

being moved at this early hour. I have a motion on the paper for the revival of a select committee appointed with the consent of the Government last session, and I have waited all night in the expectation of being able to move it. I would draw attention to the fact that the Premier was allowed by the courtesy of the House to give the whole of his notices of motion on the first day we met, contrary to the rule you, Mr. Speaker, have yourself laid down, that an hon. member can only give one notice of motion at a time.

MR. SPEAKER: I did not allow the Premier any more latitude than I would allow any other hon. member. The practice in the House of Commons is to move these motions without notice at all.

MR. NEILD: That makes the offence of the Premier all the worse. Having this advantage he ought at least to have allowed other hon. members to get on with business. The action of the Premier in moving the adjournment at this early hour is, I suppose, a fulfilment of the statement which was made at a picnic on board the *Thetis* the other day—that private members were not to be allowed to do business this session. The death-bed repentance was to be wholly reserved for her Majesty's ministers, who, God knows, have reason enough for repentance.

SIR GEORGE DIBBS (The Murrumbidgee), Colonial Secretary [10.18], in reply: The hon. member for Paddington will withdraw that remark when he knows it is not in accordance with fact.

MR. NEILD: But it is recorded in the papers!

SIR GEORGE DIBBS: But it is an invention of the enemy. I regret to find that some hon. members believe everything they see in the papers. With regard to the motion for adjournment it is close on half-past 10 o'clock, and the next business on the paper is a motion of the hon. member for Newcastle, Mr. Fegan, who has a motion which will require several hours for discussion. I do not think it is fair at half-past 10 to commence a discussion on such an important motion in a thin House. We have been sitting here since 4 o'clock this evening, which, on a night like this, may be considered a very fair evening's work, and it would not be right at this time to begin the discussion of a difficult question. The motion of the hon.

member for Newcastle raises a very big question, and I shall have something to say upon it, as no doubt will several other hon. members. Would it be fair to begin its discussion, and adjourn the debate with the certainty of its being shelved until the end of the session?

MR. H. MCKINNON: But the hon. member for Newcastle was not prepared to go on with the motion?

SIR GEORGE DIBBS: With regard to my hon. friend's motion, I would point out that I have already promised to introduce legislation to regulate banking business, and such legislation will probably be introduced by me this session.

MR. J. D. FITZGERALD: It is a long time coming!

SIR GEORGE DIBBS: The time will be prolonged still further if my hon. friend joins with the Opposition again in obstructing public business. With regard to the matter raised by the hon. member for West Sydney, Mr. Kelly, I have taken a note of what has been said by the hon. member, and I promise him that as soon as the Major-General returns from Melbourne, I will bring it before him.

Question put; the House divided; and there being no tellers on the side of the noes,

Question resolved in the affirmative.

House adjourned at 10.25 p.m.

Legislative Council.

Wednesday, 24 January, 1894.

Address in Reply—Menindie Irrigation Bill—Mining on Private Lands Bill—Chairman of Committees—Sessional Committees—Sessional Orders—Australasian Rights Purchase Bill—Apprentices Bill.

The PRESIDENT took the chair.

ADDRESS IN REPLY.

The PRESIDENT reported that he had received from the Governor the following answer to the address in reply to his Excellency's speech:—

Mr. President and hon. gentlemen of the Legislative Council:

I thank you for your address renewing the expression of your loyalty and devotion to the Queen's person and throne, and I confidently rely on your wisdom and patriotism in the discharge of your duties.

MENINDIE IRRIGATION BILL.

Message received from the Legislative Assembly, requesting that this bill, not having been finally dealt with last session, because of the prorogation of the legislature, should be proceeded with under the Council's standing order in that behalf.

Resolved : That the request of the Legislative Assembly be complied with.

MINING ON PRIVATE LANDS BILL.

Message received from the Legislative Assembly, requesting that this bill, not having been dealt with last session, because of the prorogation of the legislature, should be proceeded with under the Council's standing order in that behalf.

Resolved : That the request of the Legislative Assembly be complied with.

Motion (by the Hon. Dr. MACLAURIN) proposed :

That the second reading of the bill stand an order of the day for this day week.

The Hon. H. C. DANGAR : I hope that my hon. friend will make it this day fortnight. I believe that I am correct in saying that an hon. member of this House intends to take some action which will insure the attendance as far as possible of all the members of the House when the bill is under consideration. Under the circumstances I think that an opportunity should be given to that hon. member to propose his motion, and that hon. members should have an opportunity of getting such notice as will enable them to attend when the second reading of the bill is moved.

The Hon. Dr. MACLAURIN : I am perfectly willing to accede to the reasonable wish of hon. members. It is a very important bill, and I do not wish to force it through the House. I am only anxious that hon. members should have every opportunity for dealing with it, and I am sure that the more the bill is examined the more it will be approved of.

Motion, by leave, withdrawn.

Resolved : That the second reading of the bill stand an order of the day for this day fortnight.

CHAIRMAN OF COMMITTEES.

The Hon. Dr. MACLAURIN : It is again my pleasing duty to move :

That the Hon. Archibald Hamilton Jacob be Chairman of Committees of the Whole House

during the present session, and until a fresh appointment be made in the next session of Parliament.

It is so recently that I had occasion to make this motion that it is scarcely necessary for me to say anything on this occasion ; but I may take the opportunity of saying that I am certain that his long parliamentary experience, his thorough acquaintance with parliamentary law and procedure, his firmness and his absolute fairness in the chair to every hon. member, point the hon. member out in the eyes of every hon. member as being well worthy of the honorable position to which I propose that he should be appointed.

The Hon. R. BURDETT SMITH : On several occasions I have had the pleasure and the privilege of seconding the nomination of the hon. member, Mr. Jacob, to the Chairmanship of Committees. The hon. member has always performed the high functions of this office with ability and impartiality, as I am quite sure he will do in the future. In every way his conduct in the chair has been such as to command the high opinion of every hon. member. I am quite sure that he will act in the future as he has acted in the past.

Question resolved in the affirmative.

The Hon. A. H. JACOB : I have to thank the Vice-President of the Executive Council, and the hon. member, Mr. R. Burdett Smith, for the complimentary terms in which they proposed and seconded my election to the office of Chairman of Committees. Ever since December, 1887, the House has done me the honor of electing me to the high and honorable position of presiding over its deliberations when it is in Committee. I have always endeavoured to do my duty to the best of my humble ability, and apparently to the satisfaction of hon. members, as is evidenced by their re-electing me a great many times. I can assure hon. members that I will follow the same course of action that I have hitherto pursued, and endeavour to do my duty faithfully and impartially, without fear or favour, and I hope that when my term of office shall cease, hon. members will have the same opinion of me and my performance of the duties of the office as they now apparently have. I thank hon. members very much for the distinction which they have conferred upon me.

SESSIONAL COMMITTEES.

The following sessional committees were appointed on motions by the Hon. Dr. MacLaurin :—

STANDING ORDERS.

That the Standing Orders Committee for the present session consist of the following members, namely :—The President, Sir William Manning, Mr. Pilcher, Mr. Cox, Mr. Jacob, Mr. C. G. Heydon, Mr. W. H. Suttor, Mr. Simpson, Dr. Norton, and the mover, with leave to sit during any adjournment, and authority to confer upon subjects of mutual concernment with any committee appointed for similar purposes by the Legislative Assembly.

LIBRARY.

That the Library Committee of this House for the present session consist of the following members, namely :—The President, Mr. Creed, Mr. Kater, Mr. P. G. King, Dr. Norton, Mr. Jacob, Mr. W. H. Suttor, Mr. Humphery, Mr. R. Burdett Smith, and the mover, with leave to sit during any adjournment, and authority to act jointly with the Library Committee of the Legislative Assembly, in accordance with the resolution of 7th August, 1862.

PRINTING.

That the Printing Committee for the present session consist of the following members, namely :—Mr. Hill, Mr. Creed, Mr. Vickery, Mr. Jacob, Mr. Hoskins, Mr. Charles, Mr. Greville, and the mover, with the duties and powers conferred upon a similar committee appointed in the session of 1862.

REFRESHMENT.

That a refreshment committee be appointed for the present session, to consist of the following members, namely :—Mr. Greville, Mr. R. Burdett Smith, Mr. W. R. Campbell, Mr. Combes, Mr. Moses, Mr. Thornton, Mr. Jacob, Mr. White, Mr. Hill, and the mover, with leave to sit during any adjournment, and authority to act in matters of mutual concernment with any committee appointed for similar purposes by the Legislative Assembly.

SESSIONAL ORDERS.

The following sessional orders were agreed to on motion by the Hon. Dr. MacLaurin :—

SITTING DAYS.

That, unless otherwise ordered, this House will meet for despatch of business at 4 o'clock p.m., on Wednesday and Thursday in each week.

ORDER OF BUSINESS.

That, on Wednesday in each week, Government business take precedence of general business.

TRANSMISSION OF MESSAGES.

That the order respecting the transmission of messages agreed to by the two houses during the session of 1856-7 stand as a sessional order of this House for the present session.

ADJOURNMENT : COUNT-OUT.

That, whenever the Council may be adjourned for want of a quorum to the next sitting day, and the same shall prove to be a general holiday, thanksgiving, or fast day, proclaimed by the authority of the Government, then the Council shall stand adjourned to the next succeeding sitting day.

RECORD OF ATTENDANCE.

That, whenever this House is counted out for want of a quorum, the proper officer shall record the names of the members then present.

AUSTRALASIAN RIGHTS PURCHASE BILL.

Motion (by Mr. Cox, for Mr. PIGOTT) proposed :

That the following message be sent to the Legislative Assembly :—“ Mr. Speaker,—Referring to the Legislative Council's message, dated 1st November, 1893, requesting the concurrence of the Legislative Assembly in certain amendments made by the Council in the Australasian Rights Purchase Bill, the proceedings with respect to which were interrupted by the prorogation of the legislature, the Council requests that the said message may be considered under the Assembly's standing orders in that behalf.”

The Hon. J. MACINTOSH : This is one of the most important bills that have ever passed in this House, but I do not think that any bill has ever been submitted in respect of which so little information has been given. I trust that the members of the Legislative Assembly will look into the provisions of the bill before it is too late and will not grant an iniquitous monopoly to this company. There is no reason in the world why the waters of the two rivers should be monopolised by this company. We are only beginning our enterprises, and although the company has applied for this concession why should it be granted the right to the use of more water than it can possibly use? In the Colo River the company will have the command of a power equivalent to the power produced by over 200,000 tons of coal. That, I think, ought to be enough concession to give the company without granting the right to use the waters of the Grose River as well. Why should we give away these valuable rights? The country through which these rivers flow is valueless but for the water rights. Why should we allow this company to monopolise this great natural boon for all time? I hope that the other House will do justice to the country before the measure is passed.

The Hon. A. H. JACOB: The hon. member has performed the role that was performed by a member of the other House last night when, the Government having made a proposal with reference to the Mining on Private Lands Bill, he reflected upon this House and asked the Government to approach the House and get us to do our duty. The hon. member opposite is now suggesting to the members of the other House that they should do their duty; but I think we may safely assume that those hon. gentlemen will do their duty without any suggestion on our part. I think it is very unseemly on the part of any one to make such remarks. This bill which came from the other House was amended in this House, and the other House has been asked to concur in our amendments, and those hon. gentlemen will do their duty without any suggestions on our part. I feel it is necessary to make that remark because of the very indecent, improper, and unseemly act on the part of the leader of the Opposition in the other House in asking the Government to influence this House in its action with respect to the Mining on Private Lands Bill. I am rather astonished at the hon. member, Mr. Macintosh, making the remarks which he has made.

The Hon. J. MACINTOSH: I have just received a long letter with respect to this very measure. I wish that I had had it sooner!

The Hon. J. HOSKINS: I cannot forbear from animadverting upon the action of the leader of the Opposition in the other House in asking the Government to bring pressure to bear on the Legislative Council in order to pass a particular bill. It is the most extraordinary thing that I have heard of, and I hope the Government will not be influenced by any representation from that hon. gentleman, because they may depend upon it that it is not made *bonâ fide*. With respect to the Australasian Rights Purchase Bill, I hope the members of the Legislative Assembly will take an enlightened view of its provisions. Why should they, as the hon. member, Mr. Macintosh, suggests, do what they can to restrict the investment of foreign capital in this country? The foreign capital which is invested here tends to develop our resources, employ our people, and increase the productiveness of the country. Here is a company with a capital of £200,000 or

£300,000, which will be brought here from other places, that desires the power—to do what?—to utilise water which is running to waste. I trust that the members of the Legislative Assembly, will not, as they appear to have done recently, consider the investment of capital as detrimental to the interests of the country, but that, on the contrary, they will promote such a laudable proposition as is embodied in this bill.

The Hon. S. CHARLES: When the bill was before the House I voted for it under the impression that one river ran into the other, and that the company was only asking for the use of one river; but since then I have learnt that the two rivers are very far apart. If the company were asking only for permission to use the waters of the Grose River it would be reasonable that the company, being willing to invest its money in the enterprise, should be granted that permission; but I cannot see why this company should have the use of another river many miles away. It is simply trying to create a monopoly, and to prevent any other company from competing with it. No man knows what other company might wish to come in in the course of a few years, and I say that we have completely put up a bar against any other company taking up any work of the same sort. It cannot be pretended for a moment that this company intends to utilise both rivers. They simply want to prevent others from using the second river. If I had known as much as I do now I should have voted against the bill.

The Hon. J. DAVIES: It will be within the recollection of hon. members that I took exception to the bill when it was introduced, and was the means of blocking its passage at that stage. Some time afterwards I learnt that certain steps had been taken by the promoters of the measure, and that certain conditions had been complied with, one of which was that they should deposit £3,000 in the hands of the Colonial Treasurer as a guarantee of good faith. But since Parliament was prorogued I have again been led to doubt very much the wisdom of the legislature in passing the measure, and I am very much surprised to find a member of this branch of the legislature, who is a shareholder in the company, moving this resolution. I mean the hon. member, Mr. Cox.

The Hon. A. H. JACOB: He does it on behalf of another member, Mr. Pigott, who is not here!

The Hon. J. DAVIES: The whole thing is surrounded with mystery. I think that the matter ought to be referred to a select committee, and we ought to see what cheques were paid for the shares.

The Hon. A. H. JACOB: The bill is out of our hands!

The Hon. J. DAVIES: We ought to know what money passed. I fancy that very little, if any, has passed. If we had a committee to investigate the whole of the circumstances I think it would be found that this is rather a suspicious kind of proposal—not such a proposal as the hon. member, Mr. Hoskins, indicates, to encourage the spending of foreign capital in the development of a great industry or enterprise. I should be heartily with the hon. member if that could be proved. I believe in supporting private enterprise—in money being raised and spent here in the development of any great enterprise or industry, and any influence that I could bring to bear would be in that direction; but I do not want to see a great public right parted with to enrich a number of persons, most of whom are connected with a Victorian enterprise. I want to see that the rights of the people are not sacrificed and parted with in that way, and I want to know how certain people have become possessed of shares in this company, and what money has passed in the purchase of those shares. The company's right exists only by the authority of Parliament—the value of its shares can only be what we make it. The shares are not worth the snap of a finger unless we pass a bill of this kind, but as soon as they get this authority from Parliament they can go to the London money market and enrich themselves at the expense of this country. I do not believe in that kind of thing, and I think that the legislature should pause before it gives its approval to a measure which is surrounded with so much doubt and mystery. At any other stage I will join with hon. members in blocking the measure.

The Hon. H. C. DANGAR: It seems to me that the whole of this discussion is very unseemly. Every one of the objections alluded to by hon. gentlemen, who now find out that they ought to have acted

differently in regard to the bill, was open to them at the time the bill was in Committee, particularly the objection with regard to the excess of water claimed by the syndicate.

The Hon. J. DAVIES: I opposed the bill from the first stage!

The Hon. H. C. DANGAR: I and several other hon. gentlemen pointed out that the company was asking for a great deal more water-power than there was any necessity to ask for. For an hon. member now to tell the House that he thought that one river ran into the other, and that he now finds it does not do so, is the most frivolous of all objections. I object to this discussion, which is not likely to be of any good, because hon. members' speeches may have the appearance of being instructions to the other House, and I would scorn to use arguments in that way, though they are frequently so used in another place in regard to ourselves. I believe it is beneath the dignity of this House to adopt such tactics to defeat the measure when we have sent a message to the other House asking for its concurrence in our amendments. I do not altogether believe in the measure, but at the same time I would point out that this water-power has been going to waste ever since the colony was discovered, and now that we have a few public spirited men who are willing to invest their money in what must, to all intents and purposes, be a problematical effort, I think it comes with very bad grace for hon. members to oppose the bill in the way they are now doing. I have no doubt that our amendments will receive the amplest consideration at the hands of the Assembly.

The Hon. A. BROWN: I hail with acclamation the advent of any foreign money from any part of the world to push forward some of our languishing industries, and I agree with the hon. member, Mr. Hoskins, that the more capital we can encourage in this country the better for us. Owing to my own fault, I had not an opportunity of discussing the measure. I think that most measures of this kind passed by the legislature of this colony—and the statute-book is pretty full of them—are really in the interests of syndicates, who make use of the imprimatur of Parliament for their own personal benefit. I think that where measures

of this kind have come before hon. members they have not always bestowed upon them that amount of criticism which they required, otherwise we should be fairly entitled to the designation bestowed upon us outside. If there is one thing more than another upon which this House should pride itself, no matter what the public may say with regard to the situation taken up by hon. members, it is not on the legislation that is passed, but on the legislation which we absolutely prevent—the legislation which would be detrimental to the best interests of the country. That is the position this House is frequently called upon to fill. The hon. member, Mr. Davies, has made a charge against another hon. member, which, I think, should not be passed by. It is a serious thing to make a charge against an hon. member that he takes part in the discussion and interests himself in the passing of a measure because he is closely identified with it as a shareholder. The credit and reputation of the hon. gentleman who moved this motion is far above any suspicion of that kind, and I hope he will say that the statement made by the hon. member, Mr. Davies, is without foundation.

The Hon. J. DAVIES: I will prove that he is a shareholder!

The Hon. A. BROWN: That is quite true, but the hon. member, Mr. Davies, coupled with that fact the suspicion that the hon. member, Mr. Cox, was not doing what was right. That is not a position which I think any hon. member would desire to occupy for one moment.

The Hon. J. DAVIES: It is a sound parliamentary practice any way!

The Hon. A. BROWN: It may be sound parliamentary practice, but it is not respectable and honest for any hon. member to use his position as a shareholder in a public company to advance its interests, and that is the assertion that the hon. member, Mr. Davies, makes in regard to the hon. member, Mr. Cox. I hope that the hon. member, against whom the statement is made, will be able to deny it for the sake of the respectability of the House, for if hon. members pride themselves on one thing more than another, it is on not being identified with any party or interest, but that their best efforts are used for the public welfare.

[*The Hon. A. Brown.*]

The Hon. Dr. MACLAURIN: Before the hon. member, Mr. Cox, speaks in reply, perhaps hon. members will pardon me if I make reference to what has been said by the hon. members, Mr. Hoskins and Mr. Jacob, with reference to the statement which seems to have been made last night in another place recommending the Government to use their influence to induce the House to consider a certain bill favourably.

The Hon. J. HOSKINS: To bring pressure to bear—those were the words!

The Hon. Dr. MACLAURIN: To bring pressure to bear on this House. It is never worth while to take notice of casual foolish observations, in whatever place they may be made, and I thought that that observation was so absurd and foolish that I did not pay the slightest attention to it. Now, however, that it has been repeated here, and it seems certain hon. members have thought it of more importance than I did, I think the House will permit me to say that nothing could be further from the mind of the Government than to bring the slightest pressure to bear on hon. members of this House to induce them to do anything which they did not feel fully convinced was absolutely and correctly within their duty to perform. I think I may venture further to say that this House does not contain two members who are more determined than the Attorney-General and I are to maintain its rights and privileges, and its freedom from all outside pressure and undue influence. I do not think it is worth while to say anything more on the matter, because it was a foolish remark—a remark which I was surprised to hear, coming as it did from a person apparently in a representative position; but I am certain that he did not at the time see what the real bearing of his observation was. As for this debate, I am sorry it has arisen, for I well remember that during last session all these points were most carefully discussed. The hon. member, Mr. Pigott, who is in charge of the bill, gave the fullest explanation on every point; we also had the report of the select committee, which was exceedingly full on every point, and I cannot understand how the hon. member, Mr. Charles, could fail to know that the Colo and Grose were separate rivers.

Mr. CHARLES: 9 miles apart!

The Hon. Dr. MACLAURIN: They are a good distance apart. It is exactly described in the evidence taken by the select committee, and there is no possibility of any mistake. It was clearly stated over and over again in debate. I think it is a pity that all these questions have been re-opened. The House considered them carefully. We cannot perpetually discuss all these questions as to the propriety of parting with certain rights which nobody has hitherto used. The question is whether we should or should not request the Legislative Assembly to revive the bill and consider our amendments; and considering the amount of time and attention which both houses have given to the measure, it is at least our duty to suggest that that time and attention should not be thrown away, and that the bill should be finally considered by the Assembly.

The Hon. J. MACINTOSH: There were no plans!

The Hon. Dr. MACLAURIN: There were sufficient plans for any one. There was a reference in the bill itself to the plans, which every hon. member could have consulted for himself.

The Hon. G. H. COX, in reply: The hon. member in charge of the bill, Mr. Pigott, being absent, I was requested to move a merely formal resolution standing in his name. With reference to what has fallen from one hon. member, I am not aware that he has a right to put himself forward as a censor of the position that any hon. member should occupy in the House. I do not think that that hon. member's career has been altogether above suspicion; at all events, my public career, which has extended over some forty years, has never necessitated the appointment of a commission to inquire into my conduct in regard to public matters.

The Hon. J. DAVIES: A great deal worse has come before the courts about the hon. member. As a matter of personal explanation —

The PRESIDENT: The hon. member has already spoken.

Question resolved in the affirmative.

The Hon. J. DAVIES: I desire to explain that in making the statement I did a short time ago my object was not to cast any doubt on the character or honor of the hon. member. The statement was made

purely on parliamentary grounds. I am sure that you, Mr. President, will rule that any hon. member having a pecuniary interest in any matter is debarred from voting on it, and his vote can be challenged. When I find the name of an hon. member on the list of shareholders, and that hon. member taking an active part in furthering his pecuniary interests, I think I am within my rights in taking exception to his vote and action. As to inquiry, if the hon. member wants inquiry, I can name many acts of his in which there ought to be inquiry. It would not be very creditable to the hon. member if they were inquired into.

APPRENTICES BILL.

Message received from the Legislative Assembly requesting that this bill, not having been dealt with last session because of the prorogation of the legislature, should be proceeded with under the Council's standing order on that behalf.

Resolved: That the request of the Legislative Assembly be complied with.

House adjourned at 5·23 p.m.

Legislative Assembly.

Wednesday, 24 January, 1894.

Chairman of Committees—Delivery of Cast-iron Pipes—Land Resumed for School Purposes—Wagga Wagga Waterworks—Floods, Hunter River—Iron Industry of the Colony—Bourke Meat Company's Works—Brush Farm, Parramatta River—Chief Clerk, Customs, Newcastle—Regulations respecting Pupil-teachers—Accidents at Level Crossing at Kogarah—Electoral Rolls, Canterbury Electorate—Closing of Gates on Great Northern Railway—Importation of Wheat, Flour, Oats, &c., into Colony—Lithgow Water Supply—Public Works Betterment Bill—Agricultural Holdings Bill—Custody of Children Bill—Homestead Protection Bill—Fisheries Act Amendment Bill—Attorney's Admission Bill—Offenders Probation Bill—Legal Practitioners Bill—Sydney Corporation Act Amendment Bill—Free Public Library—Mining Act Amendment Bill—Immigration Restriction Bill—Mr. E. G. Ward—Distress for Rent Abolition Bill—Apprentices Bill—First Readings—Objection to Formal Motions—Secretary for Lands—Australasian Rights Purchase Bill—Consolidated Revenue Fund Bill (Suspension of Standing Orders)—Chairman of Committees—Consolidated Revenue Fund Bill.

Mr. SPEAKER took the chair.