

981. Are there a larger number of Chinese sleeping in a room than there would be if they were Europeans?—All that is regulated by the Health Inspector.

982. Are his regulations carried out?—Yes; the difference in Little Bourke-street of to-day and the Little Bourke-street of ten or twelve years ago is very great. All the old houses have been taken down and the places re-built; the Inspector of Health goes round, and there is no cause of complaint.

983. There is no hardship in placing the Chinese on the same footing as the Europeans?—No, I do not think they object to it.

984. Do you want to say anything about the stamping of furniture?—The Chinese consider that the stamping of furniture (though there is the semblance of fair play, inasmuch as both the Chinese and the Europeans will be placed upon the same footing) is done in order that the racial prejudice shall work against them.

985. On the other hand, do you not think it possible, seeing that a large number of people want the cheap stuff, that they will make inquiries for the Chinese-stamped furniture because they know it is cheap?—Yes. There is another peculiar thing; it is complained of the Chinese that they make rubbish; but if it paid me, and I could keep my wife and family by making rubbish, I would do so. The Chinese say that the racial prejudice is such that "Brown" will not buy of them because of what "Jones" will say, and "Jones" will not buy because of what "Robinson" will say.

986. If "Jones" can buy at 5s. less than what "Robinson" will buy at, will it not have the opposite effect?—I can only say what the Chinese say upon the point; I cannot speak of my own personal knowledge.

987. *By the Hon. J. M. Pratt.*—Assuming this Bill were passed, would the Chinese require representation on the Board to fix the prices?—I think they would like to have it.

988. *By the Hon. the Chairman.*—How many Chinese are there working now?—I should think quite 250 in the furniture trade at present; it is not easy to get at them. There are a number of them in small places.

989. *By the Hon. T. D. Wanliss.*—Is the number increasing?—I do not think so. There is a little boom at present, perhaps, owing to Coolgardie; but after the bursting of the "boom" here many of the large factories closed. The Chinese population as a whole is now very poor.

The witness withdrew.

Henry A. Harwood further examined.

990. *By the Hon. the Chairman.*—What do you say in regard to the Chinese being represented on the Board?—It seems equitable that they should be.

991. Would there be any objection to it on the part of the trade?—I dare say there would be, but personally I have no objection to it.

992. *By the Hon. H. Cuthbert.*—If the numbers are as 400 to 25 the Chinese would have all the voting power?—Yes, if they were appointed by mere voting, but our trade is not merely cabinetmaking, it is the furniture trade. The Chinese are cabinetmakers, and cabinetmaking is simply one branch out of five.

993. Taking them altogether?—Then the Europeans would be more than the Chinese.

994. *By the Hon. T. D. Wanliss.*—What are the five branches?—Cabinetmakers, upholsterers, carvers, turners, and french-polishers.

995. *By the Hon. the Chairman.*—What is your opinion about overtime?—We recognise that overtime has to be worked at times in case of emergency. I think permission might be obtained to work overtime.

996. By permit?—Yes.

997. *By the Hon. J. A. Wallace.*—Suppose a job were wanted in a hurry, what would you do?—Get a permit; we work overtime as it is.

998. *By the Hon. the Chairman.*—Would you not allow men to work overtime without a permit?—No; otherwise it would simply be a subterfuge to lengthen the hours of working.

999. The overtime is paid for at a different rate?—Usually; unfortunately we cannot enforce that.

1000. Would that not be a check?—It should be, but practically that has gone with the rest of the privileges we enjoyed, on account of the bad times; we formerly got time and a quarter.

1001. If that were made the legal payment, you would not require a permit?—I think so.

1002. *By the Hon. J. A. Wallace.*—If it were time and a half, would that check it?—Yes; time and a half used to be paid men employed on bank fittings, but a permit should be applied for in any case.

1003. It is not always convenient to apply for a permit; as long as they are paid time and a half that would be sufficient check?—It is a great check, no doubt; that is why we went for it. We have to deal with people who try to get the better of us in one way or another; that is the reason why we got those particular things put in the Bill.

1004. *By the Hon. the Chairman.*—Admitting that, do you think it is advisable to place in the hands of one man the power to say "Yes" to one manufacturer and "No" to another?—I think in a simple matter like that the inspector could judge as to the urgency.

1005. Mr. Bedgood said permission was not absolutely granted to him, and in the meantime others got it?—That is not right, but that is a one-sided statement.

1006. *By the Hon. J. M. Pratt.*—You think overtime, if allowed, should have a general application to any manufacturer?—Yes, in cases of urgency. I know there are plenty of times when orders have to be got out in a certain time to meet a certain necessity.

1007. If a manufacturer applies for a permit you have a regulation for the payment of that overtime?—Yes.

1008. *By the Hon. the Chairman.*—One of the witnesses proposed that a manufacturer should be allowed to work overtime not exceeding 30 days in a year without a permit?—That is in the English Act, and was inserted to protect the women and girls in the clothing factories.

1009. Would there be any objection to apply that to the furniture trade?—No.

1010. You cannot always be sure you will be required to work the overtime until the last moment, and you may not obtain a permit in time, would it not be well to make it a little more elastic?—In a case of urgency the officers of the Department would see the necessity and there would be no objection. If there is a large order for furniture, the employer knows if he has time to fulfil it with his hands.

1011. We have had evidence given that a permit was not obtained in time, and in consequence the order went elsewhere?—It is possible that if a gentleman wanted to furnish a large house in a certain time, and went to a small manufacturer, that small manufacturer could not turn out the lot in the specified time.

1012. Have you had your attention directed to the question of co-operation in the furniture trade?—Yes, but we cannot work together as the Chinamen work; it is against our blood and nature, and against our views of life.

1013. To co-operate?—No, we could co-operate, but I fear it would not be successful.

1014. Has co-operation been tried in connexion with furniture here?—Not to any extent.

1015. Would it not tend to put an end to a great deal of this trouble?—No, because co-operation means increased competition. You bring in another firm composed of a number of individuals competing against the firms already in existence. It may benefit the individuals, but it must increase the competition. That has been found out in various co-operative societies in France and elsewhere.

1016. They are very largely increasing at home?—Yes, but they are mostly distributive societies. I have heard our people frequently say they should start a co-operative society, but they have never subscribed the money. If they had done so we should have started it long ago; they do not seem to have enough faith in one another. It would take several thousands of pounds to start a furniture factory.

1017. Much larger companies than that have been started at home and have been gradually worked up?—Yes.

The witness withdrew.

Chung War examined.

1018. *By the Hon. the Chairman.*—This is your written statement—[reading the same as follows]:—“I am a cabinetmaker, of Little Lonsdale-street, and have thirteen men working for me. The Bill in its present form is too drastic, and the differential legislation proposed is unjust, and will work mischief in the end. I thoroughly agree with Sun Yee Hing in his evidence. I regard section 18, which gives the Governor in Council the power to appoint a Board to fix prices, as being altogether vexatious and not calculated to secure the object in view. For example, suppose the Board had fixed the prices upon the various articles of cabinet manufacture, could they also fix the constantly varying designs and patterns of the said articles? The Chinese work, on the average, from nine to ten hours a day, and earn between 25s. and 40s. per week”?—Yes.

1019. *By the Hon. H. Cuthbert.*—What is your objection to the appointment of the Board?—The prices for making an article are always different, according to the quality.

1020. Suppose on the Board were some Chinamen and some English, could they not fix upon a fair price?—I wish some of my own people to fix the price.

1021. If some of your own countrymen were on it, would you have any objection to the constitution of the Board?—No, I would have no objection to that.

1022. *By the Hon. the Chairman.*—Have you any objection to observing the same sanitary arrangements as the Europeans?—No.

1023. Have you any objection to clause 27, which prescribes that the employés can only work between half-past seven in the morning and five o'clock in the evening, and they must not work on Saturdays after two, nor on Sundays?—Yes, I object to that.

1024. Why?—Some old and feeble people in the trade could not work continuously for eight hours, and they take a spell now and again.

1025. Have you any objection to the Chinese being bound not to work not more than eight hours, not necessarily continuously?—No, I would not object to that. On the Saturday we want to work the whole day, the same as on ordinary days. On Sundays we do not permit work at all.

1026. Do not the Chinese take a holiday on Saturday?—Some of the strong people could do it, but the old people would not earn a living if they took half a day.

1027. *By the Hon. T. D. Wanliss.*—Have the Chinese any Chinese holidays on which you do not work, while the Europeans are working?—Yes, there are about two weeks in the year.

1028. *By the Hon. the Chairman.*—Are some of those religious holidays which the Chinese feel bound to keep?—Yes.

1029. How many?—About six of them are religious holidays.

1030. Referring to sub-clause 3, in the event of the police hearing noises, have you any objection to their entering to see what the noises are, that is, if they occur during the time in which work is prohibited?—Yes, I object to that; we may be inside chopping wood.

1031. Chopping wood would not be usual work; supposing sawing or lathe turning or hammering were heard, that objection would not apply?—If I were caught in the act of planing it would be *prima facie* evidence.

1032. *By the Hon. H. Cuthbert.*—Was not there once a Union of Chinese for the purpose of observing the eight hours' system?—Yes, there was a Union of Cabinetmakers, but they did not observe the eight hours.

1033. What broke down that Union?—Through the cabinetmakers reducing their own wages.

1034. A price was fixed and some of the men worked under that price and that broke up the Union?—Yes.

1035. Was not it in consequence of the men taking their own hours for working?—It was only through the workmen working for less than the fixed price.

1036. Under the Union the hours were limited to ten?—Yes, 60 hours per week.

1037. What is your opinion about branding furniture?—The name and address stamped on the furniture would be quite sufficient.

1038. That is, to be stamped both by Europeans and Chinese?—Yes.

1039. *By the Hon. the Chairman.*—As to clause 22, dealing with sleeping places, what is your opinion of that—do the Chinese use the factory or work-room as a sleeping place?—It is partitioned off.

1040. *By the Hon. J. M. Pratt.*—Do you employ men on wages or piece-work?—The cabinet-makers work by piece-work; the french-polishers work by weekly wages.

1041. *By the Hon. the Chairman.*—Are there any manufacturers who work on their own account in a private house?—Yes, there are some.

1042. Do they sleep in the same place that they work in?—Yes, they sleep on the premises, but not in the work-room.

1043. Is there any objection to their being prevented from doing so?—We would not object to the work-room being partitioned off.

1044. Do you refer to a factory or private house?—A factory.

1045. What is your opinion as to private houses?—We would not object to a manufacturer staying on the same premises in a private house. We object to a manufacturer sleeping in the work-room.

1046. Then you approve of this clause?—Yes.

1047. *By the Hon. J. M. Pratt.*—The clause means that an employé cannot sleep in a work-room?—Yes.

The witness withdrew.

Sun Yee Hing examined.

1048. *By the Hon. the Chairman.*—This is your written statement—[reading the same as follows]: —“I am a cabinetmaker, of Exhibition-street. I am opposed to the Bill in its present form. I think it very unfair that any number of Europeans less than four should be exempted from the regulations of the proposed law, and so work for as long as they like, and in any kind of building, however unsuitable. Thus the evil which it is sought to remedy will continue, and in an intenser form, as in these times of depression work in a factory is a very scarce commodity, and tradesmen will be driven to set up on their own account, and work very long hours to make a livelihood. I am in favour of equal laws and equal justice to every craftsman. For example, the work-room of one European, as well as that of one Chinese, should be constituted a factory, and be registered as such. As to the limitation of the hours of labour, the Bill has not taken into consideration the aged and feeble amongst the craftsmen, who are incapable of the continuous toil and sustained exertion which, to comply with the proposed law, they will require to make, otherwise they must suffer from want and privation, or become objects of charity”?—Yes.

1049. You are quite willing that the clause constituting one man a factory should be law, providing it applies to all alike?—Yes, I approve of that.

1050. Are you also willing that the same sanitary rules should apply to all?—Yes.

1051. Are you also willing that eight hours should be a day's labour for all?—Within a certain time. There are some that cannot work the eight hours within the time prescribed in the Act. I would like that time to be extended.

1052. Then how could the officers of the law find out whether a workman has worked more than the eight hours?—I approve of their working eight hours; but they should be allowed to work the eight hours in their own way.

1053. *By the Hon. H. Cuthbert.*—How could it be discovered by the inspector, supposing a man worked ten hours instead of eight?—He would see them not working at the particular time. Some would start at ten and some at twelve.

1054. *By the Hon. the Chairman.*—What is your opinion about stamping furniture?—If all others stamp their furniture I would approve of it.

1055. What is your opinion of the appointment of a Board to fix hours of working if Chinamen were also appointed on the Board?—The prices could not be fixed by the Board.

1056. *By the Hon. H. Cuthbert.*—Why not?—Different manufacturers have their own prices for each thing.

1057. The object of the Bill is that there should be a uniform price prevailing all through. Why should not the Board fix the one price, and say to all the manufacturers—“The price for such and such an article shall be so much and no less”?—If there was a fixed price, and a workman thought it would not pay, he would not work at that article.

1058. All that is intended by the Board is, to say what shall be the lowest price; that would not prevent the manufacturer giving a higher price if he thought fit?—If all the other workmen were to work eight hours, and they had a uniform price, I would agree to that.

1059. Then if the minimum price gave each of the men in your employment £1 or 25s. a week, they would not be allowed to work under that, but if the men did not wish to work for that you could raise the price as much as you liked; would that be in conformity with your views?—I do not know how much extra they might want.

1060. That would be for you to decide, not for the Board. The Board would say that no man should work for less than 25s.; if the men said they would not work for that you could give as much more as you felt inclined; would you be agreeable to an arrangement of that kind?—Some may only do 10s. worth, and then I would have to pay them £1.

1061. You are not bound to keep a man worth only 10s. a week if you are bound to pay 25s., you can put that man on piece-work?—If the Chinese are represented on the Board, I would not object to it.

The witness withdrew.

Harrison Ord examined.

1062. *By the Hon. the Chairman.*—What are you?—Chief Inspector of Factories, Work-rooms, and Shops.

1063. You have heard the evidence that has been given?—Yes.

1064. With regard to clause 3, sub-section 1 (a), the representatives of both the European and Chinese furniture makers think that that definition should apply to both Chinese and Europeans—do you agree with that?—It would require a considerable amount of supervision, but there is no great objection to it. Unless the hours of the Europeans are limited in the same way as those of the Chinese it would be impossible to supervise them.

1065. Those are the hours of the Europeans now?—Fairly so. We have reason to believe that an individual working alone works longer, whether European or Chinese; otherwise I have no objection to bringing them under the one law in a departmental sense.

1066. *By the Hon. H. Cuthbert.*—In connexion with that, do you intend your evidence to apply to the furniture trade or generally?—To the furniture trade only.

1067. Under the Bill it requires four persons to constitute a factory in the clothing and boot trades—you would not say it would be wise to alter that four into one?—No, I think it would be quite useless.

1068. *By the Hon. J. A. Wallace.*—Do you know any places where there are two or three persons working in their private houses?—There are a good number.

1069. Would it not require a large number of inspectors to supervise those if one was made a factory?—That has only been desired in certain trades. There is only the allegation of sweating in connexion with certain trades. There would be no object in making one blacksmith a factory; but there would be an object in making one person a factory in the clothing trade. I think it would be objectionable and useless except in the furniture trade, and then only because it is desirable in the interests of justice. The English workman is willing to submit to it, and the Chinese workman also; it would require an immense amount of supervision to look after them if extended to all trades.

1070. *By the Hon. H. Cuthbert.*—On behalf of the Chinese, exception was taken to sub-section 2 of clause 3, the Chinese say that this should not apply to laundries. Can you offer any reasons to the Committee why this section should be extended to laundries?—It is considered necessary, I understand—the objection is taken in sanitary interests; I am speaking on evidence given to me; it is alleged that the Chinese have certain practices which are objectionable from a sanitary point of view in the way they do their work.

1071. *By the Hon. the Chairman.*—From whom did you get that evidence?—From the inspector who has seen them at their work. It is the habit of taking water into the mouth and ejecting it on to the clothes.

1072. *By the Hon. J. M. Pratt.*—Then you would require to be there all the time and watch them?—It would be necessary; that is one of the objections. It is also considered that they are working inordinate hours, and taking work from a very deserving class of European labour, that is, the laundry-women.

1073. *By the Hon. J. A. Wallace.*—Do the women work the same hours as the Chinese?—They have to work very hard, I understand.

1074. Would you make a factory of one, two, or three?—That is the Bill as far as the Chinese are concerned.

1075. *By the Hon. T. D. Wanliss.*—According to the Bill, one Chinese is equal to four Britishers?—No, I think it is the reverse; he lowers the work of four Britishers—he wants the supervision of four Englishmen.

1076. *By the Hon. H. Cuthbert.*—The men out here, do not, as a matter of fact, take up the business of laundrymen, which is done by European women?—It is widows with children who take up the work here.

1077. It is only the Chinese men who do the business of laundrymen?—That is all.

1078. *By the Hon. the Chairman.*—You are aware that laundries are included in the English Act?—Yes, since July last.

1079. Are you aware that is solely on sanitary grounds?—I think it was on account of the reports of the lady inspectors, which were very severe on the terrible hours the women worked in the laundries—from ten to fourteen hours a day.

1080. If you limited the hours to eight, how would you deal with the case of an intercolonial steamer coming in late and wanting the linen got up ready for next day?—The hours are limited to 48 hours a week, but they could work for ten or eleven hours right off. Section 24 provides that they can work for ten hours a day; that would give a large laundry two hours extra to finish such an order. If it was not sufficient, then sub-section 3 of clause 24 would come in. There would still be a loop-hole enabling the Minister to grant them suspension to meet the case.

1081. How could he grant permission at ten o'clock at night—suppose a large order came in at six o'clock at night and the office closed at four, or the order came in at four and they thought they could get through by six and they did not?—It has been pointed out that, as a rule, the steamers stay a day or two in this port.

1082. The agents inform me that they would have to take on the whole of the work to Sydney?—Sub-section 3 would certainly meet the case if such a provision were necessary, and in any case it would only be necessary to alter the first clause of section 24.

1083. Then you come back to the proposal that any operative should be allowed to work three hours extra a week for 30 days in the year?—That would be practically adding three hours a day to all the operatives in the colony. It would give the manufacturer three hours clear in every week that he was found out, because he would say that one of those days was allowed under the Bill; that would be for 30 weeks in the year they could work for 51 hours. Then if you put on to that the legitimate permits that would be granted it would be altering the 48 hours to 51 hours in many factories.

1084. Would not it do away with the necessity for permits if they had this power?—I think it would, to a large extent, do away with permits. I think prosecutions would fail, to a large extent.

1085. *By the Hon. W. I. Winter-Irving.*—What would they do for the other weeks?—They might work 48 hours, but the suspension clause at Cup time and Christmas time would cover another five or ten weeks; so you would get 40 weeks there in which they would work 51 hours.

1086. *By the Hon. the Chairman.*—Suppose that was qualified by their having to pay extra for those three hours, would that be any inducement for employers to abuse the privilege?—I think it would tend to prevent its being abused.

1087. If manufacturers had to pay time and a quarter or time and a half, they would not be anxious to do it unless it was absolutely necessary?—In 1894 there were 30 factories carried on in this country in which none of the employés received wages, and there were a number of girls in other factories receiving from 2s. 6d. to 6s. a week. Time and a half on 6s. is not much. If a girl has to work two or three hours extra on Saturday, as it has constantly come under my notice they are required to do, she is offered time and a half, but the three hours are infinitely more valuable than the 2d. or 3d. those children receive.

1088. What do you say as to the English system of apprenticeship for seven years?—At the end of that time the apprentices know the trade; at the end of the time here they are sent away without knowing it.

1089. *By the Hon. J. A. Wallace.*—Do you see any objection, in the case of a person coming in with a quantity of linen to be cleaned and washed, in their utilizing any time to do the work, so long as they do not work more than 51 hours a week?—That would be very good as far as laundry work is concerned, but it would be highly objectionable in other businesses. In that connexion I would point out that at the present time there are a certain number of laundries in Melbourne; some of those register and others do not. One man admits that he dyes or repairs articles to be sold again; another man will not admit that; he says he is simply washing the articles. One man will say he is really washing for sale again, while another can work his girls for 54 hours because he states he is not preparing any article for trade or sale, and the sole object of that clause is to put them all on the same footing as far as Europeans are concerned. That is the English law at present. As far as Europeans go there is not any injustice, because some people are now working under it, and it is only putting other people on the same footing.

1090. *By the Hon. W. I. Winter-Irving.*—Supposing a ship of the Messageries Maritimes line came here, and wanted to wash all its linen, and could not do so except under certain regulations—as a rule those articles would be taken to Sydney, and washed there; if you make a restriction that they cannot be washed here, would not it drive the trade away?—The difficulty that has arisen can be met by either a double shift, or some suspension of the clause to meet a special emergency. The clause would give the women a great benefit, and would be possible of administration; that is a mere matter of drafting.

1091. *By the Hon. J. M. Pratt.*—If the purser sent a certificate to the laundry that the work was required, that would be evidence to you that it was required?—I do not wish to say that the average manufacturer wishes to evade the laws; if he did, no one could administer the Act—given a man who is willing to defeat the law, you can understand that it would be almost impossible to produce evidence of his doing so, because he might have been able to do this work in the time, but he took other work, and pushed on that work during that week. I think it would be a great relief if that clause were carried; it would lessen the hours, and give the inspector power to go in and see the rooms are properly ventilated, because there is no room in which ventilation is required so much as where women are working in the hot air. It is hardly necessary to say I am in favour of the Bill.

1092. *By the Hon. the Chairman.*—Every clause of it?—Not quite every clause. As far as I understand, there has been no great objection raised as far as clause 9; there is a strong objection raised there as to the power given to the Chief Inspector to cancel the registration if he is not satisfied the place is used as a factory or work-room. Really the power there is very trifling; granted that the Chief Inspector chose to act in an arbitrary way, and cancel a certificate, his power has absolutely ceased then as far as injuring the man goes; he can do nothing more until he goes to a court of law. The next step is to prosecute him for being in occupation of an unregistered factory; that is the only other power he has, and then the facts of the case come out before the court. I have prosecuted a Chinaman for being in occupation of a disgraceful insanitary factory, and the fine I got was one shilling.

1093. *By the Hon. H. Cuthbert.*—The objection is to the second part of the section—"and he may with the approval of the Minister cancel the registration"?—I think the Bill is good down to "work-room," in line 38. I think the words—"of any factory or work-room which is not kept in conformity with the Factories and Shops Acts" are useless. I think the power has been largely exaggerated, because if I did cancel the registration I have to appeal to the court to confirm my decision, but there would be no objection to the cancellation of those words. I think the words—"and he may with the approval of the Minister cancel the registration of any office, building, or place so registered, if at any time he is satisfied that it is not used as a factory or work-room" should stand. Then the words—"or of any factory or work-room which is not kept in conformity with the Factories and Shops Acts" should be omitted.

1094. *By the Hon. the Chairman.*—You would let the matter proceed under ordinary summons?—Yes. A factory proprietor, not wishing to alter the arrangement of his work-rooms, ordered a considerable number of his employés to leave the premises and find work-rooms for themselves. The men wished to work in the factory, because by leaving the factory they lost time, but they were told they had to leave. They did so, but the consequence was then that the work was being done in unregistered factories. Then the order was issued that the men were to register their work-rooms; the men had no wish to register their work-rooms, but they came to me to ask me to register their rooms. They clubbed together in fours, and had a room registered. Supposing the men wished to work in the factory, the object of that clause is that such a pressure cannot be brought to bear upon them—they could not be ordered to register their work-rooms. At that time those men had no recourse whatever, but supposing this clause were in force they could come to the Minister or me and tell me the facts. Then I should say that was not a factory kept in accordance with the Act, and those individuals could not be made to register the work-room.

1095. Do you take the position, that assuming there are a number of persons working in a factory and the owner determines to have no more work-people in his factory, you would determine to make him keep them there?—No; I mean he should not have the power to compel the individual to register his work-room.

1096. He tells those people—"I will give you work outside if you like. I do not intend you to work in the factory any more"?—Under the permit clause he could not do so because the men would not get permits.

1097. He says—"I am not going to give you any more work in this place." They then secure a building in which to work, and the law requires them to take out a registration?—No; that was only to cover the firm so that they could say their work was done in a registered factory.

1098. Those using the factory are registered; they rent those outside premises, and that becomes a factory, and under the Act they must register it?—Those individuals were told to go out and provide work-rooms for themselves, and they left and worked singly. Then they were told to register those places.

1099. By whom?—By the firm. The law does not compel a single person to register—the law does not compel it at present.

1100. They need not have done it?—Then they would not have got any work.

1101. *By the Hon. H. Cuthbert.*—What was the object of the manufacturer saying—"You must register the factory"?—To be able to say to his customers the work was done in a registered factory.

1102. *By the Hon. J. A. Wallace.*—If a factory-owner is allowed to have so many men, can he not say—"My factory is full; if you choose to go and work outside I have no objection to give you work, but I must dismiss you altogether unless you find a place to do the work in," otherwise a man with a factory may be compelled to build an addition to his factory, which may be inconvenient; was there sufficient room in the factory when those men were requested to go out?—I am not prepared to say, but the law in force at the present does not compel him to have his work done in a registered factory. All the Bill says is, he shall not compel an individual to have his factory registered.

1103. Have you known any other case of the same kind?—I do not say I have known many cases, but with the permit system there would be a danger.

1104. What was the ultimate issue of that case?—The men are registered, and they say they are getting 50 per cent. less wages, and they are paying for the rooms themselves.

1105. Do you know if those figures are correct?—I have had the figures given me. I do not know it for a fact, though I believe it.

1106. *By the Hon. J. M. Pratt.*—The owner of the factory told them to clear out; he would not want his premises then, and he would save rent?—Yes, he told them he would not provide room for them any longer.

1107. Then possibly he saved rent by that?—Yes.

1108. Those men had to go and rent a place themselves, and constitute a place a factory to work for him?—That is possible, I cannot say for certain.

1109. *By the Hon. H. Cuthbert.*—Did many men have to turn out?—A considerable number—I have not any accurate information as to the number. An objection was raised to clause 10 by one witness; but I would like to point out that right through the clause has been simplified entirely in the interests of the manufacturers. It lessens the expenses of the manufacturers from first to last. I do not think people understand the clause.

1110. *By the Hon. the Chairman.*—They suggest the time should be stated with regard to the period of disuse?—That is so, but I would point out that a boot factory that is disused for 24 hours as a boot factory is not fit for a confectionery factory, and therefore the period can, I think, be fairly left to the justices to interpret—there has been no allegation of any injustice.

1111. *By the Hon. J. A. Wallace.*—Supposing a factory were abandoned for two months?—With a factory that was simply closed because there was no work going on there, it would be monstrous and absurd to say it was not registered, because it is still registered.

1112. *By the Hon. the Chairman.*—Supposing a strike took place, and no work was going on for three months?—Then it would still be a registered factory. There would be no period of disuse. It would be a registered factory.

1113. *By the Hon. H. Cuthbert.*—Clause 14 is very much like the present Act?—Yes; nearly all manufacturers do it, and we wish the Chinese to do it.

1114. *By the Hon. the Chairman.*—Is there any objection to the suggestion that the notice might be pulled down without the manufacturer knowing anything about it?—I do not think so. The penalty has never been enforced since the Act has been in force.

1115. You advocate passing a clause that has been a dead letter for years?—It has been a dead letter because the regulations did not give the necessary power. This sub-clause 2, paragraph (c), would be of immense advantage to the inspectors.

1116. Clause 15, sub-clause 4, says—"Notwithstanding anything contained in the Factories and Shops Acts the Chief Inspector shall publish in the *Government Gazette* for general information any such particulars contained in any such record as the Governor in Council may from time to time think it necessary or desirable so to publish, including, if the Governor in Council think fit, the name and address of any such occupier"?—There has been an objection to that. The clause was put in purely with the object of preventing sweating, and the addition of the words—"any particulars connected with sweating," or to imply that it is connected with sweating, would be advantageous.

1117. Who is to judge whether it is connected with sweating?—I suppose the Governor in Council would do that.

1118. Could the Minister arrive at a correct conclusion?—The Minister would be guided by the officers of his Department, who must exercise discretion; no inspector would lay such an allegation against a manufacturer unless he can support it honestly.

1119. May there not be a wide difference of opinion as to whether certain work is sweating or not?—Not when you take the Bill as a whole. The clause is drafted on the fact that there is going to be a minimum price; when that minimum price is ignored it would not be a hardship.

1120. A previous witness says that old Chinese cannot earn more than 10s. a week, would you call that sweating?—Certainly not, this Bill would benefit them. We would have as a foundation the Board to fix the price.

1121. Suppose an old Chinaman cannot earn more than 10s. a week?—If he were getting the piece rate it could not be sweating.

1122. Clause 5 says—"Every person who, directly or indirectly, issues or gives out, or authorizes or permits to be issued or given out, any material whatsoever for the purpose of being wholly or partly prepared or manufactured outside a factory or work-room as articles of clothing or wearing apparel for trade or sale shall be deemed to be the occupier of a factory or work-room for the purposes of this section;"

what does that mean; does not it mean that if my firm give out a lot of stuff to be made out by some factory they are responsible for everything that takes place in that factory in violation of the Act?—I take it that a firm shall exercise reasonable supervision that it is done in factories. It says in the next section—“having taken all reasonable precautions.” You would be the occupier for the purposes of that section, and supposing the allegation were made, the answer to that is that you had seen that your work was given to a registered factory, and that you took it for granted that that place was under supervision.

1123. It also says—“against committing an offence against this section,” it is certainly not an offence to issue material. A firm giving out material would have no power to deal with the record of work done outside?—A peculiar circumstance came under my notice the other day. A gentleman in Flinders-lane informed me that the whole of his work was done in a registered factory, and he gave me the name; as a matter of fact, the factory he mentioned was closed two years ago, and the whole of his work was given out. Suppose proceedings were taken against that gentleman (though I do not think an inspector would take proceedings), if it was urged—“The manufacturer has given this work to a person who alleges he has a factory, and the manufacturer has taken reasonable precautions to ascertain that the person had a factory,” I do not think that prosecution would succeed.

1124. In the meantime you have brought up an innocent firm and put them to a lot of trouble?—No Minister would allow an officer to go on in that way.

1125. I cannot quite see why the firm who supply material should be dragged into this affair?—Only to see that they take reasonable steps to see that their work is done where it is supposed to be done.

1126. *By the Hon. T. D. Wanliss.*—You want to see that manufactories are properly conducted, and that where work is done outside a permit is obtained?—Yes. I am not very strong upon this part of this sub-section. The next clause is number 2 of section 16, as to permits. Every sub-section of this clause is with the object of dealing with the sweating evil. The English reports teem with illustrations of the terrible effect of outside work in England, and here we have repeatedly had experience that it is the outside work that tends to lower wages. In the report of the Chief Inspector of Factories for 1894, Mr. Lakeman deals with the subject as follows:—“Very low prices are paid to outworkers in the tailoring and kindred trades, the workers complain with a great deal of bitterness of the low prices offered by the ‘wholesale’ houses (not the sweaters as generally understood), who say—‘If you do not care to do it, we have plenty who will gladly accept it at the prices offered to you,’ there is the bogie; that when women go to certain places to take the work they have been in the habit of getting 3s. 6d. for, they are told that someone else is willing to do it for 3s. As a matter of fact, that 3s. woman may not exist, but at the present time the woman has no way of satisfying herself that she does not exist, and the object of this section is to put them all on the same footing. The women will know that only certain persons who absolutely require the work can do it—at the present time they have no such knowledge; a woman will then know they are all on the same footing as herself, that they have got a permit.

1127. Will there be a list of permits that she can examine?—No; but when that is the law of the land, she will say—“I cannot make a living at that price, I will risk refusing it.” At the present time she dare not risk it. That woman will say—“I do not believe any one is willing to work 100 or 104 hours a week, and I will not take that work at that price,” and then the chances are the work will not come down, because once it is 2s. 6d. the next time it will be 2s. 6d.

1128. All she will know is that the woman who will take the work has a permit, but she has no means of knowing who the women are, or what are their rates of payment?—If clause 17 comes into force she will know that, but, admitting that does not come into force, the permit system will largely prevent sweating. I have been told by one manufacturer in a large way that he has every intention of closing his factory, because he says he cannot compete with a man who provides no factory, has no expenses, and gives the work out to women who can work 96 hours a week, while he is limited to 48 hours, and his ground rent costs him some £5,000 a year.

1129. Then practically the object of this is to compel all who can to work in a factory?—Yes, as far as possible, in the interests of the poor, not the rich. The actual difference in the price of a pair of trousers between starvation and comparative luxury is 3d., so the question of the consumer does not come in.

1130. *By the Hon. J. A. Wallace.*—Suppose a Board were appointed to fix prices, they could not do such a thing as that. If 3s. were fixed as the lowest price, they could not offer the hands 2s. 6d.?—They could indeed.

1131. *By the Hon. H. Cuthbert.*—If the lowest price were fixed, those people who do outside work would not be compelled to take work under that fixed minimum price?—They would to a certain extent, but I think it would be absolutely necessary to have clause 16 as a safeguard as well, because the only possible information we can have as to the evasion of that rate is from the individual. If she agrees with the manufacturer to take 2s. 6d., and has no permit, the only evidence we have is the woman herself.

1132. Suppose she has a permit and agrees with the manufacturer for 3s., what is there to prevent her returning the 6d.?—I will admit it is possible, but even then I do not believe we would come to the present deplorable state, and I believe in time the woman will regret it and will come to me.

1133. Then it is one person’s word against another’s?—It is a matter of evidence. Apparently a large number of gentlemen have come here and imagined that the framers of this Bill think that the whole of the manufacturers of the colony are seeking to evade the law. The Bill was not drafted with the idea of compelling the fair manufacturer to alter his ways in any direction. I believe there are a large number of manufacturers now paying more than the minimum. All we seek to attain is that the unscrupulous man shall not have an immense advantage over the other.

1134. Is not that the object of all laws?—Yes. As far as working 48 hours is concerned, if the law said 56, I think a man would be fully justified in working 56. The laws are not altogether to look after unscrupulous people; a man may not give his attention to sanitary matters, and they have no objection to an inspector coming and pointing out what is necessary to be done. The Bill is not aimed at a large number of gentlemen who deal fairly with their employés, though they appear to fear results from this Bill that I think could not obtain if it became law.

1135. *By the Hon. T. D. Wanliss.*—Is not this question of sweating very much worse in London than it is here?—Yes, I think so, though as far as prices are concerned we are getting very close to it, especially in the shirt finishing trade.

1136. Have they taken any steps in London similar to what you now propose to take here?—As a fact they have just passed a Bill—the inspectors are constantly asking for these powers. One inspector says—“The Sweating Commission was hailed with loud pæans of joy. A new departure was hoped for. Peace and good-will were eagerly anticipated, for a final stroke against tyranny and exaction was about to be made, but alas! what became of it? Has a single line been added to the statute-book? Has a single fibre of this gigantic root of evil been cut off? Has even a modifying principle been evolved from the costly commission as a relief to suffering humanity?” That is by Mr. Lakeman, the superintendent of inspectors in the metropolitan area of London.

1137. The British Parliament has so far not dealt with it?—No, though the inspectors have asked for it.

1138. They have not tried to remedy it by legislation, while we do?—We will try to remedy it.

1139. May we not make it worse?—I do not think so. Women cannot work much more than 104 hours a week. One of the witnesses who appeared here appeared to represent the clothing manufacturers of the colony. I have seen some of the largest manufacturers here in the city of Melbourne personally, either the representatives or the firms, who were not represented or consulted by that witness, and Mr. George appeared to represent others. They did not strongly object to this clause, except that all thought the permit system should be made more liberal. Fifteen of the largest clothing manufacturers, employing 1,644 persons, have room in their factories for 3,266. One of the allegations made is that the factories are not large enough. I think that answers it at once. They have an average room for 105 more in each factory than they have in them. The gentlemen I have not visited represent seven factories, and employ 543 hands, and they have room in their own establishments for 1,052, so I think it is absurd to say manufacturers will have to build immense additions to their buildings if a number of work-people are compelled to go in; and that shows to a certain extent that those clothing manufacturers were not properly represented by one of the witnesses.

1140. *By the Hon. the Chairman.*—Will you look at the bottom of the page, sub-clause 4 of section 16, where it says—“or who receives or has in his possession, custody, or control for the purposes of trade or sale or who sells or exposes or offers for sale any articles prepared in contravention of such provisions shall on conviction be liable to a penalty for the first offence of not more than Twenty pounds.” How can a retailer tell whether an article he has for sale has been made in contravention of the Act?—His protection is in clause 8—“having taken all reasonable precaution.” If he buys direct from the factory he knows where he is getting it, and his justification is that it is the Government inspector’s duty to see that the laws are carried out; his responsibility ceases when he gets the article from the factory.

1141. It does not say so, and why should you bring the retailer up when he knows nothing about the matter?—He can take proper precautions.

1142. All he knows is that he bought it from the warehouse?—As a matter of fact the clause does hit both, and they are both protected by section 57 of the Principal Act.

1143. *By the Hon. J. A. Wallace.*—Suppose those goods are sold by auction and a retailer buys them, should he be responsible under the Act?—I do not think I could prove that he had any responsibility of any sort.

1144. *By the Hon. the Chairman.*—He has them in his possession, and is selling them?—You can do a great many things as far as prosecution goes; but the Chief Inspector is bound to be governed in his actions by common sense. I think every person who takes reasonable precautions is amply covered by sub-clause (a), sub-section 7, of clause 15, and even without that it is not very detrimental, because I am convinced of the difficulty of getting any evidence against that class of gentleman.

1145. *By the Hon. H. Cuthbert.*—You think they would be protected by section 57 of the Principal Act, and also by sub-section 8 of clause 16?—Yes, I am convinced they are amply protected.

1146. Suppose any inspector did take proceedings under this Bill, if he did not prove his case, is he not liable to costs?—Yes.

1147. Costs have been given against the Chief Inspector before now?—They have, but no Minister will allow an officer to go on incurring costs, and before he does anything he has to get the authority of the Minister to take proceedings. In no case can the inspector act on his own responsibility—the Minister of the day must sanction the prosecution and issue a direct authority to prosecute.

1148. *By the Hon. S. Austin.*—Why not take proceedings against the man who commits the offence?—That is what the Chief Inspector would recommend the Minister to do—the difficulty of getting evidence is very great, and even if we got the evidence he is protected by these clauses, and if that is not sufficient the justices would protect him.

1149. *By the Hon. the Chairman.*—In the meantime you can worry him out of his life?—I do not think we can worry him out of his life.

The witness withdrew.

Adjourned to Wednesday next, at half-past Two o'clock.

WEDNESDAY, 29TH JANUARY, 1896.

Members present:

The Hon. Lieut.-Col. Sir F. T. SARGOOD, K.C.M.G., in the Chair ;	
The Hon. S. Austin	The Hon. J. Sternberg
S. W. Cooke	N. Thornley
H. Cuthbert	J. A. Wallace.
J. M. Pratt	

Edmond Cooke examined.

1150. *By the Hon. the Chairman.*—What are you?—I represent William Bowley and Son, clothing manufacturers.

1151. How long have you been manufacturing?—Fifteen years.

1152. Clothing only?—Yes.

1153. You have had a copy of this Bill?—Yes.

1154. Can you express an opinion upon it as a whole?—I think it is rather a new departure, but it may do good. Trade is in a deplorable condition, and it is possible that pressure will be brought to bear upon manufacturers, and they may have to pay their hands more money. Trade has been getting worse every year for the last fifteen years, and people are not paid as they ought to be; but the manufacturers, if they are not losing money, are not making any. It may possibly do good in that direction.

1155. You notice that section 3 provides that four shall constitute a factory or work-room; have you any objection to that?—No.

1156. Do the Chinese affect your trade at all?—Not in any way.

1157. Which is the first clause to which you wish to call attention?—The first one is clause 16, providing that the work shall be done in factories, and restricting the out-door work; we have no objection to that.

1158. Do you give much work out?—Very little. Our experience is that the difficulty is to get people to come inside to work. Eight out of every twelve want to work outside, especially the unskilled workers. We do some work outside; the principal work done outside are the coats done by the Jew tailors, and trousers finishing; shirts used to be done, but we do not do them now.

1159. You are aware that this permit will constitute a private house a factory, liable to be examined by the inspector either with or without the police?—Yes.

1160. Would there be any strong objection to that on the part of the private workers?—No, it is so at present; a Jew tailor works for us as a factory under the Factories Act.

1161. But as to the private houses, they are not subject to examination?—They are on the list, we keep a list of all the out-door workers, and at any time the inspector can interview them if he wishes to do so.

1162. The inspector has no power to inspect under the present Act, but, if this Bill passes, those who get the permits will have their houses constituted into factories and be liable to inspection; will the private workers have any objection to that?—I do not think so.

1163. Do you think there is anything in the statement that has been made that there are a considerable number of comparatively well-to-do persons, more particularly young women, who eke out their pocket money by taking in work from factories?—Not to any extent at all, especially of late years. Those who come for work want it, and want it very badly; they require it for a livelihood, not for pocket money, that is our experience at any rate. In some cases the poor women are keeping their families.

1164. *By the Hon. J. Sternberg.*—You have known instances of that sort in former years?—Yes, but to a very small extent.

1165. *By the Hon. the Chairman.*—Would there be any difficulty in obtaining those permits?—I do not know what the inspector would consider necessary. I presume it refers to those who cannot come in to work, such as widows, or people who mix up the work with their domestic duties. Many women prefer to keep their girls with them at home, instead of sending them into the factories. If a widow has one or two daughters she prefers to get the work out and work at home, rather than come into the factories. They can help her with the household duties and then go on with the work; they can also work as long as they like—it must be piece-work out-door. I do not know if they will be required to work only eight hours at home under the new Bill.

1166. There is no limit to that; is it true that the work being given out has an unmistakable effect in reducing the price of labour?—Undoubtedly; that is where this restriction may do good.

1167. Then, assuming this Bill passes, and the permit system is adopted, the work being given out piece-work, and there being no limit as to the hours of work, will that tend to decrease the sweating, seeing that those outside people can work as long as they like?—If the next clause is brought into effect fixing the minimum price for the work the long hours will make no difference. They cannot take out the work at a less rate than the price fixed; if they work longer hours they will simply earn more money, whereas now they have to work long hours to live at all.

1168. Then, beyond the inspection of private houses, you see no objection to the permit system; on the contrary, you think the effect will be, in conjunction with the Board fixing the prices, to establish a minimum living wage?—Just so.

1169. *By the Hon. S. W. Cooke.*—If you have to pay more, will not the goods be dearer?—Undoubtedly, that is the difficulty we are in. It will cause the goods to be dearer; the consumers will have to pay more, but a very little more will make a wonderful difference. A matter of 2s. more will be all the difference between the people getting a fair living and the manufacturer making a fair profit, and the people not being able to live and the manufacturer working at a loss. In some cases we have to work at an absolute loss, the competition is so keen.

1170. If the consumer has to pay you more he has less to spend in another direction?—True.

1171. And what he spends in another direction is employing labour?—The great mass of the consumers are the working people; if they are fairly prosperous, not well off, but earning a decent wage, all those who supply them with goods must be prosperous also. Since the depression has come about, and the work-people are so badly off, trade is something terrible.

1172. *By the Hon. H. Cuthbert.*—You are generally in favour of clause 16?—Yes.

1173. You think it will have the effect of giving a fair wage to the people taking work outside the factories?—Yes.

1174. And the effect in increasing prices will be, as you say, in connexion with a suit of clothes, to increase the price of that suit by 2s., but that will not be felt to any appreciable extent by the outside public?—No.

1175. *By the Hon. the Chairman.*—Do you mean the increase of wages by 2s.?—I mean the increase in the price of a suit to the consumer, the person who buys the suit.

1176. What is your opinion of clause 17—"Power to appoint a Board to fix prices"—do you approve of a Board being appointed to fix prices?—If it can be carried out, but there are so many difficulties in the way. We have no objection to it if it can be done fairly—it may do good in lifting trade out of the mire.

1177. Why do you anticipate there will be a difficulty in carrying it out?—Because each factory has its own system of working. If the Board take into consideration the circumstances of each factory, there will be a difficulty there.

1178. How should the Board be constituted?—I do not know. It says here—two of the employers and two of the employes, with a chairman.

1179. Are you in favour of the Governor in Council appointing the Board, or its being elected by the employers and the employés?—I should say the employers and the employés would know whom to select better than the Governor in Council.

1180. Those selected would be necessarily experts in the trade; the representatives of the manufacturers would be themselves manufacturers?—Just so.

1181. You mentioned just now there would a difficulty in fixing prices, because of the different modes of making up work in each factory; is that to a certain extent a private matter?—No, but there are so many different ways of attaining the same object. Possibly it might be advantageous to increase the number to three on each side so as to get better representation of the different methods.

1182. If you have a special method of making up your garments, known only to yourselves, would you care to submit it to your competitors in the trade?—We have no objection.

1183. On the whole, you are in favour of trying the Board conditionally on the members of the Board being elected by the employers and the employés?—Yes.

1184. Do you think one Board would be sufficient to fix prices, and also the number of apprentices and improvers, and the hours of labour?—One Board to each trade would be sufficient; each branch would require a Board.

1185. How would this Board act; supposing a dispute occurred at Ballarat or Bendigo, would the Board have to go there, or would the appellants come to Melbourne?—I scarcely think that would be required. The Board in Melbourne could do all that was required; the conditions up there would be very similar.

1186. *By the Hon. S. W. Cooke.*—You would have one price fixed for the whole of the colony?—I think so. The bulk of the manufacturing is done in Melbourne; there are only tailors' shops up the country.

1187. *By the Hon. J. Sternberg.*—You think one Board could carry out the duty for the whole colony?—I think so.

1188. *By the Hon. the Chairman.*—When once the price was fixed, do you anticipate any difficulty in maintaining the price?—The manufacturers would have to do something; say a higher rate is fixed, they would have to do something among themselves to raise the price of the goods to some little extent to meet that. It would force the hands of the manufacturers to some extent; but, I presume, the Board would be very reasonable. Times are bad, and it would be only a slight advance; so little makes such a difference to the people. The matter of 1d. or $\frac{1}{2}$ d. sometimes makes a marvellous difference.

1189. What do you think about the clauses in relation to apprentices and fourteen improvers, the Board having to fix the proportion?—We are quite willing to have them do that. It is very wrong to have so many apprentices. We are also in favour of no person being in receipt of a weekly wage of less than 2s. 6d. We never pay any one less than that—we do not have any one working for nothing. Some of the drapers, I believe, adopt that system; but we do not. Every apprentice starts at 2s. 6d.

1190. What is your opinion about the Board fixing the hours of work each day or week?—I presume it would be the same as now; we work the eight hours' system, and there is no objection to it.

1191. Is the eight hours broken at all?—No, except as to overtime.

1192. Does the provision about sleeping places affect you?—Not in any way.

1193. *By the Hon. H. Cuthbert.*—The question of overtime would come under clause 24, sub-clause 3. It says the Minister may suspend the limitation of the hours, subject to such conditions as may appear requisite to him?—The difficulty in our business is that an order comes in and is required at once, and overtime may be required right away. If you have to apply to the Minister it takes time, and that may make it too late. The English Act seems to be much more equitable and fair to all concerned. If that were adopted here, it would meet all we would require in a year.

1194. Is there very much overtime worked?—No, only at certain times; such as Cup time and Christmas, in the order department principally.

1195. You think a manufacturer should have the option by law of working overtime without having the delay of obtaining a permit and the consent of the Minister, and observing the conditions the Minister may impose?—We do not mind the conditions, though we think time and a half is quite sufficient, but we do not know when we want it; we may want it right away, and the difficulty and delay are too great.

1196. You think time and a half should be paid?—We think time and a half is too much; we prefer time and a quarter—people are only too glad to work overtime. There are certain times in the year when they lose time, and they look upon this as an opportunity of making up for it; they get a little extra money also, and they are only too glad to have it. We say—"We want to work overtime," and if they do not want to we never say they must—it is entirely optional.

1197. Is that the rule in all the factories?—I cannot say; it is so in our factory. I think time and a quarter would meet the case. Time and a half is more than we can afford at present. The medical

fees are 5s., and I have known instances where it is really more than they can pay. I think 2s. 6d. is quite sufficient; it is a very small matter for a doctor to make an examination like that. Sometimes we pay it ourselves; 2s. 6d. would meet our views entirely.

1198. Do you consider this Act should apply simply to the metropolitan districts or to the whole of the colony?—I could not say; the manufacturing is really done in Melbourne.

1199. Is there none done in Ballarat and Bendigo?—Not in the manufacture of clothing. There are private tailors' shops.

1200. You would apply the Board to the whole of the colony, and the Act to the whole of the colony?—That is what the Act says now. I have no objection to its applying to the whole colony.

1201. On page 3 it says—"The Governor in Council may from time to time and at any time make an order extending all or any of the provisions of the Factories and Shops Acts which relate to factories and work-rooms to the whole or any specified part of any shire." The Principal Act does not relate to shires; there may be factories on one side of the road under the Act, and factories on the other side of the road in a shire, which are not under the Act; the people who are under the Act complain that the people in the other factory should be under the Act?—It would be more equitable. They might try to evade the Act by that means, but that does not affect us; we are in the metropolis.

1202. *By the Hon. S. W. Cooke.*—If work is given out it is piece-work; you do not suggest giving just enough piece-work to take up, say, eight or ten hours?—If you give the work out you cannot state the number of hours they work.

1203. If they can work as long as they like, everybody will be leaving the factory and preferring to work out of doors?—Yes, a great many prefer it; a family prefer to work outside.

1204. Have you piece-work in the factory?—Yes, both piece-work and week work.

1205. With piece-work the hours are limited?—Not now; they take work home in the evening and bring it back again next morning.

1206. You would allow an employé to work in a factory during the hours allowed, and also to take home work?—I do not think they can do that if this Act is passed.

1207. If they are allowed to work at home as long as they like, the persons so working have the advantage over those who work in factories, because those in factories are limited as to the time they work?—Yes.

1208. The English Act prevents those who work in the factories working afterwards. One witness told us it was possible to give out piece-work so that it would only take the same time as if the hands were employed in the factory?—That is scarcely possible. You give out a bundle of work, and it might take them a week or a day to finish it—you cannot have any check upon them—they might work twelve hours a day at it—some are more skilful than others.

1209. *By the Hon. the Chairman.*—One witness gave evidence that in one case a manufacturer notified to his people that he would not give any more work in the factory, and they would have to take it outside, thereby saving his rent. Would that be the result of giving out work; you have not had to close your factory because you gave work out?—No; we have had a large factory half empty because people will not come in. One reason why out-door work is done so largely is because it is cheaper. Those manufacturers with large places have heavy expenses; other manufacturers have only a small place to cut and trim the work in, and they give the work out to be done out-of-doors. Those people have not to go to many expenses that we have; that is why they can undersell us; that is where this Act may do good.

1210. How can it do good if it does not stop outside work?—The permits would be given only under strict control.

1211. *By the Hon. J. Sternberg.*—What is your opinion about permits, and the Chief Inspector having power to grant them or cancel them without reference to the Minister; is that power too great?—The out-door worker is generally a widow who cannot come into the factory, or people who are lame and cannot come in. The idea of the Act is to compel the work to be done in the factories as much as possible; but there are cases in which work is given out where the people cannot come in.

1212. Under the proposed Bill, the Chief Inspector is the only person who grants the permits or cancels them; do you think there should be an appeal to the Minister?—The power of appeal would be desirable, but the Chief Inspector knows all about those matters, and would use his discretion. I do not think there is anything objectionable in that.

1213. *By the Hon. S. W. Cooke.*—Suppose you were an inspector and had to decide what were domestic duties, or bodily affliction, would you not have great difficulty?—Yes, I can see a difficulty there.

1214. *By the Hon. H. Cuthbert.*—Where a poor woman has to attend to her husband who is bed-ridden, and has to look after her work as well, in a case like that there would be no difficulty?—No.

1215. *By the Hon. the Chairman.*—Take a case where a mother likes to keep her daughters working at home?—That might apply where a young mother has a young child, not a mother with grown-up daughters.

1216. Would you compel a mother with two or three daughters to come to a factory or go without work?—No, I would not compel them.

1217. You do not think people should be compelled to go into a factory whether they liked it or not?—No, but if you leave things to people themselves they often do things that injure others. For instance, people will offer to come and do work at absurd prices to get the work at all—you cannot leave things to people themselves, you must interfere with the few for the benefit of the whole.

1218. In a case such as you have mentioned, you were asked would you be prepared to compel the mother and daughters to come into a factory, and you said "No," yet the permit could be refused at the option of the Chief Inspector?—Where it is merely a sentimental objection on the part of the mother I have no objection to compel them.

1219. There are factories and factories; are there not some factories where you would not care for your daughters to go?—I only know of my own factory, and the girls will bear favorable comparison with any girls in the community. The girls in a factory are often maligned and said to be what they are not, but I say they will bear favorable comparison with any girls in the community.

Barnett Sniders examined.

1220. What are you?—I am an importer and manufacturer.
1221. How long have you been in the manufacturing trade?—About nine years in the colony, and our family have been about 50 years in England in the business.
1222. How many hands have you employed?—100 inside, and 30 or 40 outside.
1223. You have had a copy of the Bill?—Yes.
1224. Generally, what is your opinion of the Bill?—I think if this Bill were passed as it stands at present you would shut up about half the clothing factories in the colony.
1225. What is your reason for thinking that?—The manufacturers would be handicapped out of existence altogether. I am not opposed altogether to the Bill; there are some clauses I approve of, but not so far as working inside is concerned. I might not object to the Bill altogether as it stands, as an experiment, if you were to strike out the word "inside" in clause 17. I would be prepared to accept it so far as outside work is concerned; that would remove all inside interference, and tend to improve the condition of the work outside. Under the Bill, first the inspector tells you how many apprentices you should have. We do not object to that; but then he tells you what prices to pay them, and that is why I object to in-door work interference. Then you have a Board to fix the prices.
1226. Do you object to the Board?—For inside work we do, most strongly.
1227. Why?—First the inspector tells you how many apprentices you may have.
1228. No; it is the Board that fixes that?—Then what price you shall pay the apprentices, but when the Board tells you what price to pay each hand for each particular class of work, I say what is the manufacturer in the factory for? If the Board will conduct that factory there will be no necessity to have a manufacturer at all. It is virtually out of his hands. He is not controlling his own factory. What is there for him to do, if you tell him how many apprentices he is to have and what he is to pay for each particular class of work? The Board will conduct the business for him.
1229. Would not the Board simply say that for a certain garment you must not pay less than a certain price?—No. The Board will tell you what you are to pay for each particular class of work, what you are to pay for sewing on buttons, putting in pockets, and every other class. You may assume that the Board will not do that, but you may get a Board that will do it. If you handicap the manufacturers too much there is such a thing as importing goods in this country. Not many "ready-mades" are imported now, but if you increase the prices and harass the manufacturers the importers will certainly import the goods, and then you will kill the very men you are trying to benefit.
1230. The Board would simply fix the minimum price that you have to pay?—For what?
1231. For putting on buttons say—do you think there should be a Board for that particular class of work?—I am totally opposed to it as a manufacturer. So far as our own factory is concerned, and the people we employ, our hands are very well satisfied. They are well paid and are working under healthy and good conditions and are perfectly satisfied. They are earning fair wages. I know of no sweating myself, though we have heard about it. People have to work to earn a living.
1232. You have no objection to apply the Board system to outside work?—No; I would give it a trial; it is an experiment, but it should be under very different conditions to what it is here. I do not think that such power should be in the hands of the Chief Inspector of Factories. I have very great respect for the present Chief Inspector, but I do not think power should be placed in his hands to grant permits, and there should be a special appeal against any decision he gives in all cases.
1233. If he refused a permit to some poor woman, you would enable her to appeal to the County Court?—Yes.
1234. Would that privilege be worth much; would she be able to go to the expense of that appeal?—I think, if it were a deserving case, the people wanting to employ the woman would do so.
1235. *By the Hon. J. Sternberg.*—Would not an appeal to the Minister meet the case?—The Minister may be here to-day and gone to-morrow. I think an appeal to the County Court is best.
1236. That entails a good deal of expense?—That is the danger of the clause certainly. There should be some independent person outside to decide.
1237. *By the Hon. the Chairman.*—Is the whole of the time of the 30 or 40 hands working outside employed?—I think so.
1238. Are they not occupied during any portion of their time with their families or domestic duties?—I think not; they are working for their living. So far as permitting a girl to help her mother goes, I was in a factory this morning, and a young girl came up with work. I said to her—"Does your mother take work from us; what does she earn a week?" She said—"About £1 a week." I said—"Could she do without you?" She said—"I fetch the work and bring the work home. I help my mother." The mother does the domestic duties. It would be very hard in a case of that kind if you prevented that woman having the help of her daughter; and that is one case of thousands.
1239. *By the Hon. H. Cuthbert.*—What was the age of the daughter?—About sixteen, I should say.
1240. You think, in the event of that mother applying for a permit, and that permit being refused by the Chief Inspector, it would be a hardship?—I think it would be cruel.
1241. Has it come within your knowledge that any considerable number of persons in fair circumstances take in work simply to increase their pocket-money?—Not to our knowledge. I think the people who take work from us are very hard-working deserving people, working at their profession to get a living, not for pocket-money. That is my experience.
1242. Do you think it possible for the Board to fix the lowest price for work outside?—I think so, if it seeks advice from persons interested and is guided by reason. The great bone of contention in the out-door labour has always been that it has a tendency to lower wages. It has been my experience in England that it has done so, and if we had a large influx of poor people here it would do so too.
1243. The price having been fixed would it be evaded or maintained?—I think it would be maintained; if not, the people would have to be punished.
1244. If the Board could fix the prices for outside labour why cannot they do it for inside labour?—It is so different. You are dealing with single people outside. The garment is cut in the factory and trimmed, and the bundle is handed to the woman to make, and you can say how much she will get for making that garment. Inside you have cutters, machinists, and pressers, and so on.

1245. Do you think the Board should have the power of deciding the hours of labour?—I think eight hours a day is a fair day's work.

1246. Have you heard of that being evaded at all?—I do not know about outside. We work from half-past eight to half-past five, and give half-an-hour at mid-day for lunch.

1247. How would you deal with overtime?—It occurs so very seldom that I think a little leniency should be shown to people who require this concession. I think the condition in the English Act would meet the case.

1248. Would you in every case where overtime was required apply to the inspector for a permit?—I do not think so.

1249. How would the Chief Inspector have the means of ascertaining that the 30 days in the twelve months had not been exceeded?—A record would have to be kept, and if people evaded the Act you would strip them of their licence and prevent them getting their living.

1250. Do you have to keep a record of the hours of work in the factory?—No; you have to keep a record of the work given out. There would be no difficulty in keeping a record of the time, so that people should not infringe the law.

1251. Do you approve of the clause providing that the number of improvers shall be limited by the Board?—I think so. Mr. Ord stated there were 30 factories paying no wages. I think if those apprentices were placed under some restrictions that would be overcome quite easily. No apprentice should enter a factory under 2s. 6d. a week. You might go a little farther perhaps, because when a girl had been there six months she might be turned away. You might fix the wages that apprentices and improvers should receive. This is all experimental legislation, and may be very dangerous; but, as it seems to be the desire of every one that the condition of out-door workers should be improved, it might be tried.

1252. You think that not only should the 2s. 6d. be mentioned, but there should be a graduated scale?—Yes, certainly, every six months, say for three years, and then she becomes a full-grown working woman.

1253. How can you compel an employer to keep her on?—You cannot compel him to keep her on, but if he does keep her on then you can compel him to give her a fair wage. I suggest that 5s., 7s. 6d., and 10s. would be a fair thing for the employer, and at the end of the time she gets full wages.

1254. Would you apply that to apprentices?—I do not think there are apprentices taken in clothing factories. You take a young girl at 2s. 6d., and then if she is competent her wages are raised, and keep on rising until she gets full wages.

1255. It is to the interest of the employer to keep the best of them and increase their wages?—Certainly. Those who are not competent must go to make room for competent people.

1256. You do not want the Act to compel the employer to retain incompetent people?—No, certainly not. I do not approve of fining a girl or woman 10s. if she takes out work contrary to the Act, and giving the employer three months' imprisonment.

1257. How would you punish a person?—I do not think there should be imprisonment for the evasion of this Act. If you strip a man of his licence and prevent a factory from taking in work that is sufficient. It has been explained to me that some other person might get the licence and work in the factory. That applies also to insolvency, but no one likes to go insolvent, and no one likes to have a licence taken away.

1258. *By the Hon. the Chairman.*—In other words you think the penalties are excessive?—I think they are monstrous.

1259. *By the Hon. H. Cuthbert.*—How would you deal with the 10s. fine?—Simply take the permit away after the third offence.

1260. This relates to persons who have not a permit?—If they have not a permit, and they are working continuously contrary to the Act, the fine is not sufficient. So far as this clause is concerned it seems class legislation.

1261. It might be fair enough for a first offence?—Certainly.

1262. You would increase it for a second or third offence?—I am rather opposed to taxing people who are trying to get work. I would rather make them get a permit.

1263. Supposing they are not in a position to get a permit, or a proper case has not been made out for granting a permit; they can get work inside a factory, but they will not take it, and they work outside in contravention of the Act?—Such a state of things would be impossible, because no manufacturer could give a woman work unless she produced a permit. It would only be under false pretences that she could get it. Clause 4 deals with that.

1264. That affects the manufacturer, but the person who does take the work out without a permit is offending against the Act?—Yes, but is it not unfair to give the manufacturer three months and fine the woman 10s.? The one thing I have the greatest objection to is the interference with inside work.

1265. *By the Hon. S. Austin.*—Do you approve of the weekly half-holidays?—Yes; we knock off at twelve on Saturdays.

The witness withdrew.

John C. Benfold examined.

1266. *By the Hon. the Chairman.*—What are you?—Clothing manufacturer. I represent H. Weenen, clothing and cap manufacturer, Gipps-street, Collingwood.

1267. How many years' experience have you had?—About twelve years.

1268. You have had a copy of the Bill?—Yes.

1269. What is your general opinion of it?—It is something that is absolutely necessary; we want something to improve the condition of workmen at the present time. I fancy, however, there are several clauses that want some alteration.

1270. What do you think of the appointment of Boards?—The Board is appointed to fix the wage, but as far as in-door work is concerned I think it would be almost impossible for the Board to fix the wage or proper price for work. As far as out-door work is concerned I think it is absolutely necessary that we should have a Board to fix prices. I believe the greater part of this evil of poor prices and badly paid people has been brought about by out-door labour.

1271. How many hands do you employ?—About 140 inside; we very seldom employ any one out-door.

1272. You cannot speak from practical experience of the effect of this out-door work?—Yes. I have seen a great deal of out-door work in my experience in different factories in the city. We always have an opportunity of watching the effect of a thing in our business. In years past we have given work out-door.

1273. What has been the effect of giving out work?—The people who do the out-door work, if things are a bit quiet, will come to the manufacturer and offer to do the work for a little less than he is giving. Naturally, a clothing manufacturer has to give them the work, because he knows if he does not they will go to some one else who will get the work done cheaper; then another one comes and cuts the price lower again.

1274. Those are the middlemen?—Yes.

1275. Do any of the private workers come to you direct?—Decidedly.

1276. Rather than be without work they prefer to take a lower price?—Yes.

1277. Do you think it advisable that workers should work in a factory rather than outside?—I do, but I think it is necessary to have a certain amount of out-door labour. In case of affliction, where women cannot come inside, I think it would be a great sin and shame to stop them from getting a livelihood. Permits should be granted in cases of that sort, but a very strict supervision should be kept over the issue of permits to out-door work.

1278. The permits should be issued by the Chief Inspector?—Yes.

1279. Supposing he refused, would you give any appeal from his decision?—Most decidedly. I do not think a power of that sort should be left in the hands of one man; not that I think, for one moment, that it would not be justly dealt with, but I think it would be better to have some power of appeal.

1280. Are there not also cases where domestic duties, such as the care of young children, may render it impossible for the mother to go into a factory?—I think if it was a deserving case it could be left to the inspector.

1281. *By the Hon. J. Sternberg.*—What are the class of people who work outside at present; are they people who have come down in the world or people who are making pocket-money?—I do not think many of them are working for the sake of pocket-money just now. I think it is more a case of necessity at present. I have known cases in years past where girls have done a good amount of work simply for the sake of pocket-money, but I have not noticed that in the last two or three years.

1282. *By the Hon. the Chairman.*—What would you do in the case where a mother with two or three daughters preferred to keep her daughters at home—would you refuse a permit and compel them to go into the factory?—Yes, decidedly. I think there are respectable factories, and respectable girls in the factories in Melbourne, and I think it would be better for the girls to be in a factory, better for the work, for the work-people, for the manufacturer, and for the quality of the work turned out.

1283. You would compel them to go into a factory or not have work?—Except in certain cases. I fully understand that course may create a certain amount of hardship, but our endeavour is to raise the tone of the work-people, to improve their position if possible, and if a few suffer we cannot help it. In anything we do some one must suffer, but we must look to the benefit of the majority.

1284. *By the Hon. N. Thornley.*—Where will the consumer be; will not all this tend to raising prices?—I think the prices will be raised so slightly that it will make very little difference indeed. Mr. Cooke said it might raise the price of a suit 2s.; he afterwards said a very small difference in the price of a garment would make all the difference to the worker. If you give a penny more on each garment it only means a difference of 3d. on a suit. By the time the consumer gets it it might make a difference of 6d., and the position of the purchaser would be so improved that they would be in a better position to pay that 1s. or 6d. more. It would not do to so raise the price that it would cause the price of the garment to be greatly increased, because then we place ourselves in the dangerous position of allowing the imported article to come in, which is simply putting another tax on us. From my own experience, I find the work-people in the factories are not badly paid. They work their eight hours a day, get their half-holiday a week, and they earn a fair wage as a rule. Every one in a factory knows what the others are getting; they even know what the employers are getting, and they see that they get a reasonable wage; but it is the out-door work, where Mrs. Brown is put against Mrs. Jones, and Mrs. Jones against some one else, that does the mischief, and the price is continually brought down. I feel assured that if the out-door work is stopped it will tend to greatly improve the condition of the work-people.

1285. The only sufferers would be the out-door workers?—A few of the out-door workers might suffer, but I think in time the thing would find its own level. The people who can work in factories will find room in the factories. I wish I had to extend my factory to find room for more hands; I would be very pleased to do it.

1286. *By the Hon. S. Austin.*—From your experience in factories there is nothing that any mother can reasonably object to in sending her daughters there?—No, taking them as a whole. If there is a factory that is not respectable do not let a mother send her daughters there. They are pretty well known.

1287. *By the Hon. the Chairman.*—Would you prevent by an Act of Parliament a woman working at her home after she has done her eight hours at the factory?—That is a very hard matter to solve. She would not have a permit.

1288. There is nothing in the Act to prevent her getting a permit; it would be at the discretion of the inspector?—There is a clause in the Act to stop her getting a permit. She must show just cause for having a permit; and if she is working eight hours in a factory she could not show just cause.

1289. *By the Hon. S. Austin.*—Is much work taken home by the factory hands at present?—From our own factory very little indeed. I cannot speak personally of the other factories.

1290. *By the Hon. the Chairman.*—What do you think of overtime?—I consider that a manufacturer should be allowed to work overtime. In the state of trade at the present time we have very often to execute an order in a certain time. Sometimes we get a line of clothing that may be wanted for a boat on Friday, and we receive it on Tuesday, and by the time we have received the permit to work overtime Friday has come and gone, and the line is delayed.

1291. Is there any avoidable delay in obtaining the permit?—There is always a certain amount of delay.

1292. *By the Hon. S. Austin.*—Would it not be possible to meet that by putting on extra hands?—No. You cannot always get extra hands. It is a very difficult matter to get hands. Sometimes, even at the present time, it is very difficult to get some classes of hands, slack as work is. I have been advertising for days for experienced machinists and cannot get them.

1293. *By the Hon. the Chairman.*—What has become of them?—I do not know.

1294. *By the Hon. J. Sternberg.*—Is the pay so small that they cannot make a living by it?—I fancy a number of girls who have been in the factories have gone out and are doing a little at home, and are satisfied with the work they are doing at home.

1295. *By the Hon. the Chairman.*—The effect of your idea would be to compel those who are doing this work at home to come into the factories?—Yes, if they able to work. I think there may be a certain amount of hardship about it; but it is for the benefit of the working people as a body, and for the manufacturers too.

1296. You approve of the English system of allowing manufacturers to work overtime three days a week, providing it does not exceed 30 days in the year without a permit?—No; that would scarcely suit us. We have had to apply for permits for a month at times.

1297. You can still apply for a permit?—Yes, then I would most decidedly agree to that.

1298. What about paying for overtime?—We have always paid time and a half. I have no objection to that.

1299. *By the Hon. H. Cuthbert.*—Some people say that time and a half is too much; they say it should be reduced to time and a quarter?—We have always paid time and a half.

1300. *By the Hon. the Chairman.*—Do you think one Board would be sufficient, or should there be three Boards?—I think if you had three Boards it would be very good for the Boards, if they were paid.

1301. *By the Hon. J. Sternberg.*—Would the work be very hard on the Boards?—No, except in the case of the Board that has the duty of fixing the prices. I think they will have all they can do to do it satisfactorily. I would go so far as to say it will be impossible for any Board to fix the price of any work done in the factories. Every manufacturer has a different way of doing his work, a style of his own of manufacturing his stuff, and how is any Board going to understand that man's business, and tell him what he shall pay for this and that and the other. I myself, as an experienced man, would not think of going to Mr. Sniders' factory, or Mr. Bowley's, and telling them what they should allow for a certain class of work. I consider that the employés in the factories will fix the prices themselves.

1302. *By the Hon. J. Sternberg.*—Then you consider the Board will be a dead letter?—Except as to outside work. We must have a Board for outside work. That can be fixed, but with inside work you may have one manufacturer much cleverer than another. That man can work his factory to great advantage and pay his girls good wages, but he has an improved system of putting his work through. If you tell him what he is to pay, he might just as well have no brains at all. You place every man on the same level at once.

1303. *By the Hon. the Chairman.*—How would you appoint the Board?—It is a very difficult matter to answer. If we appoint a Board of, say, two of the manufacturers and two representatives of the employés, the two manufacturers would most decidedly make the prices to suit themselves and their own style of working.

1304. As against the employer or against their competitors?—Probably against their competitors.

1305. *By the Hon. N. Thornley.*—Do you make more profit out of out-door work than inside work?—I do not know that they make more profit, but if you take two manufacturers, one has a large factory for which he pays a considerable amount of rent. He has several thousand pounds sunk in machinery, and perhaps he is running a gas engine at a certain expense. All that tends to improve the health of the workers. Another manufacturer keeps a small place, just a room sufficiently large to do his cutting and trimming, and he sends his work out to Bill, Tom, and Harry, and gets it done at a much lower price than he could get it done in-doors. That man can afford to dispose of his stuff at a much lower price than the legitimate manufacturer who has buildings and machinery and pays his hands fair wages.

1306. Then the effect of the Bill would be to dispose of the small manufacturer?—No; he has an opportunity of taking a factory and getting machinery.

1307. That requires capital?—Probably some of the manufacturers have the capital and still do this thing. It is an advantage to the workers to be in a factory, because they are able to earn more.

1308. *By the Hon. S. W. Cooke.*—Are you in favour of separate Boards for the different districts, or one Board for the whole colony?—I should think one Board for the whole colony would be sufficient.

1309. Would the price of outside work have to be altered very frequently?—I do not think so.

1310. The Board would not have to sit continuously?—No; decidedly not.

The witness withdrew.

Joel Barnett examined.

1311. *By the Hon. the Chairman.*—What are you?—A clothing manufacturer.

1312. How long have you been in the trade?—Nearly 30 years. I was in one of the largest clothing houses in London, and I have been here manufacturing about nineteen years.

1313. What is your general opinion of the Bill?—Taking the two principal clauses, 16 and 17, dealing with the clothing trade, I think instead of improving the condition of the workers those clauses will injure it, more especially the permit system, because I believe there are a larger number of hands deriving great benefits from out-door work than there are who feel it an injustice, or are under a disadvantage. I believe the latter are a long way in the minority.

1314. Would there be any objection to compelling them to go into factories?—On their part I think so. I do not know that there would be such a great objection on the part of the employers. There are a large number of married women working outside factories.

1315. How many hands have you?—About 90.

1316. How many of those are inside?—About 44. I hold that every married woman has domestic duties, looking after her home and her children and her husband. There are many women who supplement the incomes of the husbands by their work at home, and it is almost an absolute necessity that they should

do some work at home. Their husbands are only employed, in many instances, for a few months out of the year. The majority of them have children. If they are compelled to go into factories they will necessarily leave their children either in some of the crèches in the neighbourhood, or in the care of the neighbours, or the other members of the family, and I think that would be very wrong. I do not think their condition would be improved by coming inside factories. I think it will do them harm.

1317. In what way?—The majority of them could not possibly come in, and a large number of the unmarried girls will not come in under any circumstances, so you compel them to lead a life of idleness. If it improved them in any way I would advocate their coming in, but I do not think so. They do not work any longer hours than those inside, neither do they get less pay. So far as those restrictions upon the industry are concerned, I think it all hinges upon the question of wages. If the hands were paid better I do not think we should have heard anything about this Bill at all. We have never yet had any definite understanding with regard to the cause of this thing. Personally, I think sweating comes from the high duties.

1318. Do you think so much work being done outside has had the effect of reducing wages?—I hardly think so. I think it is a question of supply and demand. It is the old thing over again. If two men want one master the price goes down; if two masters want one man the price goes up. The Bill might do something to improve their condition, and prevent prices going lower, but under existing circumstances I do not think they are so badly paid. It would appear the evidence taken in regard to this sweating has been taken in a very haphazard way. You have no facts or statistics to prove anything, only a few isolated cases where you find people working for low wages and long hours at night. The information you get is not always from the most reliable source. As far as the hands are concerned, you frequently find among the people earning the highest wages the most squalor and poverty. I was asked by some charitable ladies to give an old lady, some 65 years of age, a little work to do. I told them this woman was very incompetent; she could not do the work. They said—"Out of charity's sake give her a few garments, that she may earn a few shillings." And when I consented this old lady could not make more than 5s. a week. If the gentlemen who investigated this matter had come across this old lady, and she had told them she was 65 years and could only make 5s. a week, that would be a splendid case for the agitation at once.

1319. *By the Hon. N. Thornley.*—What is the average pay of your outside workers?—£1 to 25s. a week, that is for eight hours a day. If I were to place on this table a coat that I paid 1s. 6d. for, an inexperienced person looking at it by the side of a coat that I paid 10s. for would think it was a dreadful thing to pay such a price, but the workers themselves would probably prefer to make that for 1s. 6d. to making the other one at 10s. My idea is that the manufacturers themselves, in all the different industries, should meet and discuss these things, thrash out all the details of the question, and endeavour to settle it; and I believe they would do so. The most of them are honorable men who desire to do right to their employés, and to arrive at a minimum price; but even with a description of how the article is to be made, an unscrupulous man may give the minimum price for an article and get the largest amount of work he can. Having fixed the price they could then ask Parliament to legalize it. It must be better for it to come from practical men than from a Board who know nothing about it.

1320. *By the Hon. the Chairman.*—The evidence so far is in favour of a Board being appointed by the masters on the one hand and the men on the other?—Yes; but under this Bill it takes in the tailoring establishments of Collins-street, where they make the best work, and the tailoring establishments of Bourke-street, where they make second-class work, as well as the factories. If a tailor of Collins-street were on that Board he could not arrange a schedule of prices for my factory. Then again, a garment made in a clothing factory passes through some five, six, seven, or eight different hands. Each portion is paid for separately. If that was paid for at piece-work rate the Board would have to arrange a price for each portion of that particular garment.

1321. The hands in the meantime being paid weekly wages?—No, piece-work.

1322. *By the Hon. J. M. Pratt.*—Is your's principally piece-work?—Yes.

1323. *By the Hon. the Chairman.*—Would not the cases you refer to of private working where a woman is engaged in domestic duties, and can only give a portion of her time to working, be met by this portion of a clause in the recent legislation at home—"The exercise in a private house or private room by the family dwelling therein, or by any of them, of manual labour for the purpose of gain in or incidental to some of the purposes of this Act in that behalf mentioned shall not of itself constitute such house or room a workshop where the labour is exercised at irregular intervals and does not furnish the whole or principal means of living to such family." Would there be many such cases where it does not constitute the whole or principal means of living?—I do not think so. I am almost sure, from my experience, that the majority of them work to live only. It is not a question of supplementing their income for luxury; it is a question of working to live, of working for their bread and butter. I feel certain if that right was taken away from those people they would of necessity become a burden to the State in some shape or form.

1324. That would apply as far as a married woman was concerned, her work would necessarily be at irregular intervals?—Yes, and for that reason you cannot arrive at any conclusion how long a woman has been at work. If an inspector went into the house of a woman at ten o'clock at night and found her working he might conclude that that woman had been at work all day; but she might not have commenced until after tea; or she may have been idle all day, and not done anything till eight o'clock at night. I have questioned my hands, and I find most of them do not work more than eight hours. Some do work more than eight hours, but they earn more money; they earn what I consider more than a fair wage.

1325. Will this Bill prevent that?—I do not think so. I think the Bill is surrounded with some danger to the manufacturers. A woman may apply to me or my clerk for work, and he would ask her—"Have you got a permit." She presents a permit and that is sufficient, but she may possibly have borrowed that permit. There may be two or three in the same family of the same name, or she may have a neighbour with a permit, and a woman with three or four children dependent upon her does not scruple about a thing of that sort. This thing may occur a dozen times in a week, so I am afraid we should all be in gaol in six months.

1326. *By the Hon. H. Cuthbert.*—Look at sub-clause 8 of section 16, that is a saving clause for you?—Yes, but we might not be able to prove it to the satisfaction of the inspector.

1327. It is to the satisfaction of the court of petty sessions; would it not be a reasonable precaution if a man said—"Where is your permit" and the permit is produced?—There is only my clerk's word against

the woman, and there may be collusion. The clerk may be charitably disposed, and give the woman work ; and in all that there is danger to the manufacturer. I do not doubt that the inspector would deal fairly, but I do not think the Department would have time to investigate the cases where a woman applies. Surely out of the hundreds of workers it would be putting a very heavy duty on the inspector or his officers, to investigate every case in the way you should do when you take away a woman's right to live.

1328. *By the Hon. the Chairman.*—You are not in favour of permits?—No ; nor in favour of anything which puts such a terrible restriction on trade. Most of us know that the industries here, especially the clothing industries, are in a languishing condition at present, and all those restrictions would interfere with firms coming here to start any enterprise ; they would object to be governed by a Board in conducting their enterprise. My fear is that the present state of things will get worse, and I want something done to prevent it getting worse.

1329. How would you do that?—The manufacturers in each particular industry should find some means and then ask the Government to legalize it.

1330. Were the manufacturers consulted by the Government before this Bill was drafted?—I do not think so.

1331. *By the Hon. J. M. Pratt.*—When trade is depressed would not the manufacturers meeting and determining prices mean a limited employment?—Not less employment, but better pay for it.

1332. The men would have better pay for the time they do work, even if they worked less?—Yes ; in endeavouring to have a minimum wage, the employers would be better able to do it, because they would have the technical knowledge of the details. It is quite possible that women might borrow permits, because I have known them to borrow garments of a superior make and present them as their own make.

1333. *By the Hon. the Chairman.*—What is your opinion as to overtime?—I think an employer should be compelled to pay his employé time and a half, and give them tea money. That would be sufficient protection for the employé, and also prevent his working some too much and others too little. The fact of the employer having to pay time and a half, and having to give them tea money, would deter him from doing so if he could get extra labour during the day by taking on those who are out of employment.

1334. Would you be in favour of an Act that required you to apply for a permit every time you worked overtime?—Certainly not, because in that case the necessity for the overtime may be gone before you get the permit. We sometimes get orders for Western Australia to be ready for a particular boat, and if we had to wait for a permit the boat might be gone.

1335. Would the English clause meet the case, giving the right to work without a permit three days a week, not more than 30 days a year?—Yes, I would say they should not work more than six hours a week overtime. I am quite certain that if an employer has to pay that extra amount of pay for it he will not employ them overtime if he can get more labour. I think that would protect the hands.

1336. You think it would not require three days a week?—No ; I think that would be too much. If you work hands too long at night they cannot work properly the next day. You have to burn the gas and fuel, and there is no profit. One day a week of eight hours would be ample. I think six hours a week is quite enough.

1337. What about limiting the number of apprentices and improvers?—I hardly know how to answer that question. I do not think a man should be allowed to employ any number of apprentices, because he has an advantage over one who does not employ them. I think there should be a limit to the number of apprentices.

1338. *By the Hon. N. Thornley.*—What has been the effect of out-door labour on the inside labour?—I do not think it has had any injurious effect upon it. The factories are always open to those hands who like to come in. With the tailoring trade there are a large number of tailors' shops who only have room for four, five, or six men inside and the equipments of their trade ; those tailors might require a dozen men, and might have to leave their premises if they had to bring them all inside. There are also men in delicate health, who may get a very good wage for making coats outside. I know a man who can get 30s. for making a coat. He takes it home and makes it at his leisure. If he does not feel well he can lie down, and go on again when he feels better. He has not those advantages in a tailor's shop.

1339. That would be a case where he would have a permit?—I do not think he would get a permit ; he is not prevented from working by bodily affliction, though he may be a delicate man. I know one or two instances of first-class men who look out only for the best work and do it at home.

1340. You do not think the outside work has any injurious effect upon wages earned inside?—I do not think so. I do not pay the out-door hands any less than I pay the in-door ones. I have only one class of work made inside my factory. In the appointment of a Board, the Board may fix the prices so high that we will not get any work to do. If we have to charge the warehouses an increased price on these garments, they might find it to their advantage to import them. With regard to the number of Boards, I think there should only be one Board for the whole of the colony.

1341. The Board would consist of manufacturers, and they would not care to kill the trade?—They would be gentlemen appointed by the Governor in Council.

1342. Would you prefer their being appointed by the Governor in Council, or by the manufacturers and the workmen?—Undoubtedly the latter ; but I am of opinion it would be utterly impossible for them to act ; the difficulties are really insurmountable.

1343. The customer really determines the price ; he will not buy at a price beyond what he can go?—Exactly. A Board might make the prices so that the warehouses would not take the articles. They would say—“ We will have no locally-made clothing at all ; we will import it.”

1344. You have only to put the price up enough to compel them to import?—Yes. The reason I would have a Board for the whole of the colony is that there would be a danger in the districts where the woollen mills are. If you had a Board in Geelong, the Board in Geelong would fix the prices much lower than the Melbourne Board, and it would pay to make the clothing up in Geelong, Ballarat, or Castlemaine instead of having it made here. If the price were made lower in Geelong or Ballarat, where the tweed was made, they would have an advantage over Melbourne, and could produce the garments at a much lower rate.

The witness withdrew.

Adjourned till half-past Ten o'clock on Friday next.

FRIDAY, 31st JANUARY, 1896.

Members present :

The Hon. Lieut-Col. SIR F. T. SARGOOD, K.C.M.G., in the Chair ;	
The Hon. S. Austin	The Hon. J. A. Wallace
H. Cuthbert	W. I. Winter-Irving.
N. Thornley	

Henry Fowler examined.

1345. *By the Hon. the Chairman.*—What are you?—A tailor, and secretary of the Tailors' Union.
1346. Have you seen a copy of the Bill?—Yes. I have looked through it.
1347. What is your opinion generally of the Bill?—I paid more attention to the part that refers to our own trade than to any other. Our society particularly wish for a clause providing that all work should be done on the premises; no permits to be given under any circumstances.
1348. What is to be done with those who cannot come into factories?—In our trade, the respectable portion of it is different from factories. There are no old women or widows who want to work outside. We deal with the best trade, and we have nothing of that sort to contend with. It is simply men who are able to work in shops, and we wish them to be compelled to work in them.
1349. You wish to compel the employers to provide accommodation on the premises whether they have it now or not?—Exactly.
1350. But if they have not got it?—There are some who have not got the accommodation on the premises, but they get it away from the premises—the best part of them have it. Some of them get nearly all the work done out, and let the top part of the premises for offices.
1351. If they have not got the accommodation on their present premises they will have to rent premises?—Yes, just as some of them do now. In our society, if any of the members are sick and not fit to work in a shop, and prefer to work at home, we consult with the employer to see if he will allow it, and if so, we allow the man to take the work home for a time to see if it will do him any good—that we could regulate between the employers and ourselves. As a rule, those who have the work done upon the premises do not care about giving any out—it would be only under extraordinary circumstances they would do it. In those isolated cases we would allow permits.
1352. Who would have to judge of that?—The men and the employers.
1353. You go outside the law?—Yes, we would not care about touching the law. It has been the system since the establishment of the society, 23 years ago, and it always worked well. The privilege has always been granted where it could be proved that it was requisite.
1354. *By the Hon. H. Cuthbert.*—How is the trade carried on now as a rule?—We have a log to work by, which log has been established for 23 years. I have one with me now. It has never been changed, and has given entire satisfaction to both employers and employés. There are some trifling things we could alter, but both sides are afraid to touch it; they prefer it to remain as it is. I have never worked in a place where I was requested to work for a halfpenny less than the log. After it was signed we met the employers at the Athenæum, and it was requested by the employers that I should call the union men together in the course of a twelvemonth to see if anything wanted revising. I wrote to all parts of the world for logs, and got logs from them. I wrote to the employers asking them to meet us, and I received an answer back that they were perfectly satisfied with the log and did not wish it touched, and it has never been touched.
1355. Are the prices as good now as they were 23 years ago?—We have three prices, so that three classes of employers could adhere to them—10d., 11d., and 1s. per hour. The common class of trade in some of the firms has been reduced to 10d., but the best is still 1s.; and I presume, as soon as the effects of the "boom" are over and things get busy, it will revert to the old price.
1356. Do the employers find accommodation for the tailors?—Everthing that is required.
1357. There has been no complaint?—None, as far as I hear.
1358. So far as your trade is concerned you do not want any alteration in the present arrangement?—There are a good many of the shops that do not belong to the society who are able to pay log prices, but just at the present time they do not. A good many of them give the work out, and we wish them to be compelled to have the work done on the premises. One or two of the respectable shops give a man or two work out, and we wish them to be brought in also.
1359. *By the Hon. the Chairman.*—What is your objection to the work being given out?—The cheapness; the log is not kept by them. One firm, about a twelvemonth ago, broke up their establishment; they belonged to this log from its commencement, and they sent every bit of the work out. Some of it was made in such a questionable place that it would open your eyes if I mentioned it; the things were for one of the judges of the court—the wages were reduced nearly one-half by a firm that is able to pay as well as any firm in town.
1360. Did they require the space for any other portion of their business?—No, they put the very worst trade that they can make up in it—the slops. There was room in other parts of the house, which were empty, so the men inform me. I waited upon one of the employers of the firm, and he told me the wages would not be touched; "in fact," he said, "we would rather give them more, as they have to buy their own firing and pay rent," which costs a man on an average 3s. 6d. a week, but at that very time the man must have known it, that the men were sent away to be paid nearly half less than they would have got if they had finished the work in the shop—that is one thing that could be stopped.
1361. *By the Hon. J. A. Wallace.*—You work under the union?—Yes, all the respectable trade in town do. Some of the others would do it, but it has been a hard struggle with some of the little employers, so we have not interfered with them. The last year or two they have had as much as they could do to keep going.
1362. *By the Hon. the Chairman.*—What do you think of the appointment of Boards to regulate prices?—We have been always able to regulate that ourselves. It is only this cut-throat business of men taking work home, and getting their wives to help them, that hurts, because they can do it much cheaper than we can. We have to work certain hours in a shop, and take a certain time for meals.

1363. Are you in favour of a Board being appointed to regulate prices?—We have been always able to regulate that ourselves.

1364. *By the Hon. J. A. Wallace.*—You do not want to have anything to do with the Factories Act?—Yes; we took it up first to get the poor women done justice to. It is our society that has been the prime mover in it. The horrible cases we found when we went round some years ago were enough to make your hair stand on end. At the same time we wish a clause in to compel the work to be done on the premises.

1365. *By the Hon. H. Cuthbert.*—What class of cases do you describe as horrible?—I went into one house where a child was lying ill of a fever. The man and woman were working, making a pair of trousers for a very respectable shop; they brought the child out in a cot and put it alongside of them, so that they could attend to it and give it a drink. It was a very particular friend of mine, and a very clean house, but there was the fever, and the trousers were laid across the cot, ready to be taken up and used again, with a ticket on them showing they were for a Member of Parliament. Every garment that we get has a ticket on it showing how it is to be made, with extras and so on. The log starts at a mere nominal thing and runs up with the extras to a good sum.

1366. *By the Hon. the Chairman.*—As far as you are concerned, you do not see any necessity for a Board?—Yes; I would not object to a Board. We have been able to manage it ourselves so far, but I think the Board would have a little weight with it.

1367. Should that Board be appointed by the Governor in Council or by the employers and employés?—I think the latter would be the best.

1368. *By the Hon. H. Cuthbert.*—They would very likely adopt those prices that have been in force for the last 23 years?—Yes, I have worked under them for 23 years.

1369. *By the Hon. the Chairman.*—What do you think about overtime?—It is very seldom we have overtime.

1370. *By the Hon. H. Cuthbert.*—You do not object to overtime?—We rather object to it, but we are compelled to do it at times. Our trade is a very precarious one. A gentleman may order a garment and arrange to come in to try it on at a certain time. He is not very punctual in trying it on, but when he does, he is particular about having it done in a particular time, and the employer is very anxious to get it for him.

1371. Is it not an advantage to the workman to have an extra rate for overtime?—Yes, I think that would stop it a good deal.

1372. *By the Hon. the Chairman.*—What rate would you have?—Time and a half would stop it altogether.

1373. Would you limit the number of hours in the week that overtime may be required; are you familiar with the Imperial Act on the subject, that provides that without any permit an employer may work three days in the week in any one week, but not more than 30 days in any twelve months?—That would be extended over any part of the week that he liked to get it done.

1374. It is optional, but not more than three days in any one week?—Yes.

1375. *By the Hon. H. Cuthbert.*—If there were three consecutive days, you see no objection to that?—No.

1376. *By the Hon. the Chairman.*—Can you say anything about apprentices and improvers?—That is a thing most of the employers set their faces against. Some shops have apprentices and others engage them week by week, but I do not think it works well. As a rule apprentices are not taken, they are in some places where the small masters can pay attention to the boys, and when they are out of their time they get drafted into the big shops.

1377. Do you mean for the "bespoke" trade?—Yes.

1378. Then apprentices are necessary?—Yes; there must be apprentices or there would be no men after a time.

1379. Would you allow this Board to limit the proportion of apprentices and improvers?—Yes, that would do no harm.

1380. *By the Hon. H. Cuthbert.*—Have you improvers in your trade?—Yes, but as a rule the employers do not care about them; they will allow it at times, but they receive no benefit from it, that is the large employers.

1381. *By the Hon. the Chairman.*—Does clause 22 affect you?—No, we would not be allowed to sleep in our place.

1382. Is there anything else you wish to refer to?—No, except as regards the Factories Act. I do not think you can make it too stringent. As to this fine feeling shown to widows and so on, that is mere nonsense. Why do they not care for them now when they have a free hand?

1383. Who are "they"?—The factory holders. Whenever they can get a young woman the old one goes. I have never seen any fine feeling where the old ones are concerned; it is a myth in all cases.

1384. Unless permits are granted a certain class of work-people, widows, or mothers with a number of children, would be absolutely prevented from working?—You would want a strong supervision over them.

1385. Would you prevent them having permits altogether?—No, but have it under a very stringent rule. We have felt that they have been used as a means of reducing wages for those inside. A man can send the work out and get it done for So-and-so, that is the cry, and if there were a little restriction put upon that, it would help them to get a little more money than they have been getting. If you look over our log you will find it a very perfect one; there is no grumbling about it by the employers.

The witness withdrew.

Samuel Harrison examined.

1386. *By the Hon. the Chairman.*—What are you?—Secretary of the Cutters and Trimmers' Association. I have had a copy of the Bill and have looked through it.

1387. Does the Cutters and Trimmers' Association refer to the "bespoke" trade?—The union is for stock cutters; that is the ordinary slops. I myself am not a slop cutter, but I am in the union. I consider the Bill to be a huge advance in the right direction, more than anything we have ever had before.

1388. What do you think about the Board?—If they are practical men and take into consideration the conditions which obtain in the different factories (the work being done in such dissimilar modes by the different factories) they can arrive at a decision, but one minimum would not do for the different factories.

1389. They would have to give varying prices to the different factories?—Yes, according to the mode in which the work is done.

1390. For the same article?—Yes.

1391. How would you have uniform prices?—You cannot have that unless you arrange uniformity of work. Take trousers finishing, in one factory they would be worth 5s. a dozen to finish because very little is done by the machine. In another factory it would be nearly all done by machinery, so the cost would be much less.

1392. *By the Hon. N. Thornley.*—What would the difference be in money?—In the one case it would be pretty nearly all making the trousers by hand.

1393. *By the Hon. H. Cuthbert.*—Assuming the two cases of the work being done by different factories in different ways, in one case you would have one set of prices where a great deal of the labour was done by machinery, and in the other case a different set of prices?—Yes, they would have to have a different set of prices for the two factories—no two factories work the same—the methods of doing the work are absolutely different.

1394. *By the Hon. the Chairman.*—Apart from the question of doing the work in a different manner, does the finished article come out about the same price?—Yes, I think so; it might come a little cheaper where the more machinery was put into it.

1395. There would have to be two or more prices, according to the facility of making it?—Yes.

1396. *By the Hon. S. Austin.*—Would it be possible to get a competent Board to fix the prices satisfactorily to all parties?—It would be very difficult to satisfy them all, I suppose.

1397. Or to arrive at anything like a fair thing?—You could fix the lowest price at which any one should work at a weekly wage; all the machinery work is done by wages.

1398. *By the Hon. the Chairman.*—Would not the same principle apply in the boot trade, and yet they have a log right through there?—I am not well acquainted with the boot trade.

1399. The Board might have to fix varying prices for each factory?—Yes, through weekly work they might be able to establish the prices.

1400. *By the Hon. S. Austin.*—Where machinery is used you could arrive at the wages by seeing how many hours an employé was engaged in making a certain article, and fix the price according to the number of hours?—That is the only thing you could do.

1401. *By the Hon. the Chairman.*—You said this Bill would be a huge advance on any previous legislation, now you are staggered at the vast difficulties in connexion with the fixing of prices?—Taking the Bill as a whole, it is a huge advance. There might be some little details that might be altered.

1402. Do you call fixing the prices a little detail?—Fixing the prices is the only thing.

1403. How would you fix the prices?—By the parties concerned, the employers and the employés.

1404. What ought to be the strength of the Board?—Five altogether would be ample; two from each side and a chairman.

1405. Would one Board be sufficient for the whole colony, or would you have Boards in separate districts?—A thing might be satisfactory in Melbourne, but if it were done in Ballarat or some other centre, the same Board would hardly be able to arrange it; the conditions would be quite different.

1406. Suppose a Board at Ballarat fix a different price to the Board in Melbourne, how can you prevent a manufacturer at Ballarat selling to merchants or retailers in Melbourne?—That is a contingency that is not likely to arise.

1407. Then put it the other way?—Where the labour is most numerous they will always be able to manufacture under better conditions.

1408. You recognise the possibility of different logs being fixed by different Boards in different districts?—Yes, I would expect a different salary as an order cutter in Ballarat or any other place to what I get in Melbourne. I would not go for the same salary as I would work for in Melbourne.

1409. *By the Hon. H. Cuthbert.*—Why would you expect a larger wage?—I would consider the advantage of living in the metropolis is so much greater.

1410. On account of the amusements about Melbourne?—No.

1411. Then where are the advantages?—A man has a chance of changing from one position to another that he has not in the country. When a firm in the country want a man they want him from the city. They will not take him from a shop in the same district.

1412. *By the Hon. J. A. Wallace.*—Do they not generally take less salaries in the country than in town?—I do not think so, unless a man is compelled to go up country and cannot get anything to do in town.

1413. *By the Hon. the Chairman.*—Should the same Board deal with prices, hours of labour, and apprentices and improvers, or would you have one Board for each?—No, I think if a Board were appointed at all they could deal with all the subjects, but I am totally opposed to improvers.

1414. Why?—Because they very frequently take a billet from a good man. I know in the stock-cutting, when the union was flourishing, that was one of the principal things that we arranged, and the employers could see the justice of it, that there should be no improvers, only apprentices and journeymen. When the apprentices were out of their time they became journeymen. The improvers were allowed to remain for twelve months, and after that there were to be no more improvers.

1415. Has that been observed?—Until recently it was, but things have got so bad that there was no use in trying to insist upon anything—things have to take their course.

1416. Under the present subdivision of labour, an apprentice does not necessarily learn the trade?—No, but an apprentice will have to. In making coats no one will apprentice a girl to sewing on buttons or making sleeve heads only, but if she went as an improver she would be put to work that she could do best; if they go as apprentices to making coats they have to be taught coat-making right through.

1417. What do you think of permits for outside work?—I believe as much work as possible should be done inside.

1418. What does that mean?—All possible work should be done inside a factory.

1419. Who is to judge whether it is possible or not?—I do not think the men giving the work out should be allowed to give it out except in a few cases. I am not opposed to permits as suggested in this Act.

1420. Who is to decide as to the advisability or otherwise of the work being given out?—The employers would have to have their say in it.

1421. Who else?—It is very hard to say.

1422. Put yourself in the position of a manufacturer who has a lot of work to be done?—I should have it all done in registered factories. If I had not sufficient room, I should have to send it to another registered factory, which could hardly be called outside work.

1423. Supposing you felt in connexion with your business that it was better to put a certain portion of your work out, whom would you like to decide as against your opinion?—If I considered that, I should want to decide myself, but I would not want to give it out.

1424. Some do?—Then they would want to decide, I suppose.

1425. You would not allow the Chief Inspector to step in and say—"I will not allow you to give that work out; I will not give permits"?—The work should not be given out to any one who has not a permit.

1426. The question is—"Shall any one step in between the manufacturer and the workman outside and say—'No, I decline to give that outside work a permit, I think it ought to be made in the factory'?"—If the inspector declines to give any one a permit, the factory-owner cannot give work to that person.

1427. Then the inspector should be the judge whether the work should be done inside or without?—Yes.

1428. Is he the best person to judge?—There will always be some persons who have permits, and if any of those people apply and an employer wants to give the work out, there is nothing to prevent it. The inspector cannot say—"You shall not give out the work to a person who has a permit."

1429. *By the Hon. H. Cuthbert.*—The intention of the Act is that the work, as far as possible, is to be done in the factory; do you approve of that?—I do.

1430. If work is to be done outside a factory, it is only to be given to those who have permits?—Yes; I am heartily in favour of that.

1431. Do you think the clause as to the granting of permits confers too great a power upon the Chief Inspector?—No, I do not; I think it should remain as it is.

1432. But if some person were aggrieved at the refusal to grant a permit, do you not think there should be an appeal from his decision?—Yes.

1433. To the court of petty sessions?—Yes, I would not oppose anything like that; the inspector may occasionally make a mistake.

1434. *By the Hon. the Chairman.*—Do you think some poor woman who has been refused a permit would be able to apply to the court of petty sessions?—Why not apply to the Board, and let the Board review the decision?

1435. Does the clause about sleeping places affect your trade?—I do not think any one should sleep in a factory room; I think that is a wise provision. It is necessary to have some one sleeping on the premises occasionally, but it is not necessary in the work-room. They want a proper room for their sleeping accommodation.

1436. *By the Hon. W. I. Winter-Irving.*—In the case of people doing work outside, would you allow them to do that work in their own rooms?—Yes, but it should be under the supervision of the inspector, the same as a factory.

1437. Suppose a mother and two daughters have work, would you put them under the supervision of the inspector?—I do not think a mother and two daughters should work at home; the daughters should go and work in the factory. The inspector would not give a permit to a mother and two daughters to work at home. It would be only motives of pride that would keep them there.

1438. *By the Hon. J. A. Wallace.*—How many should constitute a factory?—I would like to see one made a factory and come under the operations of the Bill.

1439. You would not allow any work to be done outside without the place being a factory?—No.

1440. When a man takes out so many garments to make up, he is not a factory?—He cannot take them out unless he has a permit if this Bill is passed, and then he must be under the Act.

1441. The inspector has no supervision over any number under four?—But there are penalties here for any one who has a permit; if a man takes out a permit he comes under the operation of the Bill.

1442. *By the Hon. the Chairman.*—The only exception is domestic duties or bodily affliction?—Yes; I think that is a very good provision.

1443. You think it better that they should be compelled to go to the factory, though a mother might prefer to keep her daughters under her own eye?—Yes, in their own interests and the interests of the workers generally. I think it would have been a better example of British fair play if all citizens of the colony were treated alike; and if Chinese and Europeans were compelled to obey the same laws that we do, it would be quite sufficient.

1444. Which do you take exception to?—Limiting the specific hours they must work, and making one a factory.

1445. Suppose in your trade you had met with the same competition from the Chinese as the furniture trade say they have, would you still be of that opinion?—I think if the Bill were positively enforced, and they were compelled to obey the rules the same as other people, it would meet the case. They are citizens here the same as the rest. They have their votes, and have complied with all the conditions, but still they are to live under different laws.

1446. *By the Hon. H. Cuthbert.*—The furniture manufacturers do not want to be placed in a better position than the Chinese?—They place themselves in a better position; the Bill makes the difference.

The witness withdrew.

Daniel Brown examined.

1447. *By the Hon. the Chairman.*—What are you?—Draper's assistant in the firm of George and George, Collins-street.

1448. Have you been long in the trade?—Twenty years.

1449. I understand you want to call special attention to clause 38?—Yes, and to clause 51. As requested by the Committee, I have prepared in writing a few objections that we have to those clauses—*[reading the same as follows]*:—

Clause 51 of the Amending Bill provides a weekly half-holiday for the shop assistants, this clause does not compel the shops to close on any afternoon of the week, but it is unlikely that the shopkeepers will let their assistants off in detachments; it is more probable that they will combine and take advantage of clauses 47 and 48 of the Principal Act and clause 38 of the Amending Bill, which forces the municipal council to make a by-law fixing a certain day in the week as the afternoon in each week which shall be observed, provided that a petition signed by a majority of the shopkeepers affected thereby shall be presented to such municipal council. I represent some 3,000 assistants who are employed in the principal town houses that close on Saturday afternoon at two o'clock, and who view with some anxiety the possibility of the present weekly half-holiday being changed to some other day in the week through the operation of clause 38 of the Amending Bill. As the shops that at present have no half-holiday would considerably out-number the shops which close on Saturday afternoons at two o'clock, we are decidedly in favour of the saving clause proposed by Mr. George, which exempts the two-o'clock Saturday shops from the working of the by-law of the municipal council. Many reasons can be advanced to point out Saturday as the most suitable day for closing, The business arrangements of the principal retail town houses would be upset if any other day in the week were selected, as their customers are now educated up to the two-o'clock Saturday.

Twenty-four years ago the Early Closing Association was enabled to secure the Saturday half-holiday for a large number of town houses in several trades, such as drapery, tailoring, furniture, ironmongery, booksellers and stationers, as the result of a general feeling for a Saturday half-holiday arising from its being observed in banks, government, insurance, law offices, &c., this, with the fact that cricket and other sports were arranged for Saturday, induced those shopping on Saturdays to do so in the forenoon, and by the efforts of the Early Closing Association, by public meetings, lectures, open-air meetings, concerts, &c., the general public were led to see the importance of the movement.

We are very pleased that our fellow employes should enjoy a half-holiday in the week, and they may have it on any day they choose without interference from town employers. It would certainly be better if they could have it on Saturday, but at the present moment that is unlikely, as a large portion of their trade is done on Saturday afternoon and evening, owing to the fact that their trade depends to a large extent upon the weekly wage community who do their shopping on Saturday. I should also like to point out that the present relations that exist between employer and employed are so satisfactory that the assistants view with a certain amount of fear the stringent legislation proposed, which tends to strain the pleasant relations that at present exist.

We think that the Saturday is in danger and we want to safeguard it.

1450. You do not want to have any interference with what has been carried on for the last 24 years?—Exactly.

1451. *By the Hon. H. Cuthbert.*—Is not the closing on Saturdays confined to the city of Melbourne?—Entirely, I think.

1452. Then it is not likely that the city council will make a by-law which would have the effect of repealing that custom which has sprung up?—They could easily get a majority of shopkeepers in any particular case to petition the town council to make this by-law. The shops that do not close on Saturday afternoons are in the majority. I think Carlton also comes in the municipality of Melbourne, which would give them more votes still; that is all I have to say.

The witness withdrew.

Thomas Freeman examined.

1453. *By the Hon. the Chairman.*—What are you?—Manager of the linen department for Buckley and Nunn.

1454. What is your view in connexion with this Bill?—I think what Mr. Brown has said covers all I have to say in the matter. I very earnestly protest on behalf of the employes of my firm and other firms that this clause should not be carried out. We desire to have the Saturday half-holiday preserved to us.

The witness withdrew.

Miss Margaret G. Cuthbertson examined.

1455. *By the Hon. the Chairman.*—What are you?—Inspector of factories.

1456. Your duty is to go round the various factories?—Yes.

1457. How long have you been in that position?—One year and nine months.

1458. What experience had you before that?—I had not any experience in this kind of work.

1459. Did you know nothing of the factory work?—I was for two years in the clerical department of one of the largest factories in Melbourne—I gained a general knowledge of the factory work throughout.

1460. Is two years sufficient to give any one a thorough knowledge of the intricacies of the factories?—Not a thorough knowledge, but it has helped me considerably in my present duties.

1461. What have you to say in connexion with the matter of permits?—I think the clause with regard to permits is a very good one as it is framed at present.

1462. You do not think it too stringent?—No.

1463. You would limit the permits to those who are prevented by domestic duties or bodily affliction from working inside a factory?—Yes, because if you go any further I think you would have to give them to everybody.

1464. Do you think there are many workers now who are working at home simply to supplement their pocket-money?—I have met them.

1465. Lately?—Yes, lately.

1466. What led you to think they were doing so?—They told me.

1467. Do you not think in those cases they were the daughters of persons who had been in better circumstances and through the "boom" had lost money, and they really are earning a portion of their living?—I cannot say that—I have not met any of them.

1468. What is your reason for thinking that permits should be given?—To bring those outside workers under supervision.

1469. Not necessarily to compel them to go into a factory?—I think, in many cases, they would be compelled to go into the factory.

1470. Against their will?—I have met some cases where permits would not be given. In one case I know of there is a woman working; there are only herself and her two sons—the sons are in very good positions. I do not think she need take work out at all; one of the sons is in the Government service.

1471. Are the sons single?—Yes. The mother told me herself there was no necessity to do it.

1472. Is that an exceptional case?—That is one case I met. I know two or three other cases of the same kind.

1473. *By the Hon. N. Thornley.*—Is it not pride that often dictates that answer to you?—No, I do not think so. I have found those people most willing to give me every information. Another thing is, if they went into the factories they would get better prices for their work.

1474. And have better surroundings?—In many cases, yes. I went to see one woman; she was getting 2s. and 2s. 6d. a dozen for finishing moleskin trousers. Working her hardest she could earn only 10s. to 12s. a week; when I was speaking to her, her daughter, who was working in one of the largest factories, came in. This girl, working 48 hours a week, could earn from 18s. to £1 doing exactly the same class of work.

1475. Would you compel the mother to go into the factory?—No, but it would be very much better for those who are able to go into factories and earn better wages.

1476. Suppose they prefer to work at home and earn 2s. or 3s. a week less, would you not give them the option?—If it would benefit the large majority, I would not.

1477. *By the Hon. the Chairman.*—You fear the effect of out-door work is to reduce the wage to a large number?—I think a large number would earn better wages by going into the factory.

1478. Do you think the application for a permit should be made to the Chief Inspector?—Yes.

1479. Should there be any appeal against his decision?—I think the Act provides for an appeal to the Minister.

1480. Is that a desirable appeal?—I cannot see why it should not be.

1481. Suppose a Board is appointed, should they appeal to the Board?—I think a woman would sooner come to one individual than go to a Board. Those women talked to me freely, and I am quite certain they would not have any objection to coming to the Chief Inspector in that way.

1482. But in the case of an appeal against his decision?—I cannot see that an appeal to the Minister would not be sufficient.

1483. Would they not be more likely to appeal to the Member for their district to go and see the Minister?—I do not think so.

1484. *By the Hon. N. Thornley.*—You think a woman does not like to come to a Board?—I think she would feel it much more formidable to come before a Board.

1485. *By the Hon. J. A. Wallace.*—Would it not be far better to appeal to the court at once?—A great many women have a horror of courts.

1486. If it is their choice to appeal to the court, should they not be at liberty to do so?—I hardly see the necessity of it.

1487. But if they see the necessity?—I do not think for one moment they would see the necessity.

1488. *By the Hon. the Chairman.*—From your experience in connexion with the various factories, do you think they are well conducted, as a whole, in connexion with sanitary matters?—Yes.

1489. There is very little to complain of?—Not very much, and it seems to me they have improved very much during the last year or two. Buildings have got cheaper, and they have gone out of the old factories and got better buildings, and great improvements have been made. It is really through the bad times that the comforts of the employés have been added to.

1490. Have you paid any attention to the question of a Board to fix prices?—Yes, I have thought a good deal about that.

1491. What is your opinion of that?—It seems as if it were possible in the clothing trade. I do not know much about the boot trade.

1492. Have you anything to say about apprentices and improvers?—I think the system of apprenticeship that obtains at present is a very bad one; there does not seem to be any regular system. In one case, I know one girl who had just served an apprenticeship of two years to a firm. The firm admit she is useful to them, but now that they should pay her she is dismissed without any payment.

1493. Do you know the old apprenticeship system at home was seven years?—But they got something after the seven years.

1494. They were supposed to learn their trade?—I think under the present system they do not learn the trade, and do not get anything either.

1495. How would you cure that?—I think this is the remedy proposed in the Bill, to give every apprentice 2s. 6d. a week. If they have to pay them 2s. 6d. a week to start with, they will teach them something for their own benefit.

1496. There is nothing here to compel them to pay more than 2s. 6d.?—No, that is the difficulty.

1497. They might keep them on for the two years, and then dismiss them without paying them anything more?—Yes, but I think they would teach them something if they had to pay them 2s. 6d. a week.

1498. *By the Hon. N. Thornley.*—To make them worth the 2s. 6d.?—Yes.

1499. *By the Hon. the Chairman.*—Is there any other matter in connexion with the Bill that you wish to refer to?—There has been a proposal to make an easy suspension for overtime, or to allow a certain number of days in the week on which overtime can be worked. I think that would be a very bad thing.

1500. Why?—Take the report of the English inspector on the subject to the end of 1894.

1501. You are aware that this amendment was drafted last July in consequence of that report?—Yes, they say—“Overtime in the tailoring trade is now carried on to a very great extent. As the conditions under which overtime may be legally worked are getting more widely known, so is the tendency to take the full advantage of the exception; and the knowledge that overtime may be carried on for 48 times in a year is often made an excuse for working until 10 p.m. for three or four nights every week in the season.”

1502. Under the Act they cannot be worked more than three days in one week?—Yes, this was the old system.

1503. Supposing, instead of three days, it were limited to one day that they could work overtime without a special permit, and for not more than twenty days in a year; would that do?—I do not know what the exact proposal is.

1504. The evidence so far indicates that it would be a great interference with trade if every time an order was wanted to be done a special permit had to be obtained. Sometimes orders come in suddenly and have to be executed to catch a steamer or a train; therefore it is proposed, following the English Act, that the manufacturers shall have an opportunity without a permit of working not more than eight hours overtime in a week. If they want more than that, they must get a permit?—For how many weeks?

1505. Not more than 30 days in the year it says in the English Act?—I conclude that would practically mean that 51 hours would be the working hours per week instead of 48.

1506. They might work that time consecutively?—I think they would do that amount of work, but not consecutively.

1507. What would be the difference between that and the permit which they now obtain, which suspends the law for three months sometimes during a busy season?—We know that they are working all this time and have supervision over them, and we know the extent to which they can work. I think we would find it very difficult under that system.

1508. They would have to give notice?—Yes.

1509. Assuming that time and a quarter or time and a half were given, with tea money, would that not be a sufficient check against employers demanding too much overtime?—I am afraid not.

1510. *By the Hon. N. Thornley.*—What is the advantage of this overtime; why should people pay 50 per cent. more and tea money?—I am afraid, if a proper check were not obtained over them, that time and a half and tea money would not be paid.

1511. *By the Hon. the Chairman.*—You cannot prevent it now; if permits are given by the Minister to suspend the operation conditional upon certain conditions of payment, how do you see those conditions are carried out?—From the employés.

1512. Could you not do it in the other case; you will have the same check that you have now?—Yes, if they have to give notice every time that they do work overtime.

1513. You would get to know it pretty soon?—I do not know that.

1514. Not from the employés?—We know the suspension is in force now and go to the factory.

1515. You think no overtime should be worked without first obtaining a permit, no matter what inconvenience there may be, or the loss of a large order?—I do not think it does inconvenience trade. They can work 48 hours a week now. Suppose a firm gets an order which requires to be completed by next morning, they can work at night under the present system if they let the employés off during any time in the week for the same number of hours. They do not need to wait until they get a permit in that way.

1516. *By the Hon. J. A. Wallace.*—Supposing the number of hours they were entitled to were used up, and an urgent order came in, should they have to obtain a permit before they would be allowed to do this three hours extra work?—That would seem rather hard, but such a thing has never arisen in my experience.

1517. You would not consider they should require a permit in a case of that sort?—I cannot say as to that.

1518. *By the Hon. the Chairman.*—Section 30 of the Principal Act says—“No person or persons shall employ in any factory or work-room any female, or any male under the age of sixteen, for more than 48 hours in any one week.” They may work straight on for 48 hours?—That section relates only to females and boys under sixteen,

1519. *By the Hon. J. A. Wallace.*—Suppose they had worked 48 hours, and a shroud came in to be made, would you not allow that shroud to be made?—I think if they gave notice to the Chief Inspector of Factories, he would allow it.

1520. You would make them go to the Chief Inspector before they made it?—Yes.

1521. *By the Hon. the Chairman.*—Suppose an order came in at ten minutes to six, just before closing, what time is there to go to the Chief Inspector for a permit?—They would only close at six o'clock from Monday to Friday; they could go right on and do it, and let the girls who did it off on Saturday morning.

1522. That only relates to women and boys, what about the men?—Men can work as long as they like, there is no provision for men not working overtime. I have nothing to do with the hours the men work.

1523. You say even now they can go on working over hours, and you not know it?—They must only work the 48 hours in a week.

1524. Under those circumstances, you have no more check than you would have under the English clause which would enable them to work overtime for eight hours in the week, and the check upon that would be that the employés must pay their work-people time and a half. In this case they can work them over hours at the ordinary wage as long as they do not exceed 48 hours in the week?—Yes.

1525. Do you know of any injurious cases arising from working overtime?—In regard to health?

1526. Yes?—I could not say that.

1527. Do you think there is any objection to working overtime within certain limits?—I do, decidedly.

1528. You would not have overtime at all?—Except in a great exigency of trade.

1529. Who is to judge of that?—People very often think the exigency of trade is the exigency in one shop—that is, taking more work than they can complete.

1530. *By the Hon. N. Thornley.*—You want to distribute the work?—Yes.

1531. *By the Hon. the Chairman.*—If you want a thing made up, and go to a shop, you are quite prepared to be told—“We cannot make it up, you must go elsewhere”?—Yes.

1532. Would you go back to that shop if you were told that?—Perhaps not.

1533. Is not that hard on the shopkeeper?—That may be, but I am sure that the rigid regulations that were made at Cup time resulted in a great number of dressmakers getting employment who otherwise would not have done so.

1534. In other words, the work was distributed?—Yes. In reading the evidence, I noticed a great deal had been made of the difficulty of keeping records. In the factory I was employed in I kept the records, and never found the slightest difficulty, and there was very little work in it.

1535. It was not so much a matter of difficulty as the power of the Minister to publish the records if he thought fit?—I think one witness said it occupied a clerk a great deal of his time. Then as to nurses—

1536. Do they come under your supervision?—They do not at present. I think that section 45 is a very necessary provision.

1537. Is that from your own observation?—Yes.

1538. Have you had complaints made by nurses?—Nurses have spoken to me about the excessive hours they work.

1539. *By the Hon. H. Cuthbert.*—What is their objection to the present system—the nurses now do not seem to be worn out with their work?—I know one whom I consider very strong, who has broken down twice in four months through what I consider excessive work.

1540. What hours was she engaged?—I think the hours for night nurses are the worst. I know the hours in one of the hospitals in Melbourne, and I consider it the easiest of all the hospitals to work in, that is the Homœopathic Hospital. The hours for night nurses are from half-past eight in the evening to half-past seven in the morning, that is eleven hours straight on, and during the fever season they have not any rest. A lot of people think they sit down a great part of the time, and that it is very easy work, but they are kept occupied continually during the whole of that time. They are sometimes kept on night duty from eight to ten weeks, and I am told, by some who have been there, that in other hospitals they are kept on longer.

1541. During that eight or ten weeks are they relieved at all from night duty?—No, they go right on, night after night.

1542. *By the Hon. J. A. Wallace.*—Do they not get one night off a week?—No, they go on seven nights a week.

1543. They get one night a week off in the Melbourne Hospital?—I have not heard that. I know they go straight on in the Children's Hospital.

1544. *By the Hon. the Chairman.*—It would depend very much on the ward they are in?—Yes. In the surgical ward I think the duties are not so heavy. I have my information from the secretary, the matron, and the nurses. For day duty they go on duty at 6.30 a.m. and keep on to 8.30 p.m., with two hours off in the middle of the day, and half-an-hour each for tea and breakfast, and they get one afternoon in the week off.

1545. That is about the hours domestic servants work?—Yes, but you cannot compare the work they do with nurses' work.

1546. Do you think the duties of a nurse in an ordinary case are more arduous physically than the duties of a domestic servant?—I think so.

1547. What do you think ought to be done?—I think the provision in the Bill is a very good one—168 hours in three weeks is quite enough.

1548. Even with that, would it not be possible for a nurse to break down—there is no limit to the continuity of the hours?—No, but you cannot help that altogether. In one special case a nurse might be kept on right through.

The witness withdrew.

Harrison Ord further examined.

1549. *By the Hon. the Chairman.*—When you were last examined we were dealing with the question of permits?—Yes. Before we deal with section 16 I would like to refer to section 9 again. I quoted an instance of what should be done in the case of some men who should be compelled to register. I did not make it sufficiently definite that there is nothing to compel them in the present law, and if clause 16 were carried it could be evaded very easily by an individual registering. The instance I quoted was simply to show how clause 16 of the Bill could be avoided. If any individual were allowed to register clause 16 would be useless, because the individual would register and work what hours he liked.

1550. If he registered he would come under the Act?—Yes, but if he is registered he can ignore clauses 16 and 17.

1551. He would be a factory?—Yes, but he would get the work out. If there are four persons working together it is possible to have more or less supervision; if you reduce it to one, the only evidence against the one must be the individual himself, and he cannot be compelled to give evidence as to breaches of the law in the way of long hours.

1552. If he becomes a factory in his own person, you have the right to go in there at any time?—You have the right to go in, but you cannot tell the hours he works. That is why the hours of the Chinese should be fixed; that is the only way you can do with an individual, and that is the reason section 9 is in. I would like to draw attention to question 445 in Mr. George's evidence. He says—"I have inquired into that. They keep the long hours strictly; they cannot work more than eight or nine hours a day." That is speaking of out-door work. I have made extensive inquiries, and Miss Cuthbertson and the inspectors have done so, and we can positively say it is not true. We found them working at ten o'clock at night, and they assured us they had been working since nine o'clock in the morning. The prices they are paid would indicate that. The girls working at finishing in the large factories in Melbourne receive twice as much as those outside workers, and it is evident that if those girls can only earn a living wage in a factory, working 48 hours, a woman working outside, providing her own cotton and having to go to the factory for the work, could not make a living and keep her children, working only the 48 hours.

1553. Are the circumstances identical as to the amount of work done; the class of work would embrace a good deal more work in one factory than in another?—We made inquiry into that, and the result is that the outside workers are at a positive disadvantage. They have to provide their own machines, their own needles, and they even mention the oil to show how fine the thing is cut.

1554. Can you rely upon this information?—We actually saw the tickets upon the garments. I think the information was as accurate as it is possible to get it. It is not possible to say that the woman has not done a little household work, but it was the reiteration; we were dealing with work given out by one particular place, and there was the reiteration of the statement.

1555. Can a woman work those hours if she has her own domestic duties to attend to?—One of the cases mentioned by Mr. Peacock was visited by Miss Cuthbertson the other day. The woman's husband was in a delicate state of health, and she said she could not keep up the work; she gets a pain in her side, and she cannot work as long now, and cannot earn as much, though it was very poor then. That is an instance where the long hours have done their work. She is quite a strong young woman. I think the evidence is absolutely conclusive that the outside workers do work longer than the eight hours. The question has been raised by many witnesses of the hardship to persons who would be driven into factories. There is a good deal of private work done; those girls whose mothers do not think they should go into factories could get all that private work. This clause in no way affects the private work; that is largely done by those persons.

1556. Is not that private work a better class of work than the factory work?—It is.

1557. The girl might not be able to do the private work?—There is a good deal of the private work very plain work.

1558. It is not as plain or simple as the factory work?—Not quite, but it is infinitely more remunerative, and they are not absolutely debarred from work by this section; so the section only curtails the work of a very few for the benefit of a very large number.

1559. How are they to obtain those permits?—According to the Bill, they would have to obtain them from me; but if this Bill was passed I suppose there would be a number of lady inspectors obtained. To start with, the permits would be issued in a very free way. We would not wish to stop a person working, and we could not make the inquiries all at once.

1560. You would have permits ready signed ready for immediate use?—I should issue permits very freely the first few months, but they would only be for a time. Then I thought the lady inspectors would go and see the persons. When Miss Cuthbertson and myself have been to see those women they are perfectly willing to tell their circumstances, and I think they would infinitely prefer telling them to me or a lady inspector to going before a Board that would deal with them much more harshly than the Chief Inspector or a lady inspector. I think the employés represented on that Board would naturally be very keen to know all the circumstances of the persons applying for the permits, and though the power is very considerable, and I can say at once it would relieve me of an immense amount of work if it were taken away, I believe in the interests of the persons it would be better to leave it there. They have an appeal to the Minister and an appeal to the court, since right through the Act there is an appeal to the court. The only way I can enforce the Act is by appeal to the court.

1561. Could there not be an appeal to the Board?—Yes.

1562. Would that not be less costly and less waste of time than an appeal to the court?—Yes, if it were thought necessary, but I do not think it would be necessary. I think it is almost evident, from the constitution of the Board, that the Board would be more strict than the inspector in issuing permits.

1563. There would be no objection to appealing to the Board if they wished it?—I can see no objection if they wished it, but surely an appeal to the Minister, and the court ultimately, would be sufficient.

1564. *By the Hon. N. Thornley.*—It has been stated by some witnesses here that it is very inconvenient having to get those permits for overtime through the loss of time incurred?—Section 24 affects the whole of the trade; the section we are speaking of affects the individual. There have been cases where there has been delay in granting a permit and other cases where it has been refused, but we have also been thanked by persons who had applied for permits under section 24 and been refused. The reason for delay in the cases mentioned by the various persons in nearly all cases arose from their objection to comply with what other manufacturers have complied with. They have objected to paying certain rates which other manufacturers have paid. All we sought was to secure uniformity. Where a delay occurred was because they objected to paying what other persons paid.

1565. *By the Hon. the Chairman.*—Is the mode of manufacture in all factories the same?—No; I know it is not.

1566. Then how can you have one universal plan in the paying for overtime?—We have not one universal plan.

1567. Is the mode of manufacture in the clothing trades the same?—The price fixed was so small, 15s.

1568. That is to parties they are already paying 2s. 6d.?—No, the condition was that those 2s. 6d. people should not be employed unless they raise their wage. They assured us they would not employ those small workers.

1569. You saw the figures given by Mr. George?—Yes; and in that connexion I was so certain that Mr. George made a mistake in saying he had 100 girls he was paying 15s. to that I sent a clerk to ask him if he was sure. In dressmaking I know they do not pay up to 15s. He said it was all right; he was prepared to pay 100 girls 15s.

1570. He stated that the permission granted to him gave a limit of 15s.?—Yes, and he agreed to it.

1571. He would agree to almost anything, I suppose, because he wanted to go on. It was almost closing his place?—No; it was only losing the orders at that time. That is a small thing.

1572. But what you look upon as a small thing may really be the thin end of the wedge, and smash up a business?—It may possibly.

1573. Do you see any objection to introducing something after the system of the Imperial Act as to overtime; that they should be allowed to work overtime for a certain time without a permit, with the proviso that they pay time and a half?—Yes; I think it would be objectionable. The English Factory Reports teem with objections to it. This is only a modification of the same principle. The quotation by Miss Cuthbertson was not as to the length of time they could work. The inspector was dealing with the fact that they could work without giving notice, and that they do risk it now. I have had to deal with people for risking it.

1574. Do you think if an order comes in just before closing time it is desirable for the manufacturer to hunt about for a permit instead of going on with the work at once?—They have to do it if a man comes in with an unreasonable order.

1575. Who is to be the judge as to its being unreasonable?—The manufacturer. Even allowing the time to be 51 hours, there are cases where all manufacturers must refuse orders.

1576. That is an extreme case. I am taking an order that comes in and has to be ready for a steamer going next day?—I am taking section 24. They can work overtime; that is they can work eight hours extra so long as they let the girl off afterwards.

1577. All the evidence so far proves that there is some reason why they cannot do it. Section 30 of the Principal Act says—"No person or persons shall employ in any factory or work-room any female, or any male under the age of sixteen, for more than 48 hours in any one week in preparing or manufacturing articles for trade or sale." In the present Bill it reads—"No person shall employ or authorize or permit to be employed in any factory or work-room any person under the age of sixteen years or any woman or girl for more than 48 hours in any one week or for more than ten hours in any one day." That is new?—That is where the alteration comes in. They can only work two hours overtime, but they only ask to work three. Mr. George's proposal was that he should be allowed to work three hours a day overtime in twenty days in the year, not more than one day in each week.

1578. Yes, but others have made this to be not more than one day in a week. They might work four or five hours overtime in one day?—I think it would defeat the object of the system. At present the employes know they are not to work more than 48 hours. Then people would know there are certain conditions to be complied with, and they would have to keep an exact account of their time. My experience of the employes is that they are very much afraid to come to us.

1579. No matter how urgent an order may be, if it requires the hands to work more than a certain number of hours, you think that order must be refused?—I do.

1580. If that is repeated would the effect not be to drive trade away from Victoria?—For nine years the law has been in force, and the trade has not left Victoria.

1581. *By the Hon. S. Austin.*—If the order is not executed here it must go somewhere else?—If it is not executed in that factory it must go somewhere else.

1582. If there is only a certain time to do it it must go out of the country?—Not necessarily; it might go to the next factory.

1583. *By the Hon. N. Thornley.*—If it is wanted to-morrow morning, how can it go to the next factory; the steamer is going on to Sydney?—I would like to point out that, allowing that it would be a reasonable provision that they could work 56 hours—in England they can work 56 hours—but there they want overtime, most of them, and they want this provision also. There is the 48 hours' limit here, and they want to work 56 hours, then they say they will not lose business, but in England they can work 56 hours, and still they want overtime. I think, no matter what you give them, they will want to make overtime.

1584. Would there not be a valuable check against that if time and a half had to be paid?—It would be with a fair manufacturer, but some will evade the law. It is a check, no doubt.

1585. You are able to discover the evasion and check it, otherwise you would not be wanted?—I believe we do good even with those who are fairly willing to maintain the law.

1586. If everybody carried out the law inspectors would not be wanted?—No.

1587. *By the Hon. J. A. Wallace.*—Is it not just as easy for some men to work ten hours as for others to work seven or eight?—Yes; the law does not affect men.

1588. If a man was in a healthy condition, and could work two hours overtime, why should he not be allowed the privilege of doing so when he is paid time and a half?—He can. This applies to women and children.

1589. There are some healthy women and children and some not so healthy; if the strong ones can work a little more, why should they not be allowed to do so?—I think the present law is the best.

1590. *By the Hon. the Chairman.*—You think those permits to work overtime should be given by the Minister, subject to any condition he likes; do you think it desirable that the Minister should have the power of determining the conditions under which a permit shall be given, in other words, should he be able to say—"You shall have this permit provided you pay your people so and so"?—I take it the Minister has the good of the country at heart.

1591. What can the Minister know as to the rate of wages to be paid in a given branch of work?—He can ask for the returns; they are bound to furnish their returns. If he wishes to go outside the Department he can get the sworn returns from the factory.

1592. Upon what basis did the Minister arrive at 15s.?—There were a certain number prepared to pay 15s., and he thought he would put them all on the same footing.

1593. He sought to coerce all into paying the same rate?—Yes. That was fixed for Cup time. The customer paid for it in some instances, I know, because double prices were charged in some instances, whereas the overtime paid the girls did not come to anything like double.

1594. Do you know if those who were charged double paid?—It was a cash payment, I believe.

1595. Sub-clause 3 of clause 24 says—"No such suspension shall have any force or effect for more than two months from the date of such notification"; one of the witnesses called attention to that, and pointed out that he might have entered into a contract to make certain articles at a given price, and in the middle of the contract, simply because the inspector reported (perhaps truthfully, or perhaps under a misapprehension) that an evasion had taken place the permission might be cancelled, though the man has contracted to supply the goods—is not that an excessive power?—The fact is, that was put in because on two occasions the Minister was absolutely misled. On one occasion overtime was granted on the declared statement of a firm that they could not get on without it. Shortly after the overtime was finished the factory was shut up; they had worked the girls overtime only to shut up the factory afterwards; and there have been other cases where there have been breaches of the conditions.

1596. May there not have been some reason why the factory was closed; perhaps the manufacturer made a *bonâ fide* application, but financial difficulties arose afterwards?—There was a reason in that case. The statement now is that the goods were supplied and the customers overstocked, and they had to shut up; but the effect on the hands was very detrimental, because they lost two months' work for very little

overtime. The overtime might be granted by the Minister for three months, but at the end of a month he might find out there were other persons absolutely wanting employment.

1597. How would that assist us?—The employer might put the other hands on to work instead of working overtime. The principal object is to give the Minister power in case of serious breaches of conditions to cancel the suspension.

1598. This gives enormous power?—It is not so great as granting the permission, and it is usual to allow the Minister to cancel that which he grants.

1599. *By the Hon. N. Thornley.*—Suppose machinery and space is required to execute the work, and the manufacturer has not got it?—Then I take it that the suspension would not be revoked.

1600. The object is to distribute the work. If one manufacturer is more enterprising, and has goods that command a better sale than another manufacturer, he is not to reap the advantage of his enterprise by getting a little extension of the working hours. Though he would not be justified in building further mill accommodation or putting in further machinery, the additional overtime would give him an opportunity of overtaking his orders; but you say—“No, that work must go out to some other factory”?—I think it would be perfectly legitimate to say to a man—“You shall not work overtime if men are wanting work.”

1601. You would bring all manufacturers to one point?—Only as regards overtime.

1602. That is a case in point; one man's goods are in demand, another manufacturer's goods are not in demand. The consumer is the man who knows whether they suit him or not, and you say—“We will not allow this man, who is making an article required by the public, to supply the public”?—Parliament has done that, not the Government.

1603. You said just now he should put on more hands; he cannot do so because he has no space in his factory; and no machines to put into the factory. The working hours asked for would give him an opportunity of executing the order; but you say there should not be any overtime because there are other factories not working overtime?—The section says—“The exigency of trade.” Excess of work in a factory is not an exigency of trade.

1604. *By the Hon. the Chairman.*—Who is to say that?—It is cast on the Minister by the section.

1605. You know in the trade some garments are finished in a different way to what they are in others?—Yes. It is a question of the amount of work.

1606. The hands get into that particular make and finish?—Yes; they get more expert at it.

1607. It would take strange hands some days before they got into it?—Before they could do as much work.

1608. No; before they could do the particular finish?—I think any finisher could do another person's finishing; I have been told so, though I am not an expert.

1609. That is the great difficulty in taking on outside hands. They simply spoil the goods for the time being, and the effect would be, if those goods were sent out by the firm, probably one-half of them would be returned on their hands, because there is not that finish that they are expected to have?—I have seen a strange woman being taught, and I saw her actually doing the finishing, and she said she had never done it until that time. There is one other point as to the conditions. It was stated by a witness that manufacturers would much rather have the conditions fixed by Parliament. I think it better in the interests of the manufacturers to allow the Minister to fix them as at present, instead of having a strict rule fixed by Parliament.

1610. You think the manufacturers do not know their business, and the Minister does?—I think they have shown they do not know the Bill. Supposing Parliament fixes a minimum wage as to overtime, there might be cases arise where that minimum wage would not suit at all. The Minister might have a desire to allow them to work overtime at a less wage, but he would not have the power. One of the conditions indicated by the Schedule is that those employed overtime shall not receive less than a certain wage.

1611. You think it better for the Minister who knows nothing of the trade to fix the price that should be paid for a garment?—No. I think it better that it should be fixed by the Minister than by Parliament. Some of the witnesses asked that it should be fixed definitely in the Schedule what they were to pay. If that Schedule is carried then the wages will have to be fixed there, too. Supposing Parliament fixed it at 15s.—we have repeatedly had to vary that condition. The manufacturers fix it themselves practically. We ask what they can pay, and put the minimum in so that they shall be treated fairly, with some regard to uniformity; because there were a certain number of manufacturers who asked for overtime, and we found they were working girls, getting from 3s. to 6s. a week; overtime, at the rate of 4s. a week, is 1½d. an hour. If you ask a boy or girl to work until 10 o'clock for 1½d. an hour, the loss of time and injury to their health is worth more than 1½d. an hour. If they are required to work overtime the Government thought that at least they should get a fair wage. In New Zealand the law has fixed it at 6d. an hour for overtime. That is far in excess of anything demanded in this country, and that is why, in the interests of the manufacturer, it would be better to leave it as it is than have a hard and fast rule in the Bill.

1612. The manufacturers evidently fear that the Minister would fix variable rates?—He is obliged to. What is feasible in one place is not in another.

1613. That would expose the Minister to a charge of favoritism; a factory-owner who was required to pay a higher rate would say he was imposed on?—He would if he varied in the trade. He would not fix one rate in one boot factory and another in another.

1614. There are two classes of workers—some are better and some are inferior—you would not pay them all alike?—As far as the minimum wage goes, it is only a minimum of 15s. that does affect the majority of hands. Many of them get a good deal more. It is only that they cannot get less, so as to make it worth their while to stay and work. It was a most difficult question to deal with.

1615. *By the Hon. N. Thornley.*—The Minister does not vary his orders in the one trade?—Not as far as the wage is concerned.

1616. Is it within your own knowledge that he has refused one boot factory to work over hours and given permission to another factory to do so?—Yes, I remember the case of Mr. Bedgood.

The witness withdrew.

Adjourned to Monday next, at half-past Three o'clock.

MONDAY, 3RD FEBRUARY, 1896.

Members present:

The Hon. Lieut.-Col. Sir F. T. SARGOOD, K.C.M.G., in the Chair ;	
The Hon. S. W. Cooke	The Hon. J. A. Wallace
H. Cuthbert	T. D. Wanliss
J. M. Pratt	N. Thornley.
W. I. Winter-Irving	

Harrison Ord further examined.

1617. *By the Hon. the Chairman.*—Since your last examination a letter appeared in the paper from Mr. Bedggood, in which he said he had applied for a permit and been refused, and subsequently other manufacturers had been granted a permit in slack time. Can you explain that?—I made a recommendation for a refusal. As regards Mr. Bedggood, I am acquainted with it; as to the other case, I am not acquainted with it.

1618. *By the Hon. J. A. Wallace.*—I know a manufacturer who asked for a permit in the Cup time, and the permit was refused point-blank, though the authorities were told that the ladies wanted dresses for a certain time, and they were getting up stock for a certain time. The manufacturer said that unless the permit was granted the work would not go in; the permit was refused, and the work was stopped?—Such a case is possible.

1619. *By the Hon. the Chairman.*—What guides you in granting or refusing a permit?—The Chief Inspector has only to make a recommendation. The rule I have adopted is to inquire whether there is any exigency of trade, as required by the section.

1620. From whom do you get that information?—I have a great deal of office-work to do, and cannot be continually in the factories, but I ask the inspectors, and in certain cases I visit the factories and ask the manufacturers. Of course, in Cup time it is understood there is an exigency of trade.

1621. Do you, as Chief Inspector, think yourself qualified to say whether there is an exigency of trade or not?—I think I am qualified to try and ascertain.

1622. But are you qualified to ascertain?—I think so, as much as any other person. The Act ranges over some hundreds of trades. I do not think any one could be a skilled expert in all classes of trade.

1623. Yet you have to give an opinion?—Yes, I have to give an opinion as to whether there is an exigency within the meaning of the section.

1624. You think yourself qualified to do that over hundreds of trades?—I do. I do not say that of my own individual knowledge I am intimately acquainted with hundreds of trades; but, as an actual fact, the overtime is confined largely to those trades where women are dealt with.

1625. *By the Hon. J. A. Wallace.*—Is it because you consider there are plenty of unemployed at the time that you refuse a permit?—That is one of the rules; we do not allow overtime if there are persons in the trade unemployed and wanting work.

1626. Supposing the manufacturers will not do as you bid them, the work is not allowed to go on?—Unless they take reasonable steps to ascertain that the hands out of work will not suit them.

1627. Unless they will give time and a half at 15s. a week to girls whose pay is 3s.?—It would only be 2½d. or 1½d. an hour overtime at 3s.

1628. *By the Hon. N. Thornley.*—Is that the average pay. If you say 3s. is the wage, and the overtime is only 2d. an hour, that is not stating the case quite fairly. What is the maximum pay, not the minimum pay?—I should say it ranges up to 25s.

1629. The average would be 14s. a week?—I do not think 14s. would be the average. I should think the average would be about 10s. or 12s.

1630. Then it is not 2d. an hour?—Mr. Wallace asked me if I considered the time and a half was a consideration; and I say no, not when the pay is 3s. a week.

1631. *By the Hon. T. D. Wanliss.*—That must be for young girls improving; competent women would get more than 3s. a week?—If they are required to work overtime they must be able to do something; that was the position taken up by the Government in this Bill.

1632. We are speaking of the average wages of workwomen; do you say they only get an average of 3s.?—Not an average.

1633. *By the Hon. N. Thornley.*—What proportion does the 3s. bear to the 25s.?—I could not give that information; the factories' statistics have never been compiled on that basis—30 factories sent in returns for the year 1894 in which not a single hand was paid anything.

1634. Unless that guides you in coming to a conclusion you are working in the dark, because you do not know the number receiving 3s.?—I know of 30 factories in which they are getting nothing.

1635. How many are there in the factories?—They would average about 150 altogether in the 30 factories.

1636. How many employés are there altogether in the whole of the factories?—About 36,000. That is only dealing with one small item of trade. Those were small factories.

1637. *By the Hon. T. D. Wanliss.*—Those would be apprentices?—There was no one in the factory paid. A woman ran her factory by apprentices and improvers. I am quoting their own returns.

1638. *By the Hon. N. Thornley.*—Those are the factories into which you want to drive the outside labour, where a manufacturer can run a factory with hands that he pays nothing to?—We propose to avoid that in future.

1639. *By the Hon. the Chairman.*—Now as to clause 16?—In connexion with my statement that it would be difficult to obtain permits, I would like to say that the Factories Act Inquiry Board pointed out that supervision was certainly necessary in connexion with the out-workers.

1640. As to sanitary arrangements?—They were dealing with prices too, and in paragraphs 41 and 42 of the Report they say that voluntary combination has failed. That is in the first Report. I would also point out that Mr. Bedggood, in connexion with question 24, said sweating was unknown in America, where all the work was done in factories. Mr. Fowler, who appeared for the Tailors' Union, objected to any permits whatever; but I would like to point out, in connexion with that, that the permits to work

would necessarily be a very small number, because it would only be for bodily affliction in the case of tailors. We could hardly recognise that a man had domestic duties to attend to. The same answer would apply to Mr. Billson's objection to permits.

1641. Under the Bill there are three Boards to be appointed; do you think it necessary to have more than one Board?—It would not be necessary in order to deal with the hours and wages of any one trade, but there would have to be different Boards to deal with the different trades.

1642. Do you think it necessary to have more than one Board to deal with each trade?—No, it would not be absolutely necessary.

1643. That Board should operate over the whole of Victoria?—In my opinion it should.

1644. Should that Board be appointed by the Governor in Council, or elected by the parties interested?—I think it would not be difficult to have an electoral roll for the manufacturers; it would be a little difficult to provide a roll for the employes.

1645. Would that be an insurmountable difficulty?—Almost. I cannot imagine any scheme unless you have a regular electors' roll.

1646. Could you not allow all those in the various factories to appoint representatives?—If you could get them together you could—if they would come together. I think the case of the employers might be met by allowing the scale of fees to regulate their votes. There is a scale of fees under the Factories Act, according to the number of persons employed. In that case a manufacturer employing 61 hands would have the same number of votes as a person employing 300, because the fees do not go above 60.

1647. You think the appointment, as far as the employes are concerned, should remain with the Governor in Council?—I think so. It might be made by the trades, where there is a union.

1648. If it were left to the Governor in Council, how would he get to know whom to appoint?—I am taking it for granted he would consult his officers where he cannot consult the trades.

1649. Does that mean he would have to consult the Chief Inspector; if so, how would the Chief Inspector ascertain the views of the work-people?—He can only do his best.

1650. Is there not just as much difficulty in your ascertaining who should be appointed as in leaving it to the work-people?—If it is possible to regulate it, I would certainly say leave it to the employes; it would be infinitely more advisable.

1651. *By the Hon. J. A. Wallace.*—If the employes can appoint their proper number of representatives, what is to prevent the manufacturers doing so?—I think the manufacturers could. There is no difficulty as far as they are concerned.

1652. *By the Hon. the Chairman.*—Do you think there would be any difficulty in the Board determining the lowest price to be paid?—I think the Board could determine the lowest price in the goods for which they would probably be appointed. The idea in this section, I think, was to appoint a Board to deal with men's clothing, shirts, boots, and, possibly, with certain articles of women's attire, such as blouses, though that is open to doubt.

1653. How would you arrive at the price in a factory where there is subdivision of labour, say, in the case of a young girl at 2s. 6d. a week?—I think the young girl would come under the head of improvers; she would be paid a wage.

1654. The object of fixing the price is to fix the minimum wage?—Yes, practically that is so.

1655. From your knowledge of the details of the trade, do you think it is possible to fix the price of every little item in connexion with the manufacture of a suit of clothes?—Either by wage or by piece. I think it is; it is done by the trade itself.

1656. The price having been fixed, do you think there would be any reason to suppose it would be kept?—I think there may be attempts at evasion; but the majority will loyally keep it, and the officers will be able, more or less, to look after it.

1657. How would you discover it had not been observed?—We should receive information. I do not think it possible to discover that by inquiries at the factory.

1658. After you obtained what you believed to be reliable information you would require to go to the factory and make inquiries?—Yes, it would be very simple. All the manufacturer would have to show would be that he had paid the proper wages. I do not think there would be great difficulty in a man exonerating himself if he had paid the proper wage.

1659. Even if he had paid it with one hand and received it back with the other?—I have no doubt I should hear of that. If that were the case, I should take that to be an evasion and prosecute him. I have consulted manufacturers since the Committee sat, and they have assured me they thought it was possible to fix a minimum wage.

1660. Some of the witnesses before the Board did not express that opinion?—Mr. George took exception to the fixing of the price in connexion with certain articles of women's attire, such as dresses. The Government never imagined the Board would fix the exact mode in which a lady's dress was to be made; but the object of the section, I think, is to deal with men's clothing—boots, shirts, and certain articles—below which they would not be able to go in women's attire.

1661. It is not limited to that?—No.

1662. Supposing we have an energetic inspector, would he not feel bound to carry out the working of the Act?—I do not think there is anything mandatory in it, and if he did attempt it, I think he would fail. Mr. Barnett, who was the only clothing manufacturer who appeared to object to this clause, on his own behalf said he thought the manufacturers could fix the prices themselves, and then ask Parliament to legalize them. I think nothing could be plainer than that he thought prices could be fixed.

1663. With regard to outside work, would it all be piece-work?—Yes.

1664. That would have to be fixed by the Board?—Yes; I think it is generally admitted that is possible.

1665. The price having been fixed, is there anything to prevent outside workers working twelve hours if they liked?—No.

1666. Do you see any way to prevent it?—No, I do not think it is proposed to try and stop that.

1667. Then what is the object of the permit?—To have them under supervision, so that we should know the persons who were getting it, and know that they legitimately require it. I can imagine it is possible that some of the widows with children should have to work more than the 48 hours.

1668. It would be thrown upon the Chief Inspector to decide whether a large number of those outside workers really wanted it?—Yes, practically that is it; or by the Board or whoever is put in that position.

1669. You are put in that position?—At present I am.

1670. Should it be the Chief Inspector or the Board?—I presume the women would much rather deal with the Chief Inspector than with the Board, because they would be practically dealing with lady inspectors. It would be quite impossible for me to see all those women. I think there would be infinitely more sympathy with the lady inspectors or the Chief Inspector than with a Board appointed as this would be.

1671. Even though they represented the employers and the employed?—They would not represent the outside workers.

1672. Why not?—They might, but I take it this Board would be appointed to represent the employés in factories.

1673. Might not that result in its being so worked as practically to crush those outside workers?—No, because the Board is so balanced that I do not think an injustice could be done; they are bound to fix the prices for the outside workers.

1674. You are supposing the permits are granted by the Board?—I do not think it would matter whom they were granted by—the section is mandatory about fixing the prices.

1675. *By the Hon. J. A. Wallace.*—Supposing a certain class of articles cost 3s., what difference does it make whether a person took three hours or ten hours to make it?—If it were by piece-work it would make no difference whatever.

1676. Therefore, if a person chooses to take twelve hours instead of eight, what does it matter, as long as you limit the quantity to be turned out in one week?—I do not think there was ever any intention to limit the hours of the outside workers.

1677. *By the Hon. S. W. Cooke.*—If there is a minimum wage in Victoria, is there not a risk of business being driven to a colony where there is not a minimum wage?—I do not think so. At the present moment manufacturers are paying the wage that I take it this Board would fix; that is, a large number of them are, so if one class can do it now, the others whom we are trying to coerce could do it, and they would not lose their trade.

1678. *By the Hon. T. D. Wanliss.*—Are they not practically turning out inferior work and getting inferior workmen?—Some of them are working for very good houses. I do not think it is inferior work; I have never heard it alleged that it is inferior.

1679. *By the Hon. N. Thornley.*—If the outside workers are not represented on the Board while the inside workers are, what is to prevent the inside workers putting such a price on the outside work as to compel the outsiders to come inside the factory?—The manufacturers' interests. There are two manufacturers and an independent chairman on the Board. The manufacturers to some extent represent the outsiders; the manufacturers will work on behalf of the outside workers, because the manufacturers say they will be injured if the outside work is stopped.

1680. How do you reconcile that with your statement that an outside worker will prefer an inspector to the Board?—Any woman will prefer to come and talk to one person, whether an inspector or not, to speaking to eight or ten.

1681. *By the Hon. S. W. Cooke.*—You would not object to those having permits being represented on the Board?—Not in the slightest.

1682. They each have a permit, and therefore by law should be entitled to vote?—Yes, it would be easier with the outside workers than with the inside workers.

1683. *By the Hon. N. Thornley.*—You would not be afraid of a combination between the outside workers and the employers to fix a price for the employés in the factory?—No, I do not think there is any grave fear of any injustice being done in that way.

1684. *By the Hon. J. A. Wallace.*—Every Board is appointed by its own trade, and thoroughly understands it. If an inspector has to give a decision as to price, should he not have a thorough knowledge of all the branches?—It would be quite impossible.

1685. *By the Hon. the Chairman.*—Do you think the Board should regulate the number of apprentices and improvers?—I think it is obvious there must be some such clause as sub-section 7 of section 17, because every one in a factory must be paid the statement price, and will have to get wages according to law, or piece-work according to law, or they must be apprentices or improvers. Those who object to that have overlooked the fact that they could not employ any young person at all without paying them high salaries.

1686. *By the Hon. T. D. Wanliss.*—Do you know of your own knowledge whether this fixing of prices by the Board is carried out in the United States or the United Kingdom?—Not that I know of.

1687. It is quite a novel proposition?—It is certainly new law.

1688. It is new legislation?—Yes. It has been stated repeatedly that it would be impossible to make a log for the clothing, but we have logs actually in use, so it is obvious it is not impossible.

1689. Have they been adhered to?—They have been by a number of firms, and a little pressure would have enabled the union to induce others to carry out the log.

1690. *By the Hon. the Chairman.*—Now go to section 18, as regards furniture; why do you have special clauses for furniture?—That was not in the original draft of the Bill, it was put in afterwards.

1691. What is your opinion of it?—I have no knowledge whatever as to whether a log is possible in the furniture trade. Admitting it is possible, and, as Mr. MacLellan, the representative of Foy and Gibson, stated that sweating existed in the trade, the clause is desirable. If it is not possible, then the Board cannot act, and it will be a dead letter—if it is possible, it will do good. It would be most difficult to enforce the log in the individual Chinese factories—the individual works on his own account—one Chinaman is a factory. I cannot see how I am to get evidence that he is doing anything against the law.

1692. Are you not likely to have equal difficulty where there are four working under the permit system. Take a mother and three daughters, are they likely to let you into the secret?—Sooner or later we can get at them. It is easier to supervise matters where there are a number.

1693. Would it be objectionable to make a factory any place where one works?—I think it would be most objectionable.

1694. You think, as far as furniture is concerned with the Chinese, it is not objectionable?—I think it is absolutely necessary to have the individual a factory, if you are going to try and regulate the Chinese mode of living.

1695. Yet you say you cannot carry it out with one worker as a factory?—Only as regards section 18—we could limit the hours under section 27.
1696. Have the hours of labour been limited for men under any Act of Parliament?—In mining, the engine-drivers and men are strictly limited to 48 hours.
1697. You heard one Chinese witness say that the Chinese are not capable of working eight hours straight on, and that that would apply particularly to the older men?—Yes.
1698. What would be the effect of compelling them to work between half-past seven and five?—They would have an interval of an hour; that is the only interval it does allow for.
1699. *By the Hon. J. M. Pratt.*—That is the meal interval?—Yes; they could split it up, of course.
1700. *By the Hon. the Chairman.*—Do you approve of clause 27, which affects the Chinese as well?—It is obviously the only way to limit the hours of the individual.
1701. You are in favour of passing an Act limiting the hours of labour to eight, with the knowledge that they cannot work eight hours in the time?—I say this is the only way of effecting what is apparently desired in the Bill.
1702. Are you in favour of it?—I think it is a most difficult matter.
1703. You are aware that the furniture-makers profess to be anxious to place themselves on the same footing as the Chinese in all respects, sanitary and otherwise. Seeing that the Chinese cannot work eight hours continuously, would it not place them at a disadvantage with the European workmen?—It might put a few in that position, but from what I have heard of the trade I do not think those cases can be such a large number. Mr. Hodges, in his evidence before the Sweating Board, suggested eight hours. The time in their union was ten.
1704. *By the Hon. J. M. Pratt.*—Is that eight hours during the day, or eight hours continuously?—He was speaking then as the representative of the Chinese manufacturers, and not as an individual.
1705. He said that most of those older men could not work eight hours continuously?—That was his later evidence. The evidence I am quoting was when he appeared before the Sweating Board.
1706. Taking account of the objections from a Chinese stand-point, supposing you were to say a place shall be opened for ten hours, but they can work for only eight hours during the ten, that might meet the Chinese objection, but it is objectionable on the other hand, because they are liable to run into the ten hours?—Yes.
1707. *By the Hon. J. A. Wallace.*—Mr. Hodges expressed his opinion that a great number of lunatics were in the asylums on account of the few hours they worked; that if they had more labour they would be more regularly employed, and there would be fewer lunatics—what do you think of that?—I think it is almost a lunatic's statement. Objection was taken to section 21 as to whether it was mandatory on the councils to give this notice. In line 21 it says the council "shall." I think that makes it mandatory on the council.
1708. *By the Hon. the Chairman.*—Is clause 22, as to sleeping places, meant to meet any special class of work?—It is framed with the idea of preventing Chinese eating, sleeping, and living all in one room.
1709. Do they do so?—I have reason to believe there is no doubt whatever that they do that in the individual cases.
1710. The evidence so far is contrary to that?—Some do it. I have actually seen it myself, but not lately.
1711. How long ago?—It is about fourteen months since I have been round.
1712. *By the Hon. T. D. Wanliss.*—Is that one man, or several men?—The individual; that is what the European labourer complains he cannot do, and it is the individual who lowers the prices right through. It is the individual Chinaman or any other man who lowers prices.
1713. *By the Hon. the Chairman.*—The women who get permits work in their own homes?—Yes.
1714. You do not specify that they shall not use the same room as a sleeping-room?—No.
1715. Why should you place a Chinaman on a different footing?—The object of this is to place him on the same footing as a European.
1716. You acknowledge that in the case of European women they may be sleeping in the same room as they are working in?—It is possible.
1717. You do not propose to prevent that?—No.
1718. You do propose to prevent the Chinamen doing so?—Yes; you put a Chinese workman on the same footing as a European workman.
1719. *By the Hon. T. D. Wanliss.*—Would you object to a tailor sleeping in the same room as he works in?—I think it is decidedly objectionable, but the one case is clothing and the other furniture. This clause was framed on the most positive evidence and recommendation of the Factories Inquiry Board, paragraph 30 of the second Report.
1720. *By the Hon. N. Thornley.*—We have it in evidence that Germans are the main outside workers in cabinet work. Would you prevent them sleeping in the work-room?—I have never heard that allegation; it is only the Chinese I have heard it about.
1721. A witness said that nearly all the outside work was done by Germans; it is the custom of their country?—I do not think there are many here. In connexion with clause 22, I wish to draw attention to Foy and Gibson's objection in regard to watchmen. I think the objection was trivial. Their premises are of such a character that if they wished to avoid this they could put a watchman in the warehouse and almost in the factory. If the watchman is wanted as a watchman he should be awake; if not, there is no objection to his sleeping 5 yards away from the factory.
1722. It says—"Unless such sleeping place is effectually separated from the factory or work-room by a substantial wall or partition extending from the floor to the ceiling." Take Foy and Gibson's shop; you could not conveniently put a room in the centre or a prominent part of the shop with partitions going up to the ceiling?—The sole objection to this clause is by Messrs. Foy and Gibson, and the objection is that the man is wanted as a watchman, and they want him, as a watchman, to sleep in the factory.
1723. They said they wanted them as a reserve. They have six watchmen walking about and two sleeping, as a reserve, so that in case of fire occurring those two others could help?—If that is so, surely it is hardly worth while to alter the clause to meet the case, when they have ample room to put them in the warehouse or the main shop.

1724. *By the Hon. T. D. Wanliss.*—You will not allow them to be put in the workshop. The clause says—“A substantial partition up to the ceiling.” Suppose the ceiling is 30 feet up?—I do not know of any house to be dealt with in that way. The only objection to it was raised by Foy and Gibson, and I do not think it is sufficiently strong to justify altering the clause of the Bill. It does not seem to me a serious objection at all.

1725. If you have a man sleeping on a place as a watchman, and he is closed in by partitions going up to the roof, he cannot be nearly so efficient. If he has a bed in a large room and is a light sleeper, if any one comes in he will awake at once; but if you wall him off, how can he tell?—Whenever I have seen the watchmen's beds they have always made a room for them. The usual meaning applied to a watchman is not a man who goes to sleep for the eight hours he is on duty.

1726. *By the Hon. the Chairman.*—Call him a caretaker?—I know of no instance where they do not allow them a room of some sort.

1727. Do you not know that many prefer to have watchmen who do sleep to those who keep awake, because they do not smoke?—That is possible.

1728. Have you anything else to answer between that clause and No. 38?—In section 32, sub-section 3, under the head of “Inspection,” objection was taken to “occupier or employé” I think it is absolutely necessary that an employé should give information there, because the engines particularly dealt with under that sub-clause are those in connexion with which an employer in 99 cases out of 100 would not be on the spot, and it would be most difficult to ascertain who he was. They are engines working in the street, on buildings in connexion with sewers and steam-rollers. It would be necessary for an employé to answer the simple question who was in charge of the engine, and that is all he is required to answer.

1729. Is that in the English Bill?—Yes. It is in effect the same as sub-section 6 of section 11 of the Principal Act, which gives us the right to examine the employés. In the Bill it proposes to give power to examine them alone.

1730. With regard to the closing of shops (section 38), you heard the evidence given by two gentlemen who appeared representing the city shops?—Yes. I think section 38 is simply a transcription of section 6 in Act No. 1333. That Act was repealed, and this section is put in to keep it in force.

1731. They were afraid that if it were to go to a vote those who had been in the habit of closing on Saturday afternoon might be out-voted, and the closing would take place on Wednesday?—There is a remote possibility of that, but I do not think the Governor in Council would make such a by-law. It is obvious it would simply be a conspiracy to make certain shopkeepers who work less hours than others close their shop, on a day which is inconvenient, but to put it beyond doubt I think these words might be added to sub-clause 2 of section 39—“1. Provided that any by-law made under this or the Principal Act notwithstanding, no shop in the city of Melbourne which closes at 1 p.m. on Saturdays shall be also required to close for a half-holiday on any other day of the week. 2. Provided further, that no general store or shop shall be compelled to close on more than one afternoon in each week.”

1732. That is something in the same direction as the amendment already proposed?—Yes, something in the same way. I would limit it to the city of Melbourne, because that is the only place I know where the shops do close on Saturday.

1733. *By the Hon. J. M. Pratt.*—The city would go for closing on Saturday afternoon, and the suburbs for closing on Wednesday?—Yes. If that is put in, the shops that close on Saturday could not be compelled to close on two days. Another objection was taken by Foy and Gibson. They are a little difficult to deal with because they are in a locality where there is no Saturday half-holiday; there is a general desire among the shopkeepers to close on one particular day in the week, and it is a little hard to ask Parliament to legislate for Foy and Gibson, because they are the only firm that would be affected by that, and they are in a district where it is probable they would be asked to close on Wednesday. I think provision might be made that no general store should be asked to close on more than one afternoon in each week. That would be a fair arrangement. That would come in after the last provision of sub-section 2 of section 39.

1734. *By the Hon. J. A. Wallace.*—Is it usual in other countries to compel people to close for half-a-day in each week?—They are not compelled here unless the majority wish it; it is practically local option.

1735. *By the Hon. J. M. Pratt.*—What is the practice in London?—I think the large shops close on Saturdays.

1736. *By the Hon. the Chairman.*—The object really is to give the employés one afternoon in the week?—Yes.

1737. Would there be any objection, instead of giving one afternoon for the whole of the employés, to provide that every one should have one afternoon in the week?—That is the provision in the Bill. Section 51 provides for that. If they agree among themselves to close on a certain day clause 39 enables them to do it. Mr. George, in question 520, says—“The next is clause 42—‘Regulations as to hours of employment of young persons and women in shops.’” That clause does not affect him because it only affects shops in the 4th Schedule of the Principal Act, and he does not come under the 4th Schedule. Mr. MacLellan, in question 690, dealing with clause 43, objected to the fact that, supposing a public holiday came in the week, he could only employ them eleven hours on the one day. The clause provides that the employés shall not be kept more than eleven hours on one day in the week. To meet that difficulty, which is a legitimate one, provision might be made in sub-clause 1, section 43, providing that in any week in which a public holiday occurs eleven hours' work may be done on two days in the week, providing the public holiday is not on a Saturday. That is practically carrying into effect the present Act. Mr. George also took exception to sub-clause 2, on the ground that the Chief Inspector might impose conditions. I think it is clear no power whatever is given to impose conditions. No condition can be imposed—he may refuse the permit.

1738. Have you anything to say about section 44, dealing with waitresses?—I think it is a very necessary and beneficial provision.

1739. Are you speaking from your own observation?—Only from what I have been told. We have no right of entry or to question them.

1740. Are you a sort of Father Confessor about these complaints?—A great deal comes to me through Miss Cuthbertson. The women speak to her and she tells me.

1741. *By the Hon. J. M. Pratt.*—They speak more freely to her than to you?—Yes, no doubt they do.

1742. *By the Hon. H. Cuthbert.*—What is your opinion of clause 45—“Hours of work of nurses”?—I cannot speak of my personal experience. As to clause 48, I understand that the sole objection to that has been taken as to milk. I have heard no objections raised as to bread and meat. I think it has been rather overlooked. The objections have been chiefly taken in the press. The only objection taken in this room was by Mr. Derham, who said it was laughed out of the room of the Chamber of Manufactures. He can hardly be aware that it has been in force for nine months, and has been working well, so I do not see why the Chamber should have laughed it out. It has been in force in Melbourne and Ballarat.

1743. *By the Hon. the Chairman.*—Do you mean on certain days there is only one delivery a day?—Yes, on the Sunday and Wednesday, I think. In connexion with clause 49, sub-clause 3, as to delivery of milk at any railway station, I think “at any railway station” might come out, to allow of waggons coming from the country. I believe that will meet the wishes of those concerned.

1744. *By the Hon. H. Cuthbert.*—You would not confine it to a railway station?—No; in connexion with clause 51, I went round to a large number of those shops that Mr. George represented, and they assured me they had no objection to the hour of one o'clock, but subsequently to that I believe there was a conference, and Mr. George represented their views. Since then I have also seen one or two of them, and apparently there is some difficulty, even if they had two o'clock, because some of them cannot allow the employés to leave immediately they close. With the object of assisting both sides in the Bill I thought of suggesting that shops should be closed at half-past one, and a provision similar to the one in the New Zealand Shops Act, clause 5, might be inserted:—“If any shop assistant or office employé be employed in the ordinary course of his business in any shop or office later than half-an-hour after the prescribed time of closing, the employer shall be liable to a penalty not exceeding Five pounds for each offence in respect of each shop assistant or office employé so employed.” That is the New Zealand law. That would meet the shops half-way, and give them a chance of closing up.

1745. *By the Hon. the Chairman.*—Do you know how that works in New Zealand?—No.

1746. Are you prepared to adopt it without knowing how it works?—I am prepared to adopt it as compared with clause 51. I think it is absolutely necessary to have some provision similar to the New Zealand law, because they cannot let an employé out directly they close the establishment.

1747. *By the Hon. J. M. Pratt.*—Customers come in during the morning purchasing goods which have to be sent out—do you apply the clause to carters who have to deliver those goods?—No, it does not apply to the carters, it is only shop employés.

1748. *By the Hon. the Chairman.*—The carters very often work a portion of their time in the shops. They work in the morning in the shop and take the goods out in the afternoon. In New Zealand it has been decided that a carter is a shop employé?—[No answer.]

1749. *By the Hon. J. M. Pratt.*—Suppose a customer buys goods in the morning, and the goods have to be made up by several persons; an assistant has to make up those goods and get them ready for the carter to take away, is the extra half-hour any good?—One gentleman said half to three-quarters of an hour would be ample for his purpose. As an actual fact, if a shop closes at two, as they propose, the employés would probably not get away until three.

1750. *By the Hon. the Chairman.*—Sub-clause 2 of clause 51 provides that the occupier is liable to be punished in regard to each person who has not “had and taken a half-holiday”—how can an employer compel a man to take a half-holiday?—He need not allow him on the premises. Unless that is in a man can easily say—“You can have a holiday, but if you do take it we will not want you in future.”

1751. Is that in any Act that you are aware of?—I cannot say that it is.

1752. Is this one of your suggestions?—I think it is possibly my drafting. I think it is absolutely necessary.

1753. Would it not be sufficient if they had the option of taking the holiday?—I do not think that is sufficient. In the case I have mentioned a man has the choice of going next week or stopping in the shop.

1754. Section 53 provides that information shall be laid within twelve months; it is at present one month—why was it extended?—To meet the furniture stamping. It was considered advisable to extend it beyond one month, because in some cases brought under our notice one month is too short.

1755. Might it not be very difficult for a manufacturer to disprove a charge brought against him after the lapse of twelve months?—Yes. I think two months is long enough generally, and twelve months in the furniture trade. You might only find furniture unstamped some months after it has been made, and then you have to trace it back to the man. In that case the man would only have to keep his furniture away for two months, and then our power would fail. I think it is easy for any man to clear himself of any charge of not stamping, even twelve months afterwards. Exception was taken to the immense power given in connexion with the making of regulations in clause 55. I think that the notices are now generally posted up, but it cannot be enforced in one or two cases, and it was thought better to make it legal in all. In England they have to buy their notices, here they are supplied. The powers are really absolutely necessary to the Bill. They are not excessive in any way.

1756. Are you in favour of stamping?—Yes. I think it will give the public an opportunity (and some will take advantage of it) to give the European work the preference. I think they are entitled to have that opportunity.

1757. Which is the cheaper furniture, the Chinese or European?—The Chinese.

1758. Do you think the bulk of the buyers will buy the cheaper or the dearer furniture?—I think a large number who now buy furniture, thinking it is European, will have a chance of knowing it is Chinese and avoiding it.

1759. It will also give the buyer an opportunity of leaving Victorian furniture alone altogether, because when furniture is unstamped he will say—“This is English furniture, and I will buy it”?—It will give him that opportunity, no doubt. This clause was passed by the Legislative Assembly previously, practically, and it was refused by the Upper House on the ground that it was not uniform law; now both sides have agreed to have a uniform law.

1760. *By the Hon. S. W. Cooke.*—Can you give any reason why the price of labour should be fixed and not the price of produce?—I think you can fix the price of the one, and it is difficult to fix the price of

the other in this Act. The Government in framing clauses 16 and 17 have been under the belief that the majority of consumers were willing and anxious to pay fair wages, and were able to do so. That is the point in connexion with this.

1761. Yet when potatoes were very low, not very long ago, and wheat very low, the public did not offer a higher price than the market price, though it was well known that growing potatoes at that rate did not pay unless they had a very large yield indeed?—You can get at the one and it is very difficult to get at the other. The one is more a question of supply and demand. In this particular case I do not think it is a question of supply and demand. As to clothing, the public are willing to pay 3d. a pair extra on trousers, so that women shall not starve. I do not say they can pay 5s. a ton extra on potatoes so that farmers shall make more money.

1762. You give a particular case, but it is a new principle being introduced which may have very wide effect, I do not say disastrous; it might do good, but, at the same time, the principle involved is a very big one?—[*No answer.*]

1763. *By the Hon. N. Thornley.*—You excuse it on the ground that it is a small thing. Potatoes last year were 10s. a ton?—I do not excuse it on the ground that it is a small thing; I think it is an immense one.

1764. *By the Hon. T. D. Wanliss.*—Would you recommend that all consumers should be compelled to pay 30s. a ton for potatoes instead of 10s., so as to allow the farmer to live?—I think the one depends upon climate, Providence, and fifty things which the other does not depend upon. The manufacturer's goods are not destroyed by Providence, nor has he to deal with a sudden superabundance. Nature may suddenly produce ten times the ordinary crop.

1765. Whom does the manufacturer depend upon?—The public; the population of the country.

1766. *By the Hon. the Chairman.*—Whom do they live on?—On the farmer, I suppose. I think in one case it is a known supply and demand, in the other case it is an absolutely unknown one. When the crops of the country fail through drought it is impossible for the farmer to cope with that; it is an act of Providence.

1767. The manufacturer is to get his regular price and the work-people in the factory their regular price, irrespective of whether the farmer gets his regular price or not?—We do not seek to give the manufacturer a good price; we seek to give the employé a good price.

1768. Then the employé must receive a fair wage irrespective of whether the farmer makes money or loses?—Yes.

1769. *By the Hon. N. Thornley.*—Is there any reason why you cannot carry the minimum wage to the farm servants?—I should like to see a minimum wage right through.

1770. Suppose you have a minimum wage and the price of produce falls how can the farmers afford to pay a fixed price?—All minimum rates are subject to revision.

1771. The usual price of potatoes is £3 a ton, last year it was 10s. Would a farmer's man take that proportion of his wages?—When the potatoes are so cheap it is obvious there are very large quantities, so it does not follow the farmer is injured by the fall in the price.

The witness withdrew.

Joseph F. Richardson examined.

1772. *By the Hon. the Chairman.*—What are you?—Manager of the Colonial Sugar-refining Company in Victoria; it has branches in other colonies.

1773. What portion of the Bill do you wish to speak upon?—I wish to speak upon clause 19, "Power to appoint special Board to fix hours of labour."

1774. Does your establishment come under the head of factory or work-room?—Yes, we are under the Factories Act now. I would like to say that this clause introduces an entirely fresh principle, and did not form any part of the Bill as it was introduced into the Assembly by the Government. The Chief Secretary in his speech expressly disclaimed any idea of regulating the hours of adult male labour in Victoria by this Bill. This clause was introduced by a private Member.

1775. Do you object to it?—Yes, on several grounds. The first objection is that it is an entirely fresh departure in legislation. Hitherto the matters with which this deals have been matters which have been, as I think, properly between the employer and the employé. There has been no legislation on the subject before, and as a matter of fact, having been managing this company for 37 years, I can say there has been nothing in the shape of a lock-out or strike, nor has there been any dispute excepting an ordinary dispute with an individual man now and again, nothing but what was capable of perfectly easy, amicable, and immediate adjustment.

1776. You think the men on the one hand and the employers on the other are perfectly able to arrange the matter?—Yes, perfectly able. There is not the slightest difficulty in the world.

1777. *By the Hon. J. M. Pratt.*—You think no special Board is required to fix this matter?—No. The next objection is to section 1, which provides that the Governor in Council may if he think fit from time to time do certain things; though nominally that power is vested in the Governor in Council it really is in the hands of the Minister administering the Bill who, presumably, is the Chief Secretary, and that Minister if moved thereto by persons more or less acquainted with the matter may call into being a Board which may proceed to stir up a great deal of strife where none exists.

1778. *By the Hon. H. Cuthbert.*—Would not the Minister have to report to the Governor in Council?—Yes. The Governor in Council would have to assent.

1779. Therefore every Minister forming the Council would have an opportunity of giving his views for or against the Minister's opinion?—Yes; but the Minister takes action on the ground of representation made to him, and he may be moved to take action on very imperfect and insufficient information. The next point is the constitution of the Board. The Board is to consist of four members and a chairman, and in section 2 of the same clause it says two shall be appointed as representatives of the employers and two as representatives of the employés. I take that to mean that the Minister will appoint two persons whom he in his judgment might think fit to represent the company, and two who in his judgment were fit to represent the working man. If there is to be a Board at all, the parties interested should have either a voice in the nomination or be consulted in some way. At present any two persons might be chosen to represent us, and we might feel them to be very incompetent.

1780. *By the Hon. the Chairman.*—Is there any other sugar-refining company besides your own?—Yes. There is a small one in Port Melbourne. We would like to have a voice as to who shall represent us. At present we have no voice at all.

1781. *By the Hon. H. Cuthbert.*—What are the hours of labour in your establishment?—There are about 250 hands altogether; some work 48 and some 54 hours a week. There are four women, who are limited by law to 48 hours.

1782. Do you exceed 54 hours?—There may be a few exceptional cases. The working manager can give you more information.

1783. *By the Hon. the Chairman.*—Do you ever need to work overtime?—Yes, sometimes. The next point is that those four representatives having been appointed have to appoint a chairman, and if they fail in that duty the Governor in Council appoints him. Suppose there were two members who fairly represented the employers, and two on the other side, so that the voting would be equal, the chairman, who might or might not have any special knowledge, has practically the determination of the whole matter in his hands.

1784. How could you get over that?—I do not know.

1785. As far as your trade is concerned, the Board is not wanted?—Not at all. That is my primary objection—I am very sorry to see one suggested.

1786. *By the Hon. N. Thornley.*—In arbitration the two sides name an umpire—why cannot the representatives of the employers and employés agree to nominate an umpire themselves, and if they cannot agree upon the umpire, then there is no Board?—That is right, but in this case the four members appoint the chairman, and his vote determines the whole question. If those four men happen to be two and two, the determination of the whole question is thrown into the hands of one man.

1787. If those four men do not agree upon the appointment of the chairman, there is no Board?—No, but if they do elect him, and the voting is equal, the whole thing is thrown into the hands of one man.

1788. *By the Hon. H. Cuthbert.*—That objection might be taken to every case of arbitration that the whole power is given to the umpire. Where two arbitrators disagree they refer it to an umpire?—I do not suppose there is much difference between an umpire and a chairman after all, but we object to being placed at the mercy of one man without any appeal. There is no power of appealing from the decision of that man, whoever he may be.

1789. Whom would you recommend the appeal should be made to?—To some legal tribunal, any court, or judge of a court.

1790. *By the Hon. the Chairman.*—What would they know about it?—Nothing.

1791. *By the Hon. H. Cuthbert.*—You object to clause 19 *in toto*?—Yes, on every conceivable ground. Then as to sub-section 4, it says—“Any person who either directly or indirectly, or under any pretence or device, employs or authorizes to be employed, any person for a longer term in any day or week than the time so determined, shall be guilty of an offence against this Act.” Under that clause no overtime can be worked at all. If the Board fix that a factory shall work seven hours a day, when that time is up the work is stopped; that is impossible in a factory, which is practically worked continuously. You cannot stop the works; you must work men overtime with or without payment, as the case may be. Under this section you are liable to heavy fines, and if you do it three times you are liable to go to gaol.

1792. Do you work day and night?—The work is practically continuous. The place is never stopped except for a few hours on Sunday—we have relays of men. Under this there could be no overlapping.

1793. *By the Hon. T. D. Wanliss.*—Your business could not be carried on?—No, it would be impracticable.

1794. *By the Hon. H. Cuthbert.*—Supposing the eight hours system were brought in, could you not work under the eight hours' system with relays of men?—No, I do not think so. The working manager can speak as to that.

1795. *By the Hon. W. I. Winter-Irving.*—If you were working under this clause could you produce sugar as cheaply as you do at present?—I do not think it would make any difference. Suppose we pay a man, as we do, 7s. a day, that is 8d. or 9d. an hour. If that man only worked half the time he would earn only half the amount, we should pay no more wages. We are not afraid of the effect upon the wages, but of the effect upon the organization of the place.

1796. *By the Hon. H. Cuthbert.*—Would it benefit the workmen if this were carried?—Not the slightest. The whole thing is utterly unnecessary in my judgment.

1797. *By the Hon. T. D. Wanliss.*—If you were liable to three months imprisonment you would want a much larger salary?—Yes. Then I have some remarks to make about clause 32 as to engine-drivers. We have no objection to the alteration that this Bill contemplates; it is simply that the man who holds a certain kind of certificate now has got to do something different—we do not see any benefit in that, but we take no objection. We would like this Act to amend what we believe to be a great defect in the Principal Act, as to requiring certain men to hold certificates at all. The only difference between the amending Bill and the Principal Act at present is that it alters the mode of dealing with certificates. The man who has a certificate under the Principal Act at present has to produce the certificates in a different order. That does not affect us in any way; we do not care how he gets the certificate, but if this is an amending Act we would like to be heard as to the necessity of amending the Principal Act in the direction of not requiring certain men to hold certificates. We employ a great number of men who ought not to be required to hold certificates. We say certificates of service and competency in certain cases are entirely unnecessary.

1798. *By the Hon. the Chairman.*—Do you want a man to have charge of an engine who is not certificated?—No, but we want to have distinctions made.

The witness withdrew.

George Argo Turner examined.

1799. *By the Hon. the Chairman.*—What are you?—I am works manager for the Colonial Sugar-refining Company.

1800. What have you to say about these clauses?—I have nothing to add to what Mr. Richardson has said.

1801. What have you to say about the hours of work?—We work eight hours wherever possible; but working night and day it is impossible to work eight hours, because you cannot work eight hours without a meal. There are only three eights in 24, and working like that a man would get no meal hour;

we spell them for their meals, and it comes to 54 hours a week in some cases, and in some cases less. Where it is possible we work the eight hours wherever the men can take their meals while they are working, the same as a miner does.

1802. *By the Hon. T. D. Wanliss.*—You do not find the men object to those hours?—No, we have never had any objection. We have eight-hour men working alongside these men. The men see the reason of it, and we very seldom change our men. We have seldom had a case of a man leaving us. We work relays of men night and day, year in and year out.

1803. Each man comes on for eight hours?—Yes. If he comes on for ten hours we have men arranged to spell that man for his meals; but it is not possible in every case to abide strictly by the eight hours, because he could not get his meals.

1804. It is eight hours consecutively, or ten hours with the spells?—Yes. We have dining-rooms on the place for the men to take their meals in.

1805. What are the wages paid?—From 7s. a day to £4 a week.

1806. *By the Hon. H. Cuthbert.*—Do the men who come on for ten hours get more than the men who work eight hours?—Yes. We pay no man under 6s. who works eight hours, and no man under 7s. who works over eight hours.

1807. *By the Hon. S. W. Cooke.*—Does any one work more than the 54 hours?—No, taking the year all round.

1808. *By the Hon. the Chairman.*—Have you any women working there?—Five. They earn about 25s. a week.

1809. *By the Hon. T. D. Wanliss.*—What do they do?—Make bags.

1810. *By the Hon. S. W. Cooke.*—How many hours do they work?—Eight. They come on at eight o'clock in the morning and leave at five. They have one hour out for meals.

1811. What is your opinion about the proposed Board?—It could not be worked at all. You could never take two men off the streets and send them down to arrange our work for us.

1812. Suppose you were elected to the Board yourself?—Circumstances might arise in which our employés might object to me.

1813. *By the Hon. H. Cuthbert.*—How many men do you employ?—We are very busy when we have more than 300; about 250 is the average, but that does not include men on the wharf. We have sometimes more than that, including them.

1814. During many years past there has been no disagreement between those men and yourselves?—We have never had a disagreement in the company.

1815. *By the Hon. W. I. Winter-Irving.*—You have never been taxed with sweating?—No.

1816. *By the Hon. the Chairman.*—Do you work overtime?—Yes, we have to do that on the wharf.

1817. Not in the factory?—No; it is regular work there, except in the case of a breakdown in the machinery, which the engineers and mechanics and carpenters have to set right.

1818. *By the Hon. T. D. Wanliss.*—Do you work overtime yourself?—I am always working overtime; I live there.

1819. *By the Hon. H. Cuthbert.*—You have no reason to complain?—No.

1820. What does the extra work that is given at the wharf arise from?—Discharging vessels loaded with sugar. We take in about 40,000 tons of raw sugar a year.

1821. How do you provide for overtime?—It is very difficult to make provision. We have to take on men to do this work, and then we do not sometimes get sufficient notice to put on others when their eight hours are up.

1822. Do you pay them extra?—Yes, time and a half.

1823. They are very glad to get it?—Yes; it is their only chance to make up the week. They might have only two days in the week.

1824. *By the Hon. the Chairman.*—As to clause 32, concerning engine-drivers, what have you to say?—My objection to this clause is, that in our case we have to employ far more engine-drivers than we can use. We have about fifteen to twenty men with certificates on our books, and, as a matter of fact, we only employ two. In some of our machines we have a small engine attached to it, and the man who works the machine and does the manipulating of the sugar in the machine has to have a certificate, though his work is not engine-driving at all.

1825. *By the Hon. H. Cuthbert.*—What objection is there to your employing the men with certificates?—We have to employ those men for a certain manufacturing purpose, that of handling sugar, and in addition to that they have to have a Government certificate; and it is hardly possible to get the two classes combined. It would be the same in a cream factory, if you had to employ a certificated man to drive the separator.

1826. You have twenty of those men on your books?—Yes, this number includes firemen as well as machine-men. That is the minimum; if one of those men left we would be one short, and there would be a difficulty in getting another.

1827. *By the Hon. the Chairman.*—Do I understand that you do not require fifteen or twenty certificated men, but by the present Act you are obliged to have them?—Yes.

1828. *By the Hon. H. Cuthbert.*—Have you found any inconvenience from the working of the Act?—Not yet. It has not been in operation long enough; but the men will not live forever.

1829. It has been in operation since 1885?—Yes, but we do not change hands very often.

1830. You have not found any inconvenience so far?—No, not very much, so far. The difficulty is to get a man who can manipulate sugar and yet hold a certificate. Those men were given certificates under the old Act because they had been so long at this work, they were granted permits; now they have to get some other sort of certificate.

1831. *By the Hon. W. I. Winter-Irving.*—You do not think it necessary for a lot of machinery to have certificated men?—No; it is not required. We have a large staff of engineers.

1832. *By the Hon. the Chairman.*—If one of your certificated engineers left you could you not put another man to the work, however highly qualified he might be, unless he had a certificate?—No.

1833. *By the Hon. N. Thornley.*—You might require two—one to attend to the sugar and another to stand beside him?—Yes.

1834. *By the Hon. the Chairman.*—How would you deal with the class of your work that would require certificated engine-drivers?—The operation of this Act, I think, ought to be limited to places

where there is no skilled advice, such as mines or cream factories. We do not depend upon our engine-drivers at all; we have engineers over them; and if anything goes wrong the man has to report it to an engineer, who has not a certificate, to put it right for him.

1835. *By the Hon. J. A. Wallace.*—There is no danger to life?—Not the slightest.

1836. *By the Hon. the Chairman.*—How would you alter this clause?—It should provide that the Chief Inspector has a right to give an exemption to any factory that provides skilled engineering ability besides the engine-driver.

1837. *By the Hon. J. A. Wallace.*—How many boilers have you in the works?—About fourteen, I think.

1838. *By the Hon. H. Cuthbert.*—I suppose that some of those men that you have engaged are working at more than one engine?—Yes, they attend to a number.

1839. Eight or ten?—Yes. There is no driving; we start them on Monday morning, and they are never touched until Saturday night. It is only a matter of oiling.

1840. One man may have ten engines to attend to?—One of the engine-drivers will, not a sugar-refiner.

1841. This Act has been in operation since 1885, and you have found no practical inconvenience from its provisions?—We have had some little inconvenience, but we have got over it. I think we have had to deal with Mr. Ord once or twice and his predecessor, but we got over it. They were comparatively trifling matters.

1842. Are those engines steam boilers and engines?—No; they are quite distinct. The boilers are in one building and the engines in another.

1843. This refers to a place where there is a steam engine or boiler?—That is one of the ambiguities of the Act. We have to provide certificates for our firemen—that is, for one fireman in each watch; an engine-driver is not a fireman, nor a fireman an engine-driver.

1844. Is the engine or boiler under the charge of a certificated man?—Yes. We have to get men with certificates for the boilers, though they never see an engine probably; they are firing the boilers; it is a very troublesome matter.

1845. *By the Hon. J. A. Wallace.*—A fireman has no control over the boiler?—He controls the fire and water level; he cannot tell whether the boiler is safe or unsafe.

1846. *By the Hon. the Chairman.*—Has a fireman anything to do with increasing or decreasing the safety of boilers?—No, we do not trust it to them.

1847. Could he render it unsafe by bad stoking?—Not if the boiler is properly fitted up.

1848. Those are not boilers connected with an engine?—Yes, they are supplying steam to the factory.

1849. Has the stoker anything to do with letting the water go down?—The boilers are provided with low-water valves, and if the water gets down too low the steam escapes by them.

1850. *By the Hon. N. Thornley.*—All the stoker can do is not to put in sufficient coal?—That is all. A stoker's duty is to manage his fires and keep sufficient water in the boilers.

1851. *By the Hon. the Chairman.*—Do you not think sub-clause 2—"Power to exempt certain steam-engines, &c.," would meet your case. "The Governor in Council may at any time by order published in the *Government Gazette* exempt from the operation of sections 37 and 38 of the Principal Act and of this section for such time as he thinks fit any particular class of steam engines or boilers, or any steam engines or boilers which are used exclusively for any particular trade or business, or any particular class of steam engines or boilers which are used in any particular locality"?—Yes. It would meet our case if we got that exemption, but it would be as well to state in that clause that a factory would be exempted as a matter of course if it provided sufficient engineering ability; that clause might be altered. The Governor in Council might take away the exemption after having given it, or he might not give it to us.

1852. You think the section should have a provision inserted that factories should be exempted that have sufficient engineering skill—who is to judge of that?—I should say the Chief Inspector. We have engineers who are engineers and have no certificates at all; they do not require one, and we depend upon them.

1853. You want the inspector to have power to dispense with certificates?—Yes.

1854. *By the Hon. W. I. Winter-Irving.*—The inspector might cause a great deal of difficulty?—He might, but if he is a reasonable man he would not.

1855. *By the Hon. the Chairman.*—Whom would you appeal to if you and the inspector disagreed?—I would appeal to Mr. Richardson. I do not know whom he would appeal to.

1856. Should you have any objection to there being an appeal to the Minister?—No; I think this clause wants to go before a board of engineers.

1857. Have you any notion why this section 32 was inserted?—No.

The witness withdrew.

Thomas Frame examined.

1858. *By the Hon. the Chairman.*—What are you?—A box manufacturer. I represent Frame and Company.

1859. What is your opinion in reference to this Bill?—I notice in the report of Mr. Ord's evidence as to a case where there was a complaint that permits were not issued, he said some manufacturers would not agree to pay the rates that other people paid. I say I paid time and a half for many years. I applied for a permit and got it for three weeks in the holidays; we work overtime only three days a week, that is every alternate night until nine o'clock, and we pay time and a half. About three days before Christmas I asked for a permit to work the three nights, which was point blank refused. The inspector referred my son to the Chief Secretary, but said he would recommend that it should not be granted. I think it is very hard that I should have to keep my girls all the winter through when I could do with half the number. My girls know that, and they are quite willing to work the overtime. I think I should be permitted to work overtime when I require it. I do not overwork them. I applied for three weeks' permission and got it, but I did not work them half the time. No employer feels inclined to work overtime, because it does not pay; the time and a half absorbs the profit; but when you have customers to oblige you should be permitted to do it. In regard to working overtime at Cup time, I find the rate has been fixed

at 15s. There is no legislative enactment for that; that is an arbitrary proceeding. Suppose I have an apprentice with me for three or four months, in good health and willing to work, I have to give her 15s., where another girl who has been there two years is only getting 10s. or 12s.; that is very unjust to her, and I object totally to that. My other grievance is the statement that manufacturers should not be allowed to work overtime when other workers are idle. When any push comes on all are employed that are capable of working. When I applied for overtime I was told that probably there were half-a-dozen starving. I just replied to the Chief Inspector that if he could get me the six starving girls, who could do box-making satisfactorily, I would be only too glad to take them on.

1860. What did he say to that?—He did not reply to it. I had a great difficulty in persuading him. I asked him to come down and see my factory for himself. My factory may be different to others. I have a lot of large boxes to make, and I require a factory about three times larger than any other factory, on account of the number of boxes. A girl requires about three times the space that another girl requires when working with a machine, so I have to keep a large establishment up. With regard to losing trade with the other colonies, I am not prepared to say the factory has anything to complain of, but we are over-legislated.

1861. Would your difficulties be met if you had the right of working, say, 24 hours a week overtime without a permit?—I would prefer to have two months or six weeks in the year at the busy time, working only every alternate night.

1862. Working how long?—Until nine o'clock at night.

1863. *By the Hon. T. D. Wanliss.*—What time do they come in the morning?—Twenty minutes past eight, and they go on until half-past five; that is the 48 hours.

1864. *By the Hon. J. A. Wallace.*—Do you think time and a half is quite sufficient?—Quite.

1865. Without the permit do you think an employer would be inclined to pay time and a half unless he had to?—Yes, but at the same time every employer does not do it. I have no objection to time and a half, but I object to giving 15s. to a girl who has been only three months at the trade as against another who has been there two years and is only getting 10s. a week; it is most ridiculous.

1866. *By the Hon. S. W. Cooke.*—How many hours a week would it mean with three days' overtime?—About nine hours' overtime. If it comes very hot in the week we drop it, and perhaps take another night to make up. I may say that we suffer a great deal now from loss of trade with the other colonies, but it is not the Factories Act that has done that; it is the excessive duty. I have to pay 75 per cent. for the raw material, and I get the boxes cut at home and brought here for 25 per cent. I have lost trade with the other colonies on that account. I have a great objection to the Chief Inspector having such power; I am more in favour of a Board.

1867. Do you think the Board could fix prices?—In the clothing and other trades it might, but not in our trade. The girls start at 5s. a week, and I see that in some trades they go two years and get nothing; that is not so in our firm.

1868. *By the Hon. J. M. Pratt.*—Are there any others besides yourself in the box trade?—Yes, six or eight others.

1869. *By the Hon. J. A. Wallace.*—Why could they not appoint a Board?—I do not think they want to appoint a Board among themselves to settle wages. The most of it is done by piece-work. I do not say every manufacturer pays the same piece-work rate, but that might be done. If a Board is appointed I would not object to that.

1870. *By the Hon. J. M. Pratt.*—You complain about the rate of wages to be paid per week to a girl. You do not believe in having one standard price for all. You say it must be regulated according to the experience of the girl?—Yes.

1871. It does not answer in your trade to have one uniform rate?—No.

1872. You do not think the Board could fix the price for your trade?—I do not think it would answer in box-making; there is such a variety of prices.

The witness withdrew.

John Hyman examined.

1873. *By the Hon. the Chairman.*—What are you?—A bootmaker. I represent the Bootmakers' Union.

1874. How many members are there?—They vary somewhat. I suppose now there are between 900 and 1,000.

1875. How were you appointed their representative?—The Union nominated me to attend here. I think the Bill is a good one, and will materially assist to mend matters in our trade; but there are some of the clauses that do not go far enough. I know the evils that exist in the trade, and how they can be remedied. For instance, the number constituting a factory is too many. I think it is possible for sweating to exist even under a smaller number. That is to say, three men could start making boots and selling them, and they would not be, in the terms laid down in the Factories Act, a factory; therefore they would escape supervision. They would be taking work from a factory, and would be working for themselves; and for that reason I would like to see the number lowered, so that one or two should constitute a factory as applied to the boot trade. I know cases of that sort. Those small men buy the uppers, and engage another man to put them together, and another to finish them; and they offer those boots to the warehouses at a less price than the legitimate manufacturer can, which necessitates the bringing down of the wages of the big manufacturer to compete with them. For that reason I should be in favour of having a smaller number constitute a factory in the boot trade.

1876. *By the Hon. H. Cuthbert.*—Would you make one man a factory?—I would not say that, because it would embrace cobblers. I would make two a factory.

1877. *By the Hon. T. D. Wanliss.*—What are the average wages in your trade?—I should say for the last two years the average wage would not be more than £1 to 25s. a week, rather under.

1878. *By the Hon. H. Cuthbert.*—Some men make a good deal more than that?—Perhaps one in 10 or one in 20 may.

1879. *By the Hon. J. A. Wallace.*—The reason wages are so low is because there are so many boots and shoes manufactured by machinery?—Not necessarily. It is due to internal competition. Small

manufacturers spring up. They recognise there are a large number of men out of work who must get work at any price. They offer reduced prices, and those men, much against their will, must accept them. They are then able to produce boots cheaper than the legitimate manufacturers can, with the consequence that the legitimate manufacturers have no work.

1880. *By the Hon. S. W. Cooke.*—If they were not offered this work they would not have any work at all?—Why not? There would not be less boots made. I take it that the consumption of boots would be the same, no matter who made them. It is simply a question of who shall make them, either a legitimate manufacturer or a man who indulges in those sweating practices. In the one instance a man gets higher wages, and in the other he gets lower.

1881. *By the Hon. the Chairman.*—You said that one or two workmen were able to put up boots at a low rate?—No. I said the men starting in business for themselves could do so. If I had £100, and I wanted to start business, and to indulge in sweating practices and evade the Bill, I could buy uppers; I could get a man to put them up and a man to finish them, that would constitute the bootmaking. Supposing that I wanted to evade the Act, and I wanted to sweat below the minimum price, I could do it, because I would not come under the Act, there being only three men.

1882. You could not do a very large trade in that way?—Probably not; but a multitude of those small men will spoil the legitimate trade.

1883. *By the Hon. T. D. Wanliss.*—Are most of those men natives of the colony?—I cannot say that.

1884. *By the Hon. W. I. Winter-Irving.*—Are not those men sweating themselves?—Not if they can get the trade. Supposing there is 3d. a pair profit on boots in the legitimate business, and by those practices they are satisfied with 1d. a pair, and they get large orders, they do not sweat themselves. They employ one man to make them and another to finish them.

1885. *By the Hon. N. Thornley.*—They do this because they can get the labour?—There are some men unscrupulous enough to do it.

1886. Because there is the surplus labour?—I suppose it would be because there is surplus labour.

1887. *By the Hon. T. D. Wanliss.*—There are too many men in the trade for the demand?—Not if the trade is properly regulated.

1888. How are you going to regulate it?—I take it this Act will regulate it.

1889. By making the consumer pay a higher price for his boots. You say—"I will not allow you to pay less than So-and-so for making the boots"?—The public would not pay any more if the work was done legitimately than they do for the work done in sweating shops.

1890. Outside of legitimate shops there is labour available for a man who is unscrupulous?—He should be prevented from being unscrupulous.

1891. What are you going to do with the surplus labour?—Absorb it.

1892. There is not sufficient trade for all the workmen?—I do not say that. I say the introduction of machinery and the unfair position of the trade enables a few men to do a certain quantity of work, which, if the trade were properly regulated, it would take a large number of men to do.

1893. You cannot regulate machinery?—No; but the trade could be regulated properly. Just now a number of boys are being employed to regulate one portion of a machine which should be done by a man.

1894. What would you do with the boys?—Have them taught their trade, not merely to make one little portion, by doing which they are not worth any more to their employer than a few shillings a week.

1895. *By the Hon. the Chairman.*—Would not those men require to have permits before they could get work?—Not under this Act. Take clause 3, sub-section (a.) It says—"For the definition of the expression 'factory or work-room' as amended by the *Factories and Shops Act* 1893 there shall be substituted the following definition, namely:—"Factory or work-room' shall mean any office, building, or place in which four or more persons other than a Chinese, or in which any one or more Chinese persons is or are employed directly or indirectly in working for hire or reward in any handicraft or in preparing or manufacturing articles for trade or sale, and any office, building, or place in which steam or other mechanical power is used." That clearly says that only people working under those conditions will come under this Act.

1896. On the other hand, look at clause 16, sub-clause 3—"Every person who not having a permit as aforesaid, the burden of proof whereof shall lie on the defendant, and who outside a factory or work-room wholly or partly prepares or manufactures for trade or sale any articles of clothing or wearing apparel, shall on conviction be liable to a penalty of not more than Ten shillings." Would that not meet the case of the three men you speak of?—Yes, probably it would. It all hinges on the interpretation put upon it.

1897. That would cut the ground away from the class of men you speak of and compel them to get a permit, and then, if the Board regulated the prices, they could only work at the prices fixed by the Board?—Yes, that seems to cover the ground.

1898. Do you think a Board is necessary?—I do indeed; I think it is the only salvation of the trade.

1899. How would you advise that the Board should be constituted?—I think the number of the Board is too small. The Board should consist of five representatives from each side. I am now speaking as the representative of the boot trade.

1900. You would have a Board for each trade?—Yes, otherwise they could not understand the technicalities of each trade.

1901. In the Bill it says the Governor in Council is to appoint a Board for all the trades?—We would recommend that as an alteration, and it would be advisable as far as the boot trade is concerned that the Board should consist of five members on each side. I would have each side appoint their own representatives, five appointed at a meeting of employers, and five appointed by the Union where there is a Union.

1902. Supposing the workmen are not all in the Union?—Then they might be appointed by a public meeting.

1903. You would let the non-union men vote as well?—Exactly.

1904. *By the Hon. J. A. Wallace.*—A Board appointed by the shoemakers would not understand the clothing trade?—Decidedly not.

1905. *By the Hon. the Chairman.*—Do you think such a Board could decide the prices to be paid?—Undoubtedly. They have done it hitherto all over the world. In almost every country there is a statement drawn up by representatives of the men and the employers, which controls the legitimate trade of each of the countries.

1906. Would those prices be evaded?—I do not see how it could be evaded if it were the law of the land.

1907. Are not other laws broken?—Then it should be made penal.

1908. *By the Hon. J. A. Wallace.*—How should those Boards be paid?—That is a very small matter. I feel certain, so far as the men are concerned, they would be prepared to pay their representatives, and I take it it would be to the interests of the employers to pay theirs.

1909. *By the Hon. the Chairman.*—Supposing the Board decided that a certain rate should be paid, and a large number of workmen disagreed with that finding, how would you enforce it?—The majority should rule.

1910. Assuming the Board has decided—that is, the representatives of the employers and the employed have agreed upon a price—but a large majority of the men refuse to recognise it, how would you enforce it?—I would say, if it had the force of law, they could not go against it. They would be told they must accept it, and their common sense would tell them it was no good going against it.

1911. Would you fine or imprison 200 or 1,000 men?—I can hardly conceive such a body of men opposing the finding of a Board constituted such as this would be.

1912. You know it has been done recently in the matter of strikes, such as the engineers' strike at home?—That was a civil finding.

1913. Should that not be more binding?—Human nature is human nature all the world over, and a law is necessary.

1914. *By the Hon. T. D. Wanliss.*—Suppose you cannot put the law in force?—There must be some way of doing it.

1915. *By the Hon. J. A. Wallace.*—When the matter is one of honour would they not be more likely to abide by the decision than if it were fixed by law?—I do not think so.

1916. *By the Hon. the Chairman.*—You are aware there is a similar Board in New Zealand?—Yes.

1917. Are you aware there was a dispute in the boot trade within the last few months?—No.

1918. Are you aware that what I have spoken of is happening there now?—No. I would like to have the Board a Board of Arbitration as well as fixing the mode and manner of working.

1919. Have you not a Board of Conciliation now, the Act concerning which was brought in and passed four years ago?—It never had the force of law.

1920. It is an Act of Parliament?—I do not remember hearing that it was compulsory to resort to it.

1921. Either side can move the Governor in Council?—But it is not compulsory. I did not know that it was optional, otherwise I think it would have been taken advantage of in the boot trade last year.

1922. Do you think the Board should also determine the number of apprentices and improvers?—Undoubtedly. We have had in the past, in Australia, and England, and America, and all large centres, a Board that does deal with those questions. It is generally a Board of five representatives from each side. When last statement that was drawn up by the Bootmakers' Union, I was one of the representatives of the men who helped to draw up that statement.

1923. Did it answer?—It answered among the legitimate manufacturers and is in force to-day; but the unscrupulous manufacturers will evade it.

1924. It is not the large manufacturers who evade it?—Some of them are large and still unscrupulous.

1925. Should the Board fix the hours of labour?—Undoubtedly; owing to the introduction of machinery and the great advancement of trade that particular function is more necessary than any other.

1926. Is not eight hours practically the day's work now by tacit consent?—It is hard to say what are the hours, seeing the way the trade is worked. There is so much out-door work, they may be working twelve and fifteen hours for all I know.

1927. *By the Hon. N. Thornley.*—What is the proportion of in-door to out-door work?—It has grown so large I can hardly say. We tried to grapple with it last year, and we found it larger than we imagined it was. I should say it was quite half.

1928. *By the Hon. S. W. Cooke.*—Would you regulate the hours of out-door work?—No. I take it this Bill is doing away with out-door work.

1929. In certain cases permits may be given?—That would kill it.

1930. Where permits are given would you regulate the hours?—You could hardly do that in the boot trade. It would be such a small matter it would not be worth while going to any trouble over it. The results would condemn a man. If a man took work home, and was able to do £4 or £5 worth a week you would soon see something was wrong; but if this Bill is passed out-door work will die out. I have evidence that men do not desire it in our trade. It is forced upon them. I know men who have started working outside from the beginning, and thought they would never work in a factory, but who went in under compulsion, and after being in for a week or two they said they preferred it, and they only wished they had gone in years before, and it would have saved them in health, and everything else.

1931. *By the Hon. the Chairman.*—Do you wish to prevent men working in their homes if they want to?—Yes, I would.

1932. *By the Hon. J. M. Pratt.*—You prefer strict working in the factory?—Yes; that is based upon my own experience. I have been a bootmaker for 22 years, working inside a factory. When I started in London I started outside, as was the custom in those days, and I know the evil effects of it. As a young man some one would come in and speak to me of a morning; I would sit down and smoke and talk until perhaps at mid-day I found I had done no work, and would have to work until ten or eleven o'clock at night to make up for it, and I would do no more work than I would do in a factory working eight hours. I would do away with outside work altogether except in case of physical disability.

1933. How would you draw a distinction between a bootmaker and a cobbler?—A cobbler is a repairer, a bootmaker is a man who makes new boots.

1934. A cobbler will say—"I will make you a pair of boots"?—Then he is a bootmaker at once.
1935. *By the Hon. the Chairman.*—Take the case of a man who both makes boots and mend boots, would you make him come into a factory?—No. He does not come under this Act at all. That is "bespoke" work. He is not a factory hand at all.
1936. *By the Hon. H. Cuthbert.*—You mean if I go to that man and say—"Make me a pair of boots," he has a perfect right to do it, although he is not a factory man?—Yes.
1937. *By the Hon. N. Thornley.*—Can he employ half-a-dozen hands in his shop?—No.
1938. Take the case of a man with a shop who makes "bespoke" boots and has two or three assistants?—He would come under the provisions of the Act.
1939. Then you would shut his shop up?—No, I would make a factory of it.
1940. *By the Hon. the Chairman.*—You are in favour of a Board to regulate prices, that Board being a Board of Conciliation, and fixing the hours of labour, and you are in favour of permits being given under certain restrictions?—I would like to see all work done inside the factories. I am not in favour of permits. Of course there must be permits in some cases, but, if possible, I would do away with them. If it was possible to provide in some other way for those men, I would say do it and have no permits.
1941. *By the Hon. S. W. Cooke.*—You do not think that by driving all work into the factories the consumer will be injured?—Not at all.
1942. *By the Hon. N. Thornley.*—Who gets the benefit of the lower prices now?—It is impossible to say whether the shopkeeper or any one else gets it. I do not know that there is any benefit got now at all. Boots now are sold at exactly the same price to the public as they would be if this Act came into force and a minimum wage was fixed.
1943. There must be a margin between the low price to the producer and the price to the buyer?—The shopkeeper must get that. There is a probability that in some instances the public do buy cheaper.
1944. They could not possibly have boots made at the same price in every factory?—I do not know that. I remember going into a shop some three years ago (I was then working in a factory), and the shopkeeper asked me if I knew whose a particular boot that he produced was. I said—"Yes, it is ours." He said—"Do you know what I paid for that?" I said—"No." He said—"I paid 9s. 6d. for that." I said—"Cannot you sell them?" And he said—"No, I cannot. Do you see this?" and he showed me a fac-simile of the other boots. He said—"Do you know those?" I said—"No." He said—"Those are So-and-so's." I said—"Why cannot you sell the boot we are making?" He said—"I buy these 1s. 6d. cheaper than the other." The actual difference that was paid between the two factories in the cost of production to the maker and finisher was about 10d., yet one man was selling it to the shopkeeper at 1s. 6d. less. Where did the rest of the 1s. 6d. go to?
1945. *By the Hon. S. W. Cooke.*—The consumer got the boot 1s. 6d. cheaper. Multiply that by hundreds, and you will get a considerable sum of money which is not spent in boots, but in some other direction?—Yes; but that was not the legitimate way.
1946. I pay 1s. 6d. less for my boots, and I have 1s. 6d. more to spend in another direction; that gives employment to some one else?—Exactly; but I do not think there would be any difference at all in the selling price of the boots if this Bill were passed.
1947. *By the Hon. N. Thornley.*—There would be no bargains unless a man wanted to clear his stock?—It does not come to much in the course of a year for boots. I do not think the public would demur even if they had to pay 6d. a pair extra.
1948. *By the Hon. S. W. Cooke.*—If 10,000 people spend 6d. more on boots that 6d. is not spent in other directions, so the other directions lose it?—You cannot take an individual case. The question is, what is the difference in the cost to the actual individual?
1949. If I spend it on boots I cannot spend it on some other class of labour?—No.
1950. Then some other class of labour must suffer for the advantage of your trade?—If I am able to earn 10s. or 15s. a week more through your paying 6d. or 1s. more for your boots, multiply me by the 3,000 employed in the boot trade, and look at the immense amount of money we are able to spend more.
1951. *By the Hon. the Chairman.*—That comes from somebody else?—Yes; but it is the same argument used to me.
1952. What do you think about overtime?—I think it should be done away with altogether. In the present state of the labour market there is no necessity for it, and for a good many years to come there is a probability that the labour market will be overcrowded, and if so, the question is, how can you best find employment for all of them?
1953. If an order came in that had to be shipped at twelve o'clock to-morrow you would not allow overtime?—That would hardly occur in the boot trade. You would not get orders rushed through at the last moment. A manufacturer generally knows a few days beforehand of an order such as that. He would have to know or he could not get them made, and there is nothing easier than for him to put on a few hands extra.
1954. *By the Hon. W. I. Winter-Irving.*—You do not export boots from Victoria?—As a matter of fact, there is very little exporting done now, so the necessity for overtime on that account is done away with altogether.
1955. *By the Hon. J. A. Wallace.*—Would time and a half check overtime?—I do not know; we have never got it.
1956. You would be glad to get it?—Yes, if overtime is to be forced on us.
1957. That would act as a check?—I dare say it would. I am opposed to overtime altogether; but if it must be done, I say it should be paid for extra—time and a half.
1958. *By the Hon. J. M. Pratt.*—And you would limit the number of hours per week?—Undoubtedly.
1959. *By the Hon. N. Thornley.*—To how many?—Say ten hours in the week. I would like to see the clause relating to stamping extended to our trade. There is no doubt it would be of great benefit to us; it would injure no one, and would protect the public.
1960. You would make it compulsory?—Yes.
1961. *By the Hon. T. D. Wantliss.*—Where would you have the stamp?—I would not care where it was. I know manufacturers in this city who manufacture a common line of work, and put in a great deal

of cardboard and composition, that is, shavings of leather and glue mixed together and made into a sheet. I remember in England we used to sell the shavings off the heels and skivings to a man who used to take them away and make this composition.

1962. *By the Hon. H. Cuthbert.*—Is that done here to any great extent?—I know two or three firms who use it largely in their boots. Supposing a man bought a pair of boots in Bourke-street, and found after a day or two that they gave way, he would only have to notice the particular brand to avoid buying that brand again, so it would be a protection to the public.

1963. *By the Hon. J. M. Pratt.*—With the stamp you must have the address of the maker?—I think the name and the address of the manufacturer would be sufficient.

1964. *By the Hon. the Chairman.*—Would not the trade mark be sufficient?—Hardly. The public cannot distinguish between trade marks. It is easy to get one so near another that there would be confusion.

1965. *By the Hon. T. D. Wanliss.*—Owing to the bad times, do you not find a disposition on the part of boot operatives to go out of trade and find work somewhere else?—I am afraid some of the men are forced to go out. They do not want to go.

1966. Do you not think that if trades continues bad for another year or so, this evil that you now suffer under will cure itself?—It will be intensified.

1967. If they go out of the trade?—They do not go out of the trade; they are here doing nothing. The tendency is to make men take up other callings, but to what extent is it carried? Not more than 1 or 2 in 50 go out of the trade, and it would take a good many years at that rate to do any good. Then again, with the introduction of machinery, the more proficient men get with machinery the more men will be pushed out of the trade.

1968. In other trades, where the operatives get badly paid, that evil cures itself by the operatives going out of the trade altogether?—I cannot say I have noticed that.

1969. *By the Hon. N. Thornley.*—In Coventry, in England, the English ribbon trade was supplanted entirely by the Lyons ribbon trade; and now the whole of those old ribbon factories are bicycle factories?—Yes, but the industry was crushed, and the operatives knew there was no hope of its revival. In our case it is a case of waiting, and expecting each month that trade will go on and legislation will make it better.

1970. *By the Hon. J. M. Pratt.*—People must wear boots, while they can do without a ribbon?—Exactly.

1971. *By the Hon. T. D. Wanliss.*—You want legislation in place of a natural law, which drives people out of an unprofitable industry?—I am afraid no natural law can do that.

The witness withdrew.

Carl Andersen examined.

1972. *By the Hon. the Chairman.*—What are you?—Secretary of the Victorian Butchers' Union. It consists of employés principally, though there are a number of employers in with us—men who have been journeymen and members of the society, and now, although they are masters, they will not leave. I wish to speak in support of the half-holiday for all trades. I am entirely in favour of it. I have had about six years' experience in connexion with the Butchers' Association and the half-holiday, and it has proved of mutual advantage to the employer and employé. It is no loss to the employer, a great boon to the employé, and no inconvenience to the general public. I have a letter from the Master Butchers' Association sent to me in 1890 to that effect.

1973. Is there any special day you want it on?—Wednesday is the day we have been observing for the past six years, closing at one. That is by agreement entered into between the master butchers of Melbourne and suburbs and the Employés' Association.

1974. *By the Hon. S. W. Cooke.*—Is that universally observed?—Yes, all over Melbourne and suburbs.

1975. *By the Hon. T. D. Wanliss.*—And in Ballarat, too?—Yes, we have branches in Ballarat, Bendigo, and Echuca.

1976. *By the Hon. the Chairman.*—Will this Bill interfere with that?—No; but if it becomes law it will benefit us materially. Although the by-laws are passed in the various municipal councils making it compulsory for butchers' shops to close at one on Wednesdays, there are certain employers who make their men work the whole of the Wednesday afternoon. The old Act of 1890 states that shops must close at ten o'clock on Saturday nights, and seven o'clock on other evenings, but the employers make their men work until eight and nine at night. The shops are closed, but in one or two instances the men are compelled to work those longer hours. That is the reason we are desirous that clause 51 should be passed. In New Zealand an Act is in force of a similar nature. The fact of that Act being passed some years ago was the means of my taking up the matter and interviewing Mr. Wilkins to get something of a similar nature here. It has been in force for some time in New Zealand and seems to work very well, and I have no doubt it will work well here. In 1879 I was instrumental in having the half-holiday given in Narracoorte, in South Australia, which was carried out for some time; up to the time of my leaving, in 1880, it was still in force.

1977. What are your views about clause 48?—We would like the hour for stopping the delivery of meat to be one o'clock instead of eleven as far as butchers are concerned. We cannot possibly get finished by eleven o'clock; we can manage to get finished by one o'clock. We very seldom work after one o'clock. As regards the Wednesday half-holiday, we keep open on the Saturday nights for the convenience of the general public, principally the eight-hour men, who get the Saturday afternoon off, and why should they not consider us who have to work 20 and 30 hours a week longer than they do. They can get their meat before one o'clock on Wednesday, and give us a half-holiday. As far as engine-drivers are concerned, I believe every one in charge of an engine should be a competent engine-driver and have a certificate of competency. The Act at present is being evaded in a great many instances. For instance, an employer will have an exempt certificate, that is, he signs an affidavit that he has been in charge of an engine for so long; whereas I have known cases where he has never seen or driven an engine in his life. The fact of his signing that affidavit is the means of his being put on the exempt list, and he is not required, as long

as he is on the premises, to have a certificated engine-driver in charge of the engine. He will go away to the yards to buy stock, and all the time he is away there is a boy in charge of the engine. That boy never drove an engine in his life before, and if anything happened who would be responsible?

1978. Has any accident happened?—No; no accident has happened yet.

1979. *By the Hon. J. A. Wallace.*—You require an engine-driver for every sausage-machine?—Not for every sausage-machine. Nearly every person who is a small-goods man is an engine-driver or has been in charge of an engine, and we desire that every man shall go up for his certificate if he has not got one. A large number, 50 per cent., of the men have already certificates; and why should they be compelled to have certificates while others can do without them? Men have to go to a lot of expense in studying under engineers to get their certificates, and after they get them they are unable to get employment because boys are put on, on account of the employers being supposed to have certificates.

1980. *By the Hon. W. I. Winter-Irving.*—Are you afraid of having explosions through not having good men at the engines?—I think every person in charge of an engine should have a certificate either of service or competency. I do not see any hardship in it, and I think life and limb would be a great deal safer.

1981. *By the Hon. the Chairman.*—Does that apply to gas-engines?—No; gas-engines do not come under the Act.

1982. *By the Hon. W. I. Winter-Irving.*—Are not most of those engines gas-engines?—No; most of them are steam-engines. Steam is much superior for cooking purposes. Clause 50 says—“The exemption contained in section 31 of the *Police Offences Act* 1890 so far as it relates to trading or dealing by butchers is hereby repealed.” The *Police Offences Act* of 1890 permits butchers' shops to open until nine o'clock on Sunday morning. The majority of master butchers, as well as employes, state that they desire there shall be no Sunday-trading at all. There are only a few of the unscrupulous master butchers in the smaller places—men who do not know Sunday from any other day—who trade on Sunday mornings. If one man likes to have a rest on Sunday, a man on the other side of the street, who does not care whether he has a rest or not, will open on Sunday to spite his opponent. I know cases of that sort myself.

The witness withdrew.

Charles Alfred Topp examined.

1983. *By the Hon. the Chairman.*—What are you?—Under-Secretary of Victoria.

1984. In clause 3 of this Bill you will notice that four persons are to form a factory, except in the case of Chinese, where one is to form a factory. It is suggested that in the furniture trade one should form a factory, whether Chinese or European. What do you say to that?—I think that reducing the number would do very little good generally.

1985. Why should the number be reduced in the case of Chinese?—It is contended that the Chinese are an alien race, and can work under conditions under which the Europeans cannot, and it is not desirable to compel Europeans to work under conditions that the Chinese can work under.

1986. I understand the European workmen only want to be put on the same footing as the Chinese?—Yes; but I take it that they wish the Chinese to be placed by law under the same conditions as the Europeans are by custom. The Europeans work only eight hours a day; they do not live in their work-rooms; and they have to keep a family, therefore their wages must be higher. They want the Chinese to be placed under such conditions that they will have to ask for similar wages to those a European has.

1987. Evidence was given that to prevent sweating, as far as the furniture trade was concerned, one man should form a factory, because one man could turn out a piece of furniture?—There is less objection to one man forming a factory in the furniture trade than in other trades, because there are very few men working singly in the furniture trade and it would be possible to supervise them.

1988. One witness in the boot-trade advocated that three should form a factory?—I think he was under a wrong impression in regard to the outside workers.

1989. In the same clause, sub-clause 2, it was suggested that there should be no limit as to hours in laundries, provided that not more than 48 hours are worked in any week, in order to meet shipping requirements; what is your opinion as to that?—That would be the same rule that holds in all factories. In any factory you may work as long as you like on any single day, as long as you do not work more than 48 hours a week. In this Bill it is proposed to limit that for the first time. In laundries the law could be made a little more elastic, say, eleven hours a day.

1990. Would it be met by the provision of the English Act as to overtime, enabling them to work overtime not more than three days a week without a permit?—I think there might be one difficulty—that occupiers of laundries and factories might use up their extra hours before the emergency arose; otherwise you must credit them with a good deal of foresight. A ship would come in towards the end of the year, and they would find that they had used up their 30 days, so they would say the washing must go on to Sydney if they are not allowed a suspension, and the English Act does not allow both the 30 days and the suspension by the Minister too. The English factory-owners have been educated to it, and I suppose ours could be in time too; but I think the proposal would be unreasonable that they should have a fixed number of days, which they might take without any permit, and then come to the Minister for a suspension, simply because they have been extravagant in the use of them, and have used them up needlessly.

1991. Suppose they are limited to 20 days in the year and then allowed to come to the Minister?—I think they should be limited to one or the other.

1992. What is the reason that clause 4 should only be extended to certain places in the colony rather than applied to the whole of the colony at once?—It is not necessary in the country districts. The more stringent the Act is made the less reason is there to apply it universally.

1993. Would you not call Ballarat and Bendigo in the country?—No; the Act does apply to cities, towns, and boroughs, but I would not apply it to the whole of the places in the colony, whether they are cities, towns, and boroughs, or not.

1994. What harm would arise?—I suppose every blacksmith's shop or chaff-cutting place might have to register in the country districts; in fact, it is a question whether a farmer might not have to register if he employed more than four men.

1995. *By the Hon. S. W. Cooke.*—Is it not necessarily limited to four men?—Clause 4 extends it to places where one man is working; that is what I was asked. The section means any place employing less than four.

1996. It says power is given to the Governor in Council to make all the provisions of the Act apply; that was not in the original Bill. This clause is taken from the English Act, under somewhat different conditions?—To some extent. In the English Act there is no limit to the number, but the Secretary of State has power to extend the Act to trades not in the Schedules, in certain cases.

1997. *By the Hon. W. I. Winter-Irving.*—Would it be necessary to extend the provisions of this Bill to little places such as Rushworth or Murchison?—No, I do not think it would.

1998. *By the Hon. S. W. Cooke.*—I understand your interpretation of this clause to be that the provisions of the Factories Act can be made to apply to where there is only one employé?—Yes; under section 4.

1999. *By the Hon J. A. Wallace.*—If that is the case, if a man is employed on a farm, making gates or making a bit of furniture, he could be brought under the Factories Act?—No; he must be preparing articles for trade or sale on the farm. If you manufacture some of your farm produce on the farm and the Act were extended to the whole colony it would apply.

2000. *By the Hon. T. D. Wanliss.*—An old woman using a sewing machine making articles for sale could be brought in under the Act?—If the Minister so determined.

2001. *By the Hon. W. I. Winter-Irving.*—To do that would require an army of inspectors?—The Department has no wish to have every place where one is employed brought under the Act.

2002. *By the Hon. the Chairman.*—On the other hand, would it not give a manufacturer an opportunity of going just outside the bounds and starting a factory without being subject to the pains and penalties of this Act?—That is provided for in clause 5. The Governor in Council may extend the Act to any shire or portion of a shire. He may extend it to Camberwell, for instance, being a town in the Boroondara shire. In regard to section 9, I may say the object of that section is merely to prevent evasion of the section dealing with outside work—it is purely for that object.

2003. Have you anything to call attention to before section 15?—Some of the manufacturers have complained of section 14, as to the power given to the Governor in Council to prescribe the details to be kept in the record. The intention of the section is really to be less irksome than the present section. The original section in the Principal Act requires the age of every person under 20 to be recorded, and the particular kind of work every person does. Some of those particulars have been found to be useless, and it is not the wish of the Department to trouble manufacturers unnecessarily, so it was thought best to leave it to the Governor in Council from time to time to prescribe what statistics were wanted for statistical purposes. At present, whether we want them or not, manufacturers are bound to give them.

2004. Supposing you had a Minister exceedingly fond of statistics?—I have no objection to limiting the particulars to some extent; the particulars are meant to be particulars as to work and wages. There was no intention to apply for the particulars of manufacture. I find the English Factory Act of 1895 now requires factory occupiers to furnish annual returns of the number of persons employed, with such particulars as to age and sex as the Secretary of State may direct. That is somewhat similar to ours, and shows they are moving in the same direction as ourselves. The penalty there is not exceeding £10, which is somewhat heavier than ours. I think there would be no objection to putting in the words—"particulars as to work and wages, and as to the ages of those under sixteen," distinguishing between the young persons, the women and the men, and the weekly wages—those are really what are wanted. The first two sub-clauses of section 15 are practically the same as in the present Act. In the third sub-clause there is a new requirement, namely, that a copy of the records shall be forwarded to the Chief Inspector annually. Objection has been raised to that, but I find in the English Factory Act of 1895 lists of all out-door workers are to be sent in, with the names and addresses of the employés, to the inspector for the district twice a year. We only ask for it once a year; that, again, is a new requirement in the English Act.

2005. What about sub-clause 4—"and may be published by the authority of the Governor in Council;" that is in direct violation of clause 18 of the Act of 1891?—Yes; the object of that was to endeavour to shame the sweaters.

2006. Do you think it will have that effect—it is not limited to them?—I certainly think it will have some effect, as no person will like to have it published if he is conscious of giving less than the fair wage, which the reputable manufacturer is giving.

2007. How will you ascertain if he is giving those wages?—His own returns will show it. The returns we get now show that certain firms pay much less than others.

2008. That is because there is no law; if there were a law on the subject would his returns necessarily show it?—Yes, as long as the returns were true. We would have to check that from time to time.

2009. How could you do that?—By inquiries. It is pretty well known in the Department which are the firms that give low wages.

2010. Do you think those receiving lower wages would disclose it?—I think so. Here, again, objection has been raised that trade secrets would be published; but the intention is merely to publish the wages for the different kinds of work. If it is a fair wage it does the manufacturer no harm.

2011. I have been struck several times with the remark that the intention of the Bill is so and so. Any one dealing with the Bill later on will not go by the intention, but by what the clause says. Under this clause you can demand any information whatever that is desirable?—Not any information whatever. The information is defined under sub-section 1. The particulars given there are all that can be published.

2012. You think it would be advisable to give the Governor in Council, who is really the Chief Inspector, power to order the publication of this information?—I can only say it is one way of getting fair prices given.

2013. Sub-section 5 says—"Every person who directly or indirectly issues or gives out or authorizes or permits to be issued or given out any material whatsoever for the purpose of being wholly or partly prepared or manufactured outside a factory or work-room as articles of clothing or wearing apparel for trade or sale shall be deemed to be the occupier of a factory or work-room for the purposes of this section." Is that desirable?—In this particular respect only. There is a similar clause in the English Act in regard to the records of outside workers.

2014. How can a firm giving out material to some factory be in any way acquainted with the internal management of that factory?—They would only be responsible for the person to whom they directly give it out. Supposing firm A gives out material to firms B and C, which again give it out to workmen, firm A would only be responsible for stating that it gave out the work to B and C, and B and C would have to give the details.

2015. The occupier of a factory is responsible for any evasion or breach of those regulations, and if section 5 makes the firm who give out the material the occupier and therefore liable, how can the firm giving out the material know anything about it?—If the clause implies that, I do not think it is necessary. I think all that is needed is that the firms shall give the names and addresses of the firms to whom it gives out the work.

2016. You think that should be omitted?—Yes; I think it is sufficient if firm A gives the firms to whom the work is given, and firm B gives the wages it pays.

2017. You do not want to punish A for the act of the real occupier of the factory?—Except in so far as he connives at sweating. If A gives out work to B, which firm he knows to be a sweating firm giving unfair wages under the Act, I think it is intended that he should bear some of the responsibility, and that the punishment should not fall entirely on B.

2018. Clause 16 deals with the permit question; are you of opinion that all the work should be done in the factories?—No.

2019. What exceptions would you make?—I think that, granting that sweating through outside work is to be checked, outside work must be restricted in the way stated here; that any less restriction would not be of any value for the end to be obtained.

2020. Are you of opinion that the 'outside work has reduced the rate of wages?—Yes, from the evidence I have read. I have no direct knowledge; my knowledge is second-hand.

2021. Assuming that to be the case, you think a permit should be issued to those who wish to work outside the factory?—Yes.

2022. Would you make those permits of such a character as to render it almost compulsory for the parties applying for them to work in the factory?—Yes, because I do not think any supervision can be exercised over those who have the permits in regard to the number of hours they work, and so on. If the permits are very liberal the section will have no effect.

2023. Even though the Board has arranged what the price shall be for piece-work?—No doubt that is another remedy for the same disease, and it might be a good remedy. At the same time, the Board fixing the price will cause more applicants for outside work. The number of applicants for outside work is small, because they are paid so wretchedly. If you compel the factory-owner to increase the price there will be a greater number of applicants.

2024. Is there any sin in preferring a private house to a factory?—No; but at the same time there is very little practical check that they are paid the rate of pay they should be, or work the 48 hours.

2025. You heard the evidence of Mr. Hyman, whose argument in favour of their being brought into the factory was that they would be able to earn more money—do you not think that with domestic duties and other interruptions the chances are that very few more, if any, than the eight hours would be actually worked at home?—We have evidence that more than eight hours are frequently worked, and also that lower wages are paid.

2026. Supposing the pay were better?—If the pay were better, I think in a number of cases the number of hours worked would be smaller. A large number of hours are worked to get a living for themselves and the children.

2027. They do not work for the sake of work; if they could earn the same wages in eight hours as they do in eleven, would the majority of them work the eleven hours?—No, if they could get a living wage in the eight hours I do not think they would.

2028. You see no objection to home work provided the pay is sufficient not to compel them to work eleven hours?—The objection then would be that it would be difficult to see that this pay was given. It is easy in factories to see that the pay is given; but it would be almost impossible in outside work to see that the rate of pay was given.

2029. Though those records have been kept in factories of all the work given out with the amount of pay?—Yes, but the inspectors cannot go round and check them.

2030. What are the inspectors for?—There are not enough of them; you would want an army.

2031. In the event of those permits being given out, would there be any difficulty in a record being kept in the factory of the amount of work given out and the amount of pay given for it?—There would be no difficulty in it.

2032. And the manufacturer would render himself liable to punishment if the records were untrue?—Yes, the difficulty at present is that the outside workers with lower wages are not subjected to the class feeling which influences those in the factory. Each outside worker does not know what the other receives as all the inside employés do. They are liable to be told—"If you do not take these at 2s. 6d. I will get some one else to do it," whether that is a fact or not.

2033. If the Board had the prices fixed up in the factory, would that cure it?—It would be a check, no doubt.

2034. Would it not be better to do that than to compel those people to come into the factory?—It depends upon whether you prefer a double-barrelled or a single-barrelled remedy.

2035. Do you like the factories yourself?—I do not think there is any danger in young women going into factories more than meets them in other walks of life.

2036. Is that the experience in large manufacturing districts at home, such as Luton, where females were largely employed?—I cannot say.

2037. *By the Hon. T. D. Wanliss.*—Do you not think the more home life young girls have the better?—The question is, do they get more home life? They go out at nights, I think, and expose themselves to much the same temptations as those who go to factories.

2038. If they go out in the evening, will that not be aggravated by their having been out in the day-time also?—As a rule, they get home from the factories by day light—six o'clock is the usual time—and it is a very much safer thing than going out at nine or ten at night. I do not think they are exposed to much more danger than if they worked at home.

2039. *By the Hon. S. W. Cooke.*—It is said that the sanitary surroundings of a factory are better than they are at home, and it is better to work in a factory because the air gets changed; it is not healthy for people to work in the same building that they live in?—No; that is true in regard to the artisans' dwellings.

2040. *By the Hon. the Chairman.*—Look at sub-clause 4 of section 16; it says—any one "who receives or has in his possession, custody, or control for the purposes of trade or sale, or who sells or exposes or offers for sale any articles prepared in contravention of such provisions"—do you think that is

a fair position to put a retailer in who buys his goods from a wholesale firm, and that wholesale firm from the manufacturer, and consequently neither of them can have the slightest idea whether the articles have been prepared in contravention of the Act or not?—I think, subject to sub-clause (a) in sub-section 8, it may pass. There is a similar provision as to the sale of meat. The actual vendor of meat is responsible unless he can show he has taken all reasonable precautions, and the same holds good with adulterated food.

2041. In this case you have to deal with the fact that the retailer buys from the wholesale man, the wholesale man from the manufacturer, and the manufacturer gets the goods made up by women who have not a permit?—Under the Health Act we get at the persons directly responsible, wherever it is possible.

2042. Is this not on the same lines with sub-clause 5 of section 15?—I take it the object of the sub-clause is to get information from the person. The inspector goes to him and says—"I shall sue you for the penalty unless you disclose where you got the article from." I think the section would be administered in a reasonable manner. In that way a person fifth or sixth removed would not be dragged before the court unless he had connived at or refused to give the names of the persons from whom he bought. Section 57 of the Principal Act also deals with the case; a person when brought before the court can show who was liable.

2043. You first haul him up and then let him off?—Yes.

2044. What is your opinion about clause 17; was it in the original Bill?—Yes; it will be noticed that a Board may be appointed by the Governor in Council to fix the price for any particular article of clothing or wearing apparel, not clothing or wearing apparel generally, but for any particular articles in which it may be necessary; and the object of the section is to enable the Governor in Council to appoint Boards to fix the prices of those comparatively few articles of clothing which are notorious for being sweated. Objections, I noticed, were raised by several witnesses in regard to the difficulty of fixing wages and prices for such articles as mantles, skirts, millinery, and so on. I have no doubt there is great force in those objections, but it was never contemplated that the Board would fix prices for such elaborate articles of attire as those, but there are certain articles of tailoring done by women for which logs have already been fixed and worked with success for many years. I notice Mr. Harkness said the difficulty is not in arriving at prices, but in getting them observed. Mr. Bedggood himself says—"I would have no objection to the Board having the power to fix prices, but the mode and manner must not be interfered with. We have fixed prices but they are not kept, and that is the cause of the sweating." Mr. Sniders saw no difficulty in fixing prices for outside work, but both he and Mr. Barnett saw difficulties in fixing them for inside work.

2045. Do you think the Board should be appointed by the Governor in Council or elected by the different trades?—Elected, if the machinery can be arranged. The difficulty is in getting the roll of the employés. I have looked through the Councils of Conciliation Act and find it does not meet the difficulty in any way. It provides that any number of employés may petition the Governor in Council, and that the petitioners alone elect the council. That gets rid of the difficulty of the roll; but it is most unsatisfactory, because this council appointed on a petition of twenty may regulate the whole trade. Then it provides there shall be an annual election, but the provision there is that every workman must have worked in the district for six months and at his trade for five years, but the clerk must keep a register "of every person recognised by any body of workmen connected with the trade." That looks as if it was to consist of union men only. The difficulty is increased if you bring in outside workers to vote. How are you to tell that A is an outside worker; he may say—"I have been out of employment for twelve months. I am a worker at trousers when I get the chance."

2046. Would it not be sufficient if he held a permit?—Yes, that would meet it, but he might not have applied for a permit because he had no chance of getting outside work. I am afraid it would be very difficult to get any satisfactory roll of the workers.

2047. Taking the penalties, do you think they are excessive?—Yes, I think there is no necessity for such penalties. I see a difficulty was raised as to what would result if the men did not agree to accept the prices. It is forgotten that the prices are merely minimum prices. The men are quite at liberty to refuse to accept them—it is no breach of the law.

2048. Suppose they willingly agree to a lower minimum?—Then they are liable.

2049. How would you punish them?—Only by a small fine. It would be the employers, no doubt, who would have to be punished. In regard to breaches of the Licensing Act the penalties are all one-sided. It is the person who gives the drink, not the one who takes it, who is punished. In "treating" at elections also, the penalties are one-sided.

2050. You know there is a strong movement to rectify that in both instances?—Yes. Sunday trading is the same. I think there are certain offences where properly the penalty may be one-sided. The man tempting to the commission of a crime is more to blame than the man who falls under that temptation.

2051. In that case how would you treat an employé who, knowing the minimum, comes to a manufacturer and says—"I know the price of this is 3s. 6d., I will do it for 3s.," whom would you punish then. That is a case that happens every day?—The manufacturer's position is so much better that he ought to be able to resist the temptation.

2052. Are there no poor hard-up manufacturers?—It is a question whether a small penalty might not be imposed in a case of that sort; but I do not think it is worth while.

2053. *By the Hon. S. W. Cooke.*—You say the intention of the Board is to fix prices in certain classes of work?—Yes.

2054. Suppose the Board is constituted, how is it to know it is only to act in regard to those particular things under this section?—I think the Order in Council is to fix what they are to do. The section says the order is to be made for fixing the price of some particular article of clothing or wearing apparel.

2055. Neither the Assembly nor the Council can know what is in the mind of the Governor in Council?—No; it is open to that objection. It is left vague because artisans not at present sweated may become the subjects of sweating. At present the complaints of sweating are limited to two or three branches of the clothing trade.

2056. *By the Hon. the Chairman.*—In clause 18 you have a separate provision for furniture; why is that?—To give the Council the choice; the one was in the original Bill, the other was added in the Lower House.

2057. Which was added?—Clause 18.

2058. Would not the same provision of Boards apply?—Certainly; if the Council is prepared to add the furniture to the clothing trade the one clause would do. Mr. MacLellan, of Foy and Gibson, gave

some forcible evidence as to the difficulty of fixing the price for machine-made furniture; but he answered himself. He said the work was all paid for by the week. The Board would fix both piece prices and wage prices. In cases of that sort it would be a wage price where the machine does the work under the guidance of an engineer. If the piece price were considered too high the manufacturer would have the option of paying weekly wages.

2059. *By the Hon. J. A. Wallace.*—If it took one man a day to turn out a dozen table legs, and another man turned out 1,000?—Then the manufacturer would pay the 1,000 man by the week instead of by the dozen.

2060. If he turned out 1,000 in the same time as the other man could turn out 12, that would make a vast difference in the price, but the wages would be the same?—If an employer had a machine for turning out 1,000 he would not employ a man who could only make 12.

2061. No, but another manufacturer might?—Then he is driven out of the trade.

2062. The machine man has driven him out of the trade?—Yes; he drives the hand-made work out of the market; that is unavoidable.

2063. You do not call that sweating?—No.

2064. *By the Hon. the Chairman.*—Have you anything to say as to clause 19?—I think the idea under that section is to have only one Board—not a Board for every trade, but one Board to take evidence and fix the hours in the different trades.

2065. Would not the one Board for a specific trade be able to do that also?—Yes; but the Boards under sections 17 and 18 are limited to certain articles of clothing and furniture.

2066. *By the Hon. J. M. Pratt.*—If you want a technical knowledge of a trade, how can you get that in the one Board?—Only by expert evidence. As to section 21, I would like to say that that is necessary because, as it has been said, at present if a place becomes dilapidated or unsafe, the local council has to be moved in the matter, and the local council cannot close a place unless it is prepared to certify it is unsafe for habitation. A large building may be fit for occupation by one person, but may be quite unsafe for 100 to work in. I can give a forcible instance of that. The Chief Inspector called the attention of the local council to a bakery at Echuca. The local council said they could not condemn the building, because it only wanted a new roof and the sides patching. They refused to this day to condemn it, though the rain is pouring through the roof and soaking the bread, and the workmen are catching colds.

2067. *By the Hon. N. Thornley.*—Do the people still buy the bread?—I suppose so. There is a clause in the English Act very similar; it has been found there that it is not sufficient to leave it to the sanitary authorities, and section 2 of the last English Act for 1895 enables the court to deal with the matter on complaint of the inspector. Coming to section 24, the only addition to sub-clause 1 is limiting the number of hours in any one day. There has been no limit hitherto, and it is considered necessary to limit it, because cases have occurred where girls have been kept until midnight and then sent home; therefore it is necessary to limit it so that they shall be sent home at a reasonable hour, or not later than ten or eleven.

2068. What is the English Act?—They cannot work beyond nine o'clock at night. The ordinary hours are from six to six, or between seven and seven, and then there is an additional two hours, six to eight, or seven to nine.

2069. *By the Hon. T. D. Wantliss.*—They have hours for meals out of that time?—Yes.

2070. *By the Hon. the Chairman.*—You think the ten hours should remain?—I think it might be extended to eleven, but there should be a limit of that sort to a day—it should not be after the trams ceased to run. A good deal of mention has been made of the last English Act in regard to overtime. I would like to point out to the Committee that this last English Act is a very great advance on the former Act in regard to overtime. In the former Act, overtime could be worked for five days in a week; the last Act restricts it to three days—the former Act said 40 days in the year; this last Act says 30 days, and there is a very important repeal. The power to work a young person from fourteen to eighteen years of age overtime is altogether taken away, so there is less power now to work young women under eighteen overtime than there is under this amending Bill with us. The English Act also prohibits overtime on a Saturday or half-holiday. There is no restriction of that sort here. There is a clause prohibiting overtime by working in a shop after working in the factory. That is similar to the clause we have in the shops portion of the Act. In regard to the proposal to substitute a clause like the English one for ours, I have some statistics to put before the Committee. For the first half of last year, from the 31st of July to the 31st of January, which is the half in which most overtime is granted, there were only 74 applications from 2,515 factories. It seems a pity, in order to accommodate 74 factories, to allow those 2,515 factories to work on 30 days nine hours a week overtime. They do not do it now, and they do not need it. They might do it then, and they would say it was legitimate and recognised as part of the hours of the workers.

2071. Even supposing time and a half were given?—That would be some check, but still by lowering the rate of pay they could make up for the time and a half. If they make up their minds to work for 30 weeks a year 51 hours instead of 48, they have merely to reduce the pay a little, and they practically pay for only 48 hours.

2072. How can they reduce the pay if the Board fixes the pay?—The Board only fixes the minimum.

2073. Will not the Board fixing the minimum mean fixing the maximum in the majority of cases?

—Yes, that is the tendency.

2074. As a matter of fact, men do not care to work overtime unless they can make something out of it?—No.

2075. If you said—"You shall not work your employes overtime unless you pay them half as much again," would that not be a valuable check?—Yes. In regard to the delay under the present system, I find the statement whether the application is granted or refused is generally made within four days of the request, and the request is generally made a week before the time is wanted.

2076. We have heard the evidence of several witnesses who say that, as a matter of fact, orders do come in requiring immediate execution, and though they work up and try to finish it they cannot do so; perhaps another two hours will finish it, and they have not time to apply to the Department for a permit?—The answer to that is they must take the time from the next day, work longer hours that day and shorter next day, unless they can in the meantime get a suspension—they do that, no doubt.

2077. Do you see any great harm likely to arise from allowing them to work one day in the week extra providing they pay time and a half?—I would point out that that overtime in England is for three days, practically only an hour and a half per day; they are allowed two hours extra, but they have to give

half-an-hour extra for meals, so it is only four hours and a half a week they get. It is a reasonable alternative, only there must be no suspension by the Minister as well; they must choose between the two.

2078. At present you give suspension up to three months?—As a rule it is not more than two months.

2079. Yet you say, because this privilege is to be given, which amounts to at the outside five or six hours a week, you will not give the other, so the effect would be to lessen the amount of overtime now given?—Yes. I suppose scarcely any firm gets two months' overtime now.

2080. Is that because there is not much to do just now?—It may be so.

2081. Were you present when Mr. Bedggood gave his evidence?—No; but I read it, and I read the letter he published.

2082. Will you explain to the Committee your view of the case?—I think Mr. Bedggood's statement is misleading. From his statement it would be inferred that the Chief Inspector had summoned the firm and been beaten before application for suspension of section 30 was made, and also that it had been represented to the Chief Secretary that the order for Western Australia would be lost if the suspension order were not granted, and the suspension was refused, and another firm which had broken the law was granted the suspension. As a matter of fact, Bedggood and Company applied for a suspension on the 9th of October, and the prosecution of the firm was on the 6th of November. The reason actually given by Mr. Bedggood was simply "pressure of work and inability to employ extra hands, having advertised on several occasions;" but those occasions had not, I think, been recent ones the Chief Inspector reported. There was no special reason given beyond pressure of work. The Chief Inspector informed the Chief Secretary and myself that there had been other verbal applications by other manufacturers of boots, and he had told them in view of the large amount of unemployed in the boot trade that it was useless asking; they must get other hands, and they had gone away and not applied. On those grounds among others Mr. Peacock refused Mr. Bedggood, there being no special reason given for the application.

2083. The reason given was pressure of business?—Yes.

2084. And other manufacturers also applied upon the same grounds?—They applied verbally, and when they talked it over with the Chief Inspector they admitted the pressure was not so urgent.

2085. There was pressure, otherwise they would not have applied?—Yes; no doubt there was an increase in business.

2086. Then those manufacturers, who might be supposed to know their own business, were wrong, and the Chief Inspector, who was not a man of business, was right, and knew there was no pressure?—No; but they were able to get outside work to meet the pressure, and there was nothing special in Mr. Bedggood's application.

2087. Is it not possible that a manufacturer may make a certain class of goods and not be able of a sudden to obtain workmen who can make that certain class?—It is possible, but it was his duty to represent this. It was not for the Minister to ask for his reasons. He ought to state fully and clearly what the exigencies of trade were.

2088. Do you not think it was sufficient for a manufacturer who bears a good character and has been for many years in the trade to state it was from exigency of business?—I understand a good many come up and have a talk with the Chief Inspector, and do not send in a formal application.

2089. May that not be because they felt it was hopeless?—I think not.

2090. *By the Hon. J. A. Wallace.*—I know an instance where they would not send again for a permit, and the work has never been done?—I think it was a false pride. The Act requires the Chief Secretary to be satisfied there is an exigency of trade.

2091. *By the Hon. the Chairman.*—Mr. Bedggood says he made an application, and he goes on in his letter:—"He refused it in these remarkable words—'The Chief Secretary considers that no such exigency of trade has been shown as would warrant him in complying with your request.' How he arrived at the remarkable conclusion that we wished to spend our money for lighting our factory at night and running our engine solely to work the machines the girls use, just for the pleasure of the thing—not to mention that our foremen who recommended this would have to remain to superintend the work—we cannot imagine. He had not the courtesy to ask us to give additional reasons for our request; he simply treated it as he did at the instigation of other parties, whose reasons for such instigation are well known to us, but are a scandal to his Department." Would it have not been reasonable to ask for the reasons?—We did so. We did not think the reasons sufficient. That stereotyped letter in other cases results in further particulars being given and the application being renewed, and then it may be granted.

2092. It goes on to say—"Later in the year, when the season was slacker, another firm applied for the right to work overtime. Recognising, no doubt, that after refusing us he could not grant the fresh request, though he had no doubt it was reasonable, yet his unreasonable attitude in our case had committed him to refusing all applications, he refused it; but now, extraordinary to relate, the labour Members appear on the scene, and though he knew such an act of favoritism would tell against the Bill before Parliament, he granted the request, and to our surprise we were told that the clause in his letter quoted above should have read—"The Chief Secretary considers that as the labour Members have not waited upon him, no such exigency of trade has been shown as would warrant him in complying with your request'"?—They were never told that, of course.

2093. *By the Hon. J. A. Wallace.*—It appears from that that the Chief Inspector leads the lot?—No. It does not follow, as a matter of course, that I may not recommend something different to the Chief Inspector. The Chief Inspector makes a recommendation on paper; I indorse it or otherwise, and it goes to the Chief Secretary, who sometimes indorses it and sometimes does not.

2094. *By the Hon. the Chairman.*—And all this is necessary to obtain permission for a lot of people to work?—Yes, and the answer can be given on the same day. With regard to the other firm, this was an application three months later, after a long interval of time; it was not an application at the same time. The Department had no knowledge that the other firm had broken the law. Probably they began to work overtime in the early part of the week, meaning to knock off if they did not get the suspension. There is no reason to believe they broke the law before they got an answer. The Chief Secretary authorizes me to say no labour Members appealed to him. There was no political influence in the matter at all. This other manufacturer was introduced to him by a Member in the House, and he refused to see him. He said—"No; call on me at my office in the ordinary course and I will hear what you have to say."

He did call, introduced by no one. He saw the Chief Secretary and myself. Mr. Ord was out of town. He represented further facts. It only wanted two or three days before Christmas, and there was an urgency in meeting the Christmas orders. He expressed his willingness to comply with all the conditions, including paying 15s. a week and so on. He only wanted it for a few nights. He showed, to the satisfaction of the Minister, that refusing it would not give work to anybody else, therefore the Minister granted it, as he had done in other cases. So far from the labour Members approving of it, it had not been granted a week when a labour Member wrote an indignant letter asking for an explanation. Mr. Bedggood says, in his evidence, it was an order for Western Australia. In his letter to the *Argus* he gives another reason, that it was owing to the special patterns not being ready. I may say a word as to the 15s. minimum for the dresses in Cup week. That was fixed by the Chief Secretary, in consultation with the Chief Inspector and myself, and it was fixed because the employers had distinctly said they could not get additional skilled employés. They did not want ordinary hands for those elaborate Cup dresses. They only wanted to employ skilled hands, and although there were plenty of unskilled young women in the market, they must have skilled hands. They were taken at their word. If they were skilled hands they were worth 15s. a week, and, therefore, 15s. was fixed as a low minimum for skilled women capable of working the Cup dresses. It seemed a reasonable enough standard to make.

2095. You think the Chief Secretary, the Under-Secretary, and the Chief Inspector were all well employed in deciding that Cup dresses should only be made by skilled hands at 15s. a week?—No, we did not decide that. The manufacturers told us that, and we took it as a *bonâ fide* statement.

2096. *By the Hon. S. W. Cooke.*—You are aware that a good many English inspectors favour the abolition of overtime altogether?—Yes.

2097. Are there any reasons prevailing in England that would not prevail here?—There would be a larger labour market in England than here. It would be easier for them to get skilled hands, and, to that extent, there might be less reason for allowing overtime.

2098. The argument there of the inspectors is that a woman might get gradually educated to ordering her goods in time. Could the public get educated to ordering their dresses in time for the Cup?—I think the resident people here would. There would be a temporary loss from visitors from the adjoining colonies. Ladies from Adelaide and other colonies ordered their dresses three or four days before the Cup, and did not mind what price they paid. In regard to the revocation of the suspension by the Minister, in sub-section 3, that is put in with the intention merely that the revocation shall be made in case of a breach of the conditions, and there would be no objection to those words being put in. At present one cannot proceed against a firm for breach of conditions—it is not an offence to break the conditions. That must be provided for in some way. There are two ways of doing it. You may either give the Minister power to revoke the suspension, or you may give power to proceed for a breach of conditions. It was considered the simpler way to give the Minister power to revoke.

2099. *By the Hon. J. A. Wallace.*—He may grant a suspension and stop it at any time he thinks proper?—There is not the least objection to give the reason for the revocation. Sub-clause 3 (a) of section 27 has been ridiculed as to evidence that work is carried on if noise is heard inside that would indicate work. I am afraid that is essential. If you went to a Chinaman's factory at ten o'clock at night, the Chinaman would never let you in until he had put away all his tools and work. You would never catch him.

2100. *By the Hon. the Chairman.*—Would that not apply to Europeans [as well?—If there were a clause applying to Europeans' work it would, but there is no similar clause applying to the European work.

2101. *By the Hon. T. D. Wanliss.*—Would it not be as well to apply it to Europeans?—No, because it is only Chinese who are required to knock off at half-past seven. The European day is an eight-hour day.

2102. *By the Hon. the Chairman.*—I understood various witnesses to say they had no objection to come under the same conditions?—No, I believe they have not. Mr. Turner's objection as to engine-drivers is met by section 2. It is a mistake to suppose, however, that a small boiler is safe for any one to manage. In regard to section 37, Mr. Bedggood thought that this was provided for sufficiently by the Employers' Liability Act. That Act merely enables the employés to have the same civil remedies as outsiders for any injury done to them. There is nothing in it with regard to protecting machinery.

2103. What about clause 43, "Hours of work of young persons and women in shops limited"?—I agree with the suggestion Mr. Ord made that extra time might be allowed on the day before a public holiday. In regard to some shops being allowed to close on Saturday instead of any other day, it would be necessary to restrict that to Melbourne, otherwise if it were made general a shop in Prahran might do a thriving trade on the Wednesday afternoon, when all the other shops were closed, and close on the Saturday. That would break down the half-holiday.

2104. It is the same in Melbourne now. All the Bourke-street shops do not close on Saturday?—The Bourke-street shops do not compete with the Collins-street ones; they have a character of their own.

2105. *By the Hon. T. D. Wanliss.*—A shop that opened on Wednesday would lose much more by closing on Saturday?—Some small shop might think—"There are a certain number of people who forget Wednesday is a half-holiday; I will get a certain amount of trade by opening on Wednesday."

2106. Then he must close on Saturday?—Yes.

2107. What do you think about waitresses?—I think they are required to work very long hours.

2108. Longer than domestic servants?—They are not on duty longer, but they are longer on their feet. As to nurses, I can send you a return of the hours of the nurses in the three hospitals in Melbourne.

2109. Mr. Andersen recommended that the time in clause 48 should be one instead of eleven?—I think it would be better to put "a specified hour," so that different hours should be provided for the different trades, if necessary. Let it be specified in the regulations.

2110. You would leave that to the Minister?—Yes; it is left to the local councils now. It is to be done on petition, and that petition would probably name an hour.

2111. Under clause 51 it is proposed to adopt the New Zealand practice of closing at a fixed hour and keeping the employés half-an-hour longer?—I think some other provision is necessary to secure the half-holiday for the employés. I am afraid that in sub-section 2 of section 31 "and taken" is necessary otherwise the law would be a dead letter.

2112. Do you see any objection to altering the time, twelve months, in clause 52, to two months?—No; there is no objection to making it two months for general offences and twelve months for stamping things. In clause 58, sub-section 6, the last words—"includes persons having a Chinese father and mother," are unnecessary. It originally stood—"person having a Chinese father or mother," and it was necessary then; now it is a truism, because a person having a Chinese father and mother is necessarily a Chinaman.

2113. *By the Hon. S. W. Cooke.*—Do you think it would be possible to limit the hours of outside workers?—No.

The witness withdrew.

John Garrow examined.

2114. *By the Hon. the Chairman.*—What are you?—A journeyman baker. I represent the Operative Bakers' Society.

2115. What clauses do you wish to refer to particularly?—There is very little reference made to our grievances; there is only clause 19 referring to the 48 hours. We feel the most aggrieved individuals in existence as far as sweating is concerned. We have used all the influences we can, and in every way we possibly could. We sent a copy of clauses that we wished inserted to all the Members of Parliament when the Bill was about to be framed, and we had great expectations that we would be recognised in some way or another; but we have been all but left out, except in clause 19.

2116. What are the other points you refer to?—The four men constituting a factory, that is really of no importance to us, inasmuch as the shops that are against the employers who comply with our reasonable demands, do not employ four men, and in many cases not more than one; those are the employers who supply the cheap article, and they harass the employers who are willing to give what we reckon a fair and reasonable demand.

2117. Do you think the number to constitute a factory is too large?—Yes, it should be reduced to one.

2118. *By the Hon. J. A. Wallace.*—That would include the men who make Scotch pies, where there is only one employed?—There are three of those small employers to one other; but the ones who employ society labour are the largest employers. The employers have admitted to me that they get their work done better and more satisfactorily in the eight hours than they used to get in the twelve hours, and from my own experience that is a fact.

2119. *By the Hon. the Chairman.*—You recommend all bake-houses to be constituted factories, and the maximum number of hours worked by bakers to be eight hours a day, or 48 hours a week. Your Board would decide the hours should they be appointed by the Governor in Council?—I would sooner see the Board consist of an equal number of representatives appointed by the employers and employés.

2120. Have you no rule for your trade as to working eight hours a day?—Yes.

2121. Is it not kept?—There are under 200 members of the Operative Bakers' Society, and there must be 700 or 800 bakers in and around Melbourne. We have spent fabulous sums of money trying to educate the public to deal with those who deal with us fairly. We have paid as much as £2,000 per annum to unemployed men, to keep them out of those non-society shops, and still we do not seem to gain any ground, but rather lose it. We have felt the depression that has been all over the world; and I must say, on behalf of the employers, that I was surprised they did not think of reducing the wages long before they did. It has come to this now: that we have married men, with families, glad to go up the country and work for 20s. a week and "found."

2122. How would this Bill meet the case?—If the 48 hours were made compulsory it would benefit us. We are of opinion that unless we get legislation we are in such a bad condition that we have very little hopes of making any progress whatever.

2123. You think 48 hours would give employment to a few more men?—To all the men that we have got at the present time. The insanitary condition under which a great amount of bread is made is something extraordinary. If the public knew it they would rise in revolt against it. A great many of our leading workmen, in years gone past, have left the society, and have become employers, and they are among the worst.

2124. *By the Hon. T. D. Wanliss.*—Is there no inspection of those insanitary shops?—There is supposed to be, but it has never been put into execution. They are not factories, hence my objection to the four men constituting a factory. The shops where there are four men are under sanitary conditions; but where there is only one man employed he sleeps in the bake-house, works any and all hours, and injures the employers who deal justly with their men.

2125. The next point is that employés should sleep on the premises?—Yes.

2126. Section 22 would meet that. If the number constituting a factory were reduced to one, that section would cover it?—Yes.

2127. *By the Hon. J. A. Wallace.*—Supposing there are two young ladies making gingerbread, and oatmeal cakes, and thistle cakes, and another one keeps a shop and sells them, those two girls would come under the Act?—I do not think so. During my experience I have never heard of such a case.

2128. *By the Hon. the Chairman.*—"No apprentices to be indentured under sixteen years of age," that could hardly come under this Act. Then you go on—"A minimum wage of 45s." If a Board is appointed the Board would have to deal with the wage question?—We are not very particular about that. We reckon we are not working under a lower figure than our employers can afford in this depressed time. At a meeting between the employers and employed about the wages (the minimum wage was then £2 10s.), some of the employers expressed themselves as being very sorry that they were not there to advocate an increase instead of a decrease. That shows the harmonious feeling prevailing, and I am sure if good times come round again the employers would not object for a moment to giving us a rise.

2129. What else do you wish to say?—There is nothing else.

2130. It all comes to this, that if the Act makes one a bake-house it will meet your views in that respect, and if a Board is appointed by people of your own trade it can fix the hours of labour; and a slight alteration of section 22 would meet the case of sleeping?—Yes.

2131. *By the Hon. S. W. Cooke.*—How would the fact of all those bake-houses being brought under the Act give more employment?—Because the 48 hours would be introduced; consequently there would be more men employed. We feel that the 48 hours would do good, and that the one man constituting a factory would improve the sanitary conditions. I may also refer to the fact of legislation being

asked for to get a half-holiday for the carters. I have not heard an employer or a carter who has advocated the half-holiday. They are getting a holiday a month now, and it is working harmoniously with the employers outside as well as inside; they are perfectly satisfied.

2132. You do not want clause 51 to apply to bakers?—No.

2133. If more people are required to make the same amount of bread, bread will go up in price?—Not necessarily. It will bring those people who are underselling the employers who are just and fair up to the level of the others; they will have to get a better price.

The witness withdrew.

Henry Hurst examined.

2134. *By the Hon. the Chairman.*—What are you?—A master baker. I represent the Master Bakers' Association.

2135. Have you anything to add to Mr. Garrow's evidence?—I agree in the main with what he said, but we object to clause 48, "Restriction on delivery of bread, meat, or milk on certain day in each week." It states in the Bill that no bread shall be delivered after eleven a.m. We say that is unworkable. We have had meetings with our employés, and we both agree that it could not be done, and if the Act continues in its present form it will be a dead letter; there will be no holiday at all. The Act says it depends upon a petition sent in by a majority, and no majority will ever send in such a petition. Instead of that, we are in favour of having a whole holiday a month legalized.

2136. Is that your present practice?—Yes. It is an arrangement we have been carrying out for some months past, and we find it works very well, to the satisfaction of the employé and the employer, and the minimum inconvenience of the general public. Our reason for being opposed to the half-holiday each week is that it cannot be done. It is practically impossible to do it. There is no analogy between ourselves and the butchers and the milkmen as regards delivery. The milkmen can supply the whole of their customers in their first delivery, and can manage with their half-day in the week by giving extra in the morning. The butchers' delivery is practically all over before dinner, but bakers' carts are delivering bread as late as six and half-past six in the evening. They start at six and seven in the morning, and are out until after six in the evening; so that to supply those customers with bread one day a week before dinner could not be done. The only way to do it would be for our afternoon customers to get a double supply every Tuesday, and that would be inconvenient to the general public. We find that the present arrangement which we are carrying out with the carters and ourselves of a monthly holiday is satisfactory, and we are in favour of its being legalized.

2137. Without specifying the day?—Yes. We take Wednesday now; it is most convenient. We do not want the day specified.

2138. *By the Hon. S. W. Cooke.*—How do you manage to supply your customers on that day?—We do not supply them at all. We give them double the supply the day before. You might not object to having a double supply one day a month, but you would object to taking it one day a week, as well as on Saturdays. The next point is that we are in favour of one man constituting a factory in the baking trade. We also are in favour of this Board being appointed, but not being appointed by the Governor in Council. It should be nominated by the employers and the employés, and that body of four, or whatever the number might be, should appoint the chairman. Failing to agree upon a chairman, then the Governor in Council might appoint one of the County Court Judges, if it was possible, or any one else; but I do not think the Board would fail to appoint one.

2139. What would constitute the right to vote among the employés in getting a roll of employés?—Let them register. The reason we are anxious to see the Board appointed is to legalize the hours of labour and the rate of pay. At present our trade is in a very bad condition. I think there is more sweating carried on in the baking trade than in any other trade in Victoria. In our directory we find there are between 350 and 400 people in the metropolitan area carrying on the business of master baker, and there are only 50, or less, who employ Union labour. The Union terms consist of eight hours a day, with the minimum wage of £2 5s. a week, and 1s. an hour overtime; on the other hand there is the vast majority—over 300—who are working on sweating principles—that is, long hours and short pay. I do not say the whole of them are doing so, but great numbers of them are, and I have in my possession affidavits that have been made by workmen, which I am willing to place before the Committee. We have eleven affidavits altogether of men working from twelve to fourteen hours a day, with eighteen and twenty hours on Saturday, for as low as 12s. 6d. a week and their meals. That is the lowest wage we have got; there are others at 15s. and £1.

2140. *By the Hon. the Chairman.*—Single or married men?—In one case he is a married man with four children. We complain, on the other hand, that those who employ Union labour only employ their men eight hours a day, and pay a minimum wage of £2 5s. We do not necessarily mean that every employer should employ Union labour, but that they should only have reasonable hours and get reasonable wages in return.

2141. Would the Union men consent to work alongside non-union men?—No.

2142. Then you either compel the outside men to become Union men or not to have the work?—If the Board were to legalize the hours perhaps they would do so. Why should those men work alongside the other men who have never contributed one penny to the Society, but who are willing to come in and take all the advantages?

2143. You would in reality compel them to come into the Union?—If the Board would legalize the hours of labour it would apply to the Union as well, so they would all be on a level footing then.

2144. Granting that, would they be content to work together?—I think so, under those conditions.

2145. *By the Hon. J. A. Wallace.*—Suppose the minimum wage is £2 5s., what will you do with the old hands who are not able to do a good day's work?—You would not expect a man to do what you would not do yourself.

2146. Suppose the hours were limited to eight, would you give them employment at all if you could get a younger man to come in and do the work?—Not if I could get a better man. The minimum wage is right in itself; every man does not work for the minimum wage. The better men get far more than £2 5s. a week. I pay far better wages than that. That is the minimum; the minimum does not become the maximum in our trade.

The witness withdrew.

James Morris examined.

2147. *By the Hon. the Chairman.*—What are you?—Secretary of the Victorian Milkmen's Association. The first clause that concerns us is No. 39, as to the metropolitan district. We would like the metropolitan district extended to Brighton and Northcote. We would like to take the whole of the metropolitan district at once, or, at any rate, half of it. The next are clauses 48 and 49, on the restriction of the delivery of milk. I wish to support the stoppage of the delivery of milk at eleven o'clock on Wednesday and Sunday. We have had a voluntary arrangement with the master dairymen since the 1st of May; that has worked very well with the exception of one or two in every district. In Brighton it is not observed very well; but in most of the districts it is observed very well.

2148. You deliver your milk before eleven o'clock in the morning?—Yes.

2149. What becomes of the afternoon milk?—For the past ten years a large majority of the milk vendors have delivered the milk only once on Sunday; and in Bendigo they only deliver milk once every day; not only that, but most of the milk that is delivered in Melbourne and suburbs is milked the evening previous. There is always a surplus of milk from the morning's milking; it is more than is sufficient for the afternoon delivery, so every day they have a surplus, and it would be no hardship for them to have a little more surplus to make into butter, or anything of that sort. We want to legislate against the few who have evaded this arrangement.

2150. Have you had any complaints about the milk going bad?—The milk goes bad if you do not take care of it, but there are no extra complaints about the holidays; the public have supported it very well.

2151. Do you supply the hospitals?—Our Association would not object to the hospitals being served. They might be exempted from the provisions of the Bill. I think they are served twice on Wednesdays and Sundays.

2152. Why should the hospitals require it more than a private house?—If there was sickness in a private house—we do not wish to stop the sale of milk altogether; so if anybody was ill and required milk they could run to a dairy or shop and get it.

2153. *By the Hon. J. M. Pratt.*—You would bring in milk to the town dairies so that they could supply it?—Yes, it is simply to stop the delivery of it, so as to give the carters a half-holiday. The milk delivered in the morning comes long distances, as much as 60 miles.

2154. *By the Hon. W. I. Winter-Irving.*—What do you do with the morning's milk?—There is always a surplus, and they must do something with it. There is always milk that is not required for the afternoon's delivery. They either make cheese or butter of it, or send the cream to the creameries or dispose of it in some way or other.

The witness withdrew.

Robert Walker examined.

2155. *By the Hon. the Chairman.*—What are you?—President of the Master Dairymen's Association. We take a slight exception to section 48.

2156. Do you take the same exception as the previous witness?—No. We want the time extended to one o'clock. We have no objection to eleven o'clock on Sunday, but on Wednesday we would like the time extended to one o'clock for good and sufficient reasons.

2157. Are the employes agreeable to that?—I have not consulted them.

2158. You are not as harmonious as the bakers?—We are fairly harmonious, but our men as a rule are pretty selfish; they do not study our customers or the public. If the time is extended to one o'clock we can get an early supply of morning's milk and serve a second supply to people who are sick, and that will still give them the afternoon.

2159. *By the Hon. J. M. Pratt.*—Does one o'clock mean the time they should return to the dairy or leaving time?—Not to serve after one o'clock. We should also much rather have the Governor in Council take the thing in hand instead of the local councils, because some may agree to compel all dairymen in a large district to comply with the Act, and others may not. I remember when the Shop Closing Act was put in force, the Collingwood Council, of which I was a member, compelled the Collingwood shops to close up, and the Fitzroy Council allowed their shops to keep open; so one side of the street was open and the other shut, and I think it would be the same with this. If some councils allowed the carts to go out and others did not, it handicaps those who cannot go out. There is another thing in regard to clause 32, where you have to have certificated engine-drivers for boilers. It mentions creameries as being exempt, but it says nothing about dairies. We would rather not leave the matter in the hands of the Chief Inspector, and then we would know what we would have to look forward to.

The witness withdrew.

James Morris recalled and further examined.

2160. *By the Hon. the Chairman.*—What do you say about one o'clock?—If one o'clock is the law there will be a large number of employes who will get off at eleven o'clock, but it will be the means of causing a great number to work until two or three o'clock. Some of the country milk arrives in Melbourne about half-past ten; other country milk does not arrive until about two o'clock. It would be impossible for a dairyman who received the country milk at two o'clock to send his carts out twice, because his milk would not be in until two o'clock. The man who gets his milk at ten o'clock would send his carts out, and the men would have to do their two trips where the other men would not.

2161. It would be a great convenience to the public to get the fresh milk?—I do not see where the convenience comes in.

2162. *By the Hon. J. A. Wallace.*—Can you see any difference between the butchers and the milkmen?—When the butchers have finished delivering their meat, all they have to do is to put the basket in the shop, put the horse in the stable, give him a rub over, and their work is done. The milkman has his cans to wash out and to put away, and to attend to his horse as well; there is not less than an hour's work. In very few dairies is there a man kept for that purpose. The man who does the round has to wash his cans when he comes in, so it would really mean two o'clock. Suppose a man is supplying milk, his dairy is in Collingwood, and he is delivering milk at the lower end of Richmond, it would take him half-an-hour to get home; but even one o'clock would be a concession. The voluntary arrangement has worked very well, but we want to make it compulsory on the few to abide by the arrangement.

The witness withdrew.

Adjourned.

1895.
 —
 VICTORIA.

MILDURA IRRIGATION TRUSTS BILL.

PETITION.

TO THE HONORABLE THE PRESIDENT AND THE MEMBERS OF THE LEGISLATIVE COUNCIL OF THE
 COLONY OF VICTORIA.

The humble Petition of the Undersigned

RESPECTFULLY SHEWETH:

1. That your Petitioners are creditors of Chaffey Brothers, Limited, and have advanced large sums of money on mortgage of land and other securities at Mildura on the faith of the existing law.
2. That the Bill before your honorable House, intituled *An Act to constitute Irrigation Trusts within the Irrigation Colony of Mildura*, would seriously and injuriously affect the interests of your Petitioners.
3. By the third and seventh clauses of the proposed Bill various liabilities are imposed on persons or corporations other than the Messrs. Chaffey or Chaffey Brothers, Limited.
4. That the operations of these will prejudice the security of your Petitioners.
5. That the provisions of section 6 would injuriously affect your Petitioners and would vest in the First Mildura Irrigation Trust property which does not belong to it.
6. That clause 9 imposes a charge upon land mortgaged to your Petitioners in respect of past rates from which your Petitioners derive no benefit, and is otherwise inequitable.
7. That clause 153, sub-clause 1, would prejudicially affect any proposed dealing with the land or any re-organization of the company or Irrigation Settlement.

Your Petitioners therefore pray that your honorable House will make such amendments in the proposed Bill as will remove the above-mentioned grievances.

And your Petitioners, as in duty bound, will ever pray.

The Bank of Victoria, Limited, J. D. LAW, General Manager.

The Union Bank of Australia, Limited, G. T. BAKER, Acting Manager.

The National Bank of Australasia, Limited, F. G. SMITH, Chief Manager.

Ordered by the Legislative Council to be printed, 11th December, 1895.

VICTORIA.



MINUTES
OF THE
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL

SESSION

1895-6.

COUNCIL OF AMBASSADORS