

attempt to get anything. I apologise to the House for detaining it at this length, but on this matter I feel very strongly. I am precluded from voting for the second reading of the bill because I am interested, but I think it is only fair to put a statement of the facts from a man who has an inside knowledge in order to allow hon. members to know what the bill really is and what they are really doing.

The Hon. W. ROBSON: I think it is a fair request to make that the debate should be adjourned after the two speeches we have heard, especially seeing that we have had the bill in our hands for only an hour.

The Hon. J. GARLAND: I should like to do what I can to oblige my hon. friend, who I know takes a deep interest in this measure, and who has come here practically from a sick bed. Under the circumstances, I shall consent to the adjournment of the debate, but we have a good deal to do, and we are very anxious to close the session to-morrow.

An Hon. Member: You cannot finish to-morrow!

The Hon. MARTIN DOYLE: Go on with the bill to-night!

The Hon. J. GARLAND: I feel in a difficult position. The hon. member, Mr. Robson, has made a special appeal to me, and I want to meet him if I can. On the understanding that hon. members will be prepared for a late sitting to-morrow night, I am prepared to consent to the adjournment.

Debate (on motion by Hon. W. Robson) adjourned.

HOURS OF SITTING.

The Hon. J. GARLAND: Might I suggest to hon. members that they meet me in this way: that in order to facilitate business they assemble to-morrow at half-past 2 o'clock.

HON. MEMBERS: Hear, hear!

The PRESIDENT: Under that arrangement I leave the chair until half-past 2 p.m. sharp to-morrow.

[The President left the chair at 9.10 p.m.]

Legislative Assembly.

Wednesday, 13 December, 1916.

Printed Questions and Answers—Papers—Petitions—Questions without Notice—Adjournment: Appointment of Mr. Hodgson—Workmen's Compensation Bill—Institution for Defective Children Bill—Industrial Arbitration Amendment Bill—Totalisator Bill (third reading)—Loan Estimates—Crimes Prevention Bill (second reading)—Local Government Amending Bill—Special Deposits (Industrial Undertakings) Amendment Bill—Industrial Arbitration (Amendment) Bill—Loan Estimates (Trawling Industry)—Institution for Defective Children Bill—Forestry (Temporary Commissioners) Bill (Urgency)—Public Works Committee—University Amendment Bill (second reading)—Women's College Endowment Bill (second reading)—Totalisator Bill—Crimes Prevention Bill—Papers—Arrival of Maltese—Special Adjournment—Adjournment (Close of the Session).

Mr. SPEAKER took the chair.

PRINTED QUESTIONS AND ANSWERS.

MR. A. K. TRETOWAN.

Mr. WRIGHT asked the PREMIER,—Is it a fact that Mr. A. K. Trethowan, President of the Farmers and Settlers' Association, whom the Government intend appointing to the Upper House, is identical with A. K. Trethowan, of Urana, who recently gave Goldsbrough, Mort & Co. a crop lien over his wheat at Oaklands to secure an advance of £5,000; if this be so, will he consider whether it is desirable in the public interest that such a nomination should be made in view of the foregoing?

Answer,—I am not aware. It is quite a common occurrence for farmers to give a lien over their crops for the purpose of securing funds, hundreds of such liens being registered every year with the Registrar-General.

TRANSFER OF CIVIL SERVANTS TO RAILWAY DEPARTMENTS.

Mr. HARRY MORTON asked the SECRETARY FOR PUBLIC WORKS AND MINISTER FOR RAILWAYS,—(1) Is it a fact that the Railway Commissioners have decided not to transfer to the permanent staff employees of the Railway Survey Branch who have served the term which under recent legislation would entitle them to be so transferred in any other department of the public service? (2) If so, what is the reason why this discrimination between State employees is being made, and will any compensation be made to the men who suffer from it?

Answer.—It is presumed the question refers to the Railway Survey Branch of the Works Department. The employees mentioned have not yet been transferred to the Railway Department, and the question of their transfer to the permanent staff has not been considered.

PAPERS.

Mr. BALL laid upon the table the under-mentioned paper, which was ordered to be printed :—

Schedules 1 to 4, 1916-17 estimates, Public Works (Construction).

Mr. ASHFORD laid upon the table the undermentioned paper, which was referred to the Printing Committee :—

Gazette notices setting forth the mode in which it is proposed to deal with the dedication of certain lands, under the Crown Lands Consolidation Act, 1913.

PETITIONS.

Mr. GRIMM presented a petition from the congregation of the Forbes Methodist Church, representing that petitioners view with alarm the proposal to legalise gambling by means of the totalisator, believing that it will increase gambling and be demoralising to youths and the good order of society; and praying that the Totalisator Bill may not become law.

Mr. T. BROWN presented a petition from David F. Brandt, of the Presbyterian Church of New South Wales, representing that Parliament should not legalise any form of national vice, and that revenue derived from the legislation of vice is money obtained at the cost of the moral life of the people; and praying that the Totalisator Bill may not become law.

Petitions received.

QUESTIONS WITHOUT NOTICE

COAL-MINES REGULATION BILL.

Mr. ESTELL: I wish to know whether the Minister for Mines has given effect to the promise made to me last week that he would consult his hon. colleague, the Solicitor-General, with a view to having the Coal-mines Regulation Bill, now before the Legislative Council, passed before the close of the session?

Mr. J. C. L. FITZPATRICK: I have had several consultations with the Hon. Mr. Garland in relation to this important matter, but up to the present he has not

been able to give me a definite answer, because he does not know to what extent business is to be proceeded with in the Legislative Council. I have every hope that I shall see Mr. Garland again this afternoon, and I may then be able to ascertain whether it is possible to deal with the measure before the close of the session.

SINGLE RAILWAY EMPLOYEES: CHAIRMAN OF APPEALS BOARD.

Mr. LANG: I wish to know from the Premier whether it is a fact that the Railway Commissioners are dismissing single men from their service on the ground that they have not enlisted to go to the front? Is it also a fact that Mr. Ralph Hodgson, who has just been appointed as chairman of the Railway Appeals Board is a single man? If the facts are as stated, can the Premier say why the Commissioners are allowed to treat high officials like Mr. Hodgson in one way and fettlers, porters, and employees in the tramway sheds in a different manner?

Mr. HOLMAN: I have no knowledge of Mr. Hodgson's condition. I do not know whether he is married or single. He was appointed to fill a position created by a special Act passed by this House at the earnest request of the railway workmen. No one else in the world asked that there should be a permanent chairman of the Railway Appeals Board. The Act was passed in deference to the strongly-expressed wish of the railway workers, and the gentleman who was considered best fitted for the position of chairman was chosen regardless of whether he was married, or single, or Protestant or Catholic. I do not know whether Mr. Hodgson is married or single, and I never asked, nor do I believe that my colleagues, who were the committee of selection, investigated that question either. As to the other question—whether men are being discharged because they are single men, there is absolutely no foundation for the suggestion. If the Commissioners have to discharge men at any time they have general directions to give preference to married men. That has been the rule for many years; but they are not discharging men at the present moment merely because they are single men, and never will.

Mr. LANG : If I produce evidence to convince the hon. member that the Railway Commissioners are calling upon single men to answer these questions:—"Are you single; have you applied for enlistment, and have you been rejected?"; and should the answer be in the negative they are told their services are no longer required—will he take steps to see that these men are reinstated?

Mr. HOLMAN : I will gladly investigate any case the hon. member can put before me. Of course neither the Commissioners nor the Government can give a guarantee to keep in employment every man who is in employment at the present moment. The hon. member must be aware that the Commissioners are keeping a large body of men in employment by the expenditure of loan funds, and if the hardening of the London money market makes it impossible to obtain further loan funds it means that some men must be dismissed.

Mr. LANG : I am referring to regular railway servants—labourers in the tram sheds, and men cleaning cars. They are not paid out of loan money!

Mr. HOLMAN : That is a different matter. If they are engaged on capital work—on the construction of cars or work of that description—it may be that the Commissioners have been compelled to shorten hands; if so their general policy will be to retain in their service, other things being equal, men who are married and have families.

Mr. LANG : Why should these questions be asked?

Mr. HOLMAN : That is the reason the questions are put. If the hon. member will give me any specific case I will have full inquiries made into what has happened.

MERRIWA RAILWAY.

Mr. ABBOTT : I wish to ask the Secretary for Public Works and Minister for Railways, with regard to the Merriwa line, which I understand has to a great extent been completed, if he is aware that the greater part of the line, so far as the laying of the rails is concerned, cannot be used, and that consumers and producers are forced to tranship at the rail head, the point beyond which the Commissioners will not allow rolling-stock to

travel? Now that the law has been altered and the Railway Commissioners have been made the constructing authority, will the Minister ascertain whether or not arrangements can be made to permit of the use of the line beyond the point I have mentioned?

Mr. BALL : Inquiry has already been made into the matter referred to by the hon. member with the object of giving effect to what the hon. member suggests.

HOMES FOR INCAPACITATED SOLDIERS.

Mr. PAGE : I desire to ask the Secretary for Lands if it is a fact that the Government has provided homes for a number of returned incapacitated soldiers and the dependents of those who have been killed in action: and if so, how many?

Mr. ASHFORD : It is a fact that the Government is providing homes for the widows of soldiers who have been killed at the front and for returned disabled soldiers. Speaking from memory, I think 109 such cases have been provided for.

POSTPONEMENT OF MUNICIPAL ELECTIONS.

Mr. BRUNTNELL : Can the Premier give the House any idea as to his intentions with regard to the Local Government Bill, and whether the Government proposes to take any steps in the direction of postponing the municipal elections?

Dr. ARTHUR : If there is any intention of postponing the municipal elections will the same postponement apply to the shire elections?

Mr. HOLMAN : For the present my colleague, the Minister for Public Instruction, is acting as Minister for Local Government during the brief absence of the Minister in charge of that department, and perhaps the Minister for Public Instruction can give the hon. member some information.

Mr. JAMES : The bill is now in the Upper House, and I propose to deal with the amendments made by the Council in it to-night. The question of the postponement of the municipal elections has been dealt with by the Upper House, practically leaving it to the Minister to decide whether they shall be postponed or not.

Mr. DURACK : I desire to ask you, sir, a question upon this subject. Have

you considered this bill as it has been returned from the Legislative Council with the view to seeing whether or not it is necessary for an entirely new bill to be introduced by the Government?

Mr. SPEAKER: I must confess that having studied the Daylight Saving Bill I am not quite sure whether it is night or day. I have not had the opportunity of reading the message from the Council returning the bill, but within the next quarter of an hour I shall read it and come to a determination.

PRIVATE RAILWAYS, SOUTH MAITLAND COAL DISTRICT.

Mr. ESTELL: I desire to ask the Premier in view of the great development that is taking place in the coal-mining industry in the South Maitland district, will the Cabinet take into consideration during the recess the advisableness of resuming the whole of the private railways in that district? If not, will the Cabinet be prepared to remove any obstacles in the way of permitting the Caledonian Coal Company to get their private bill passed, so as to provide railway connection between Cessnock and their branch railway at Killingworth?

Mr. HOLMAN: That matter has already been under the close consideration of the Cabinet, and I can promise the hon. member that in the immediate future it will have further consideration. The hon. member knows the difficulties which surround it better than most people.

Mr. ESTELL: They have been removed, I understand.

Mr. HOLMAN: It is only because we have been so busy with the finances during the last fortnight that the question has not been dealt with earlier, but I can assure the hon. member that it will be given consideration at the earliest possible moment.

IRONMOULDERS' STRIKE.

Mr. GARDINER: I desire to ask the Premier is it a fact that a conference was called between the parties to the dispute in connection with the Ironmoulders' strike; and that one of the parties did not appear? If that is so, will the Premier inform this House what is being done by

[*Mr. Durack.*

the Department of Labour and Industry to bring the parties together with a view to coming to a satisfactory settlement?

Mr. HOLMAN: I am afraid I must ask the hon. member for notice of the general question, but I can inform him that the Minister for Labour and Industry says it is not a fact that either of the parties was absent from the conference called by him. I am not able to give a further explanation than that, but I know my colleague denies that that occurred. If the hon. member will give notice of the question I shall get full information regarding the whole position.

"SCARBA."

Mr. FINGLETON: I desire to ask the Premier whether he will take into consideration the desirability of using the building "Scarba" as a lying-in hospital?

Mr. HOLMAN: Since the debate on the estimates closed I have called for a report with reference to the building, but up to this moment have not received it. In view of the early ending of the session, I shall do my best to get the information for the hon. member to-morrow; but should that not be possible, I shall let him know in the immediate future what the intention is.

SYDNEY HOSPITAL.

Mr. BAGNALL: I desire to ask the Premier whether, in view of the fact that the authorities of Sydney Hospital have been negotiating with the Government for the last five or six years to secure further accommodation, he can say what the proposal of the Government is to relieve the acute congestion at the institution?

Mr. HOLMAN: This is a matter which has been under the consideration of my colleague the Chief Secretary since he has been in office, but owing to the great pressure of work in Parliament he has not been able to proceed far. The real point at issue involves a question of policy. It is whether the additional accommodation required ought to be provided at all at such a site as Macquarie-street, or whether it should not be met by arranging for extra accommodation by setting up a hospital somewhere else. That is a point that goes direct to the root of Government policy regarding hospitals, and

cannot be settled without further consideration. I assure the hon. member that it is receiving the fullest attention both from the Chief Secretary and myself.

RAILWAY CONCESSIONS TO SCHOOL TEACHERS.

Mr. DOOLEY: I desire to ask the Minister for Public Instruction, in further reference to my previous question, whether school teachers will be allowed time off to enable them to travel by excursion trains to the city? Further, will the same concession be granted to teachers desiring to go from one country place to another? A teacher at Bathurst may have his home at Wellington, and it would be a great convenience to him to leave Bathurst on the day before the breaking up?

Mr. JAMES: I have made inquiries, and find that the Commissioners intend to allow similar concessions this year to those granted last year to teachers who desire to travel by excursion trains to the city. I shall make inquiries into the other matter.

WHEAT HANDLING MACHINERY.

Mr. PRICE: I desire to ask the Minister for Agriculture whether, in the purchase of machinery necessary for the bulk-handling of wheat, he will extend the time for tenders, so that they may be sent in by Australian firms? Will he defer acceptance of any American tender?

Mr. GRAHAME: I may say there are no American offers. The whole matter is now before the Government.

CHRISTMAS HOLIDAYS.

Mr. BAGNALL: I desire to ask the Colonial Secretary whether it is the intention of the Government to declare the Saturday before Christmas a public holiday.

Mr. FULLER: Yes; the matter has been arranged this morning between my hon. colleague and myself.

DISSATISFACTION WITH MINISTER FOR AGRICULTURE.

Mr. BOSTON: I desire to ask the Premier whether he is aware that the farmers and settlers at a place in his electorate have, by resolution, practically demanded that the Premier shall dismiss

his colleague, the Minister for Agriculture, on the ground that he is not a country man, and is not familiar with agriculture? Is the Premier going to follow the dictates of this organisation?

Mr. HOLMAN: In view of the delicacy of the relations between the gentleman involved in the hon. member's question and myself, I think I must ask for notice. I do not think that any Minister of the Crown ought to be stabbed in this way through the medium of opinions expressed by persons who are not his own constituents without giving him an opportunity to consider the matter.

RAILWAY FACILITIES TO BLIND SOLDIERS.

Mr. LANG: In view of the oft-repeated assurances of the Premier that the Government will do all in its power to assist returned soldiers, is he aware that there are about eight blind returned soldiers in this State, and that in any adjoining State all blind persons are carried free on the railways? Will the Premier take into consideration the necessity for immediately granting these eight soldiers free passes on the line, and allow their guides to travel at half fare.

Mr. BAGNALL: On the same question may I say that I have received the following communication from the Premier's Department:

With reference to your representations of the 2nd October last, in connection with railway and tramway travelling facilities for blind soldiers, I have the honor to inform you that the matter has received the consideration of the Premier. Mr. Holman has decided that if these soldiers make application from month to month for reasonable travelling facilities, each application will be considered on its merits. The Deputy Chief Commissioner for Railways and Tramways has been asked to give effect to this policy.

Is the Premier aware that that decision involves a good deal of trouble on the part of these blind soldiers? Will he reconsider his decision, and fall in with the suggestion I made when I originally brought this question forward—that the seven or eight blind soldiers, who have been blinded in the service of their country should be put on a permanent basis, and that one assistant with each soldier should have also a free pass over the railways? If the State Government does not feel inclined to shoulder this

expense will it negotiate with the Commonwealth Government, and see that this small concession is given to men who thoroughly deserve it?

Mr. HOLMAN: There is no desire on the part of my colleagues or myself to deal with these men in any other but a generous spirit, and the small measure of precaution we have taken must not be interpreted by hon. members as any derogation from a spirit of generosity. We are prepared to meet every application as it is made, but we are entitled, I think, to know each month what the intended movements of such soldiers may be, and what justification there is for dealing with these movements at the expense of the State.

We will do all that is necessary for their transport over the railways; but to say at this stage that we ought to make these men the holders of permanent life passes—or their guides, which will be almost equally necessary—

Mr. LANG: We are only asking for half rates for the guides!

Mr. HOLMAN: We cannot make any permanent arrangement at the present moment, when we do not know what the situation may ultimately be, or how far we may be committed. We can only make a tentative arrangement. Later on, when the war is over, and we know what our liabilities are, we will deal with the whole question afresh. At the present time we are prepared to deal with the soldiers and their guides from month to month on their making application.

DISMISSAL OF TRAMWAY MEN.

Mr. FINGLETON: I desire to ask the Minister for Railways—In view of the fact that an inquiry was held by a select committee in connection with certain tramway men who had been dismissed on a charge of gambling; that the committee found in favour of the men, and the House adopted its report; that the men have been restored to their positions in the service as far as seniority is concerned, but have not been paid the wages they should receive according to their length of service; and that increases have been granted to certain highly-paid officials—will he confer with the Commissioners for

[*Mr. Bagnall.*

Railways with a view to getting these men the payment to which their service rightly entitles them?

Mr. BALL: I am not acquainted with the facts or the merits of the case, but if the hon. member will give me notice I will have inquiries made.

STATE OUTPUT OF COAL.

Mr. KEARSLEY: Has the Minister for Mines observed the question on the business-paper in which I asked the daily output of coal-mines and the number of days worked, to which the reply was that no information was available? Is it not a fact that the department must have some knowledge of the output in order to charge royalty? If the department has not the information asked for, will the Minister take steps to see that full details are obtained in the matter?

Mr. J. C. L. FITZPATRICK: In answer to the hon. member,—Yes.

GRANVILLE SEWERAGE SCHEME.

Mr. LANG: Is it the intention of the Minister for Public Works to introduce this session a bill to carry out the construction of the scheme of sewerage, approved by the Public Works Committee, for the municipalities of Granville, Auburn, and Lidcombe; if not, will he proceed with the work at once by the same methods as he is employing in connection with the northern outfall sewer?

Mr. BALL: In reply to the hon. member, there is no intention of bringing forward a bill this session; but I may inform the hon. member that certain work is now being performed in connection with the northern outfall sewerage scheme, which will work in with the scheme to which he has referred.

MOREE POLITICAL LABOUR LEAGUE.

Mr. PRICE: In reply to the question which I asked the Colonial Secretary during the previous week as to the statements made by Messrs. Morby and Last, representing the Political Labour League, at Moree, the Minister stated that if I handed him the papers he would make inquiries with a view to action being taken. Has the hon. member had the matter under consideration, and does he propose to take any action with regard to the sug-

gestion made by those two representatives of the P.L.L. to incite people to commit a breach of the peace?

Mr. FULLER: As I promised the hon. member when the question was put to me, I forwarded the matter to the Inspector-General of Police for immediate report. The report is not yet to hand.

STATE COAL-MINE.

Mr. CUSACK: I desire to ask the Minister for Mines will the hon. member inform the House what progress has been made with the State coal-mine, and when will coal from that mine be available for the railways?

Mr. KEARSLEY: I should like to ask the Minister for Mines if there be any truth in the rumour that the Government intends to discontinue operations at the State coal-mine, and to abandon the whole project?

Mr. J. C. L. FITZPATRICK: As unfortunately I have been absent from the House during the last twenty-four hours, and have not been able to make myself altogether conversant with what has been done in connection with the State coal-mine during that period, I would ask both hon. members to put their questions on the business-paper, and I will furnish an answer at the next sitting of the House.

COMBOYNE RAILWAY-STATION.

Mr. PRICE: I desire to ask the Minister for Railways a question in regard to the answer given by the hon. member to some questions I asked on the 15th November in reference to the Comboyne railway-station, and in reply to which the hon. member said he had been informed that a sum of £9,000 had been expended in connection with that station, and, although it is admitted that the work has turned out to be useless, an officer of the department said that no blunder had been committed. In view of the fact that £9,000 was practically thrown away in the bush, and the work ultimately abandoned by the Railway Commissioners, will the Minister cause inquiries to be made as to who was the officer responsible for the statement that no blunder has been committed, although a distinct loss of £9,000 has been incurred. Will the

Minister cause inquiry to be made, and have the whole of the papers laid upon the table of the House?

Mr. BALL: I will have inquiries made in connection with the matter to which the hon. member has referred.

STRIKES AND LOCK-OUTS.

Mr. PRICE: During last session, and also during an early part of the present session, I asked the Premier a question in regard to the Canadian law dealing with strikes and lock-outs. I now desire to ask the hon. member if, in view of the failure of our Arbitration Act in regard to the enforcement of awards, he will take into consideration the advisableness of repealing the present law, which is not being enforced, and review the whole matter, so as to place industrial affairs on a sound basis.

Mr. HOLMAN: During the recess I hope to invite my colleagues to consider the question of the readjustment of the whole of the present arbitration law, with the view of submitting legislation next session.

ADJOURNMENT.

APPOINTMENT OF MR. HODGSON.

Mr. SPEAKER: I have received a notice from the hon. member for Wagga Wagga that he desires to move the adjournment of the House to discuss a definite matter of urgent public importance, namely, "The appointment of Mr. Hodgson, a single man, to the position of chairman of the Appeals Board, whilst other single men are dismissed from the railway service."

Five hon. members having risen in their places,

Question proposed.

Mr. BOSTON (Wagga Wagga) [3.7]: I know it is the usual custom to inform the Minister of one's intention to move the adjournment of the House. On this occasion I feel justified in departing from that custom, because the appointment which I propose to discuss has only just been made; and as it was a Cabinet appointment Ministers must be thoroughly conversant with all the details. I contend that the Cabinet in appointing a single man to the important position of chairman of the Railway Appeals Board has, to say the least of it, been indiscreet. We know that to-day not only in the public

service, but in private employment there is a feeling that single men should not be retained so long as the war is in progress; and when appointments of this description are contemplated the Government should set a good example by appointing a married man or at least a man of proved experience and capacity. I notice in the *Evening News* of to-day that a portrait of Mr. Hodgson is published. It shows that he has a very boyish appearance and it says of him:—

Mr. Ralph Vivian Hodgson, barrister-at-law, was educated at the Sydney Grammar School, read for the Bar with Professor J. B. Peden, was called in 1902, at the age of 22, and has been in active practice since then. He is the son of the late Dr. Ralph Hodgson, a well-known Sydney medico, who was prominent in many public matters, and who introduced to Australia and lectured on the finger-print system of identification many years before it was adopted here. Mr. Hodgson has for years been connected with practical engineering, and is well known in motoring circles as a designer and manufacturer of engines. The knowledge thus obtained, together with his practice at the Bar, gives him special qualifications for this position. The appointment is for five years, at £750 a year.

The board is constituted under the New South Wales Government Railway Appeals Act, 1916, and will consist of a representative of the Commissioners and a representative of the men, with an independent chairman.

Considering that the appointment is for five years and the salary is £750 a year, the Government should have selected an older man for the position, and not one who, in the opinion of many members, is better qualified for a position at the front. Mr. Hodgson's engineering abilities could be put to good use in France or elsewhere. I suppose he is one of those who throughout the length and breadth of the country in the course of the recent conscription campaign was referred to as "cold feet."

Mr. Hoskins: The hon. member ought to be the last to refer to others as "cold feet!"

Mr. BOSTON: Mr. Hodgson is a fine-looking, able-bodied young man, and his duty is at the front seeing that he has neither wife nor child, nor, so far as we know, anyone dependent upon him. If he is not there who should be there? That the Government should appoint such a man to an important position of this nature is to degrade their positions as Cabinet Ministers. During the conscription campaign it was constantly com-

[*Mr. Boston.*]

plained that men who were in a position to go to the front absolutely refused. I know of one young man in my electorate—a school teacher and a single man—who found things made so hot for him by the people in the locality because he refused to enlist that he was compelled to resign from the department. He was referred to as a shirker, as being "cold-footed," and although he had conscientious objections to enlisting, the people in the locality, to use his own phrase, made it worse than hell for him. Now we find the Government, when it has an important public position to fill, selecting a man of 36 years of age. How many other barristers applied for the position, and how many police magistrates? Surely Mr. Hodgson was not the only person who applied?

Mr. JAMES: It is easy to answer the first part of the hon. member's question. No other barrister applied!

Mr. BOSTON: Why this gentleman was singled out I do not know. It is a matter for the Government and not for me to explain.

Mr. COHEN: Is he not competent?

Mr. BOSTON: I do not suggest that he is not competent; he might be a most able man for the position; but in these times, when patriotism is paramount, the Government should set a better example than to select so young a man.

Mr. BAGNALL: There are plenty of single men who have as many responsibilities as married men have!

Mr. BOSTON: I do not say that any man should go to the front if he has responsibilities to discharge—if he has a mother or someone else dependent on him. But we know that many persons who have no responsibilities claim that they have special burdens to bear. A man with a wife and family has a duty to discharge towards his dependents, and too many men have gone to the front and have left their wives and families to the mercy of the world. Most of these men have gone to the front to escape their home responsibilities. My action in bringing this matter under notice will give Ministers an opportunity of explaining why this appointment was made. I do not know much about the Railway Appeals Board, but I know that young men in the public service are being called up and questioned as to why they do not enlist.

Young men applying for positions in the railway service are being turned down when it is ascertained that they are single, and the same thing applies to applicants for admission to the police force. Why should these men be penalised while a single man is appointed to a highly-paid position such as that referred to? I think that Ministers will have difficulty in justifying their action. Surely it would have been possible to find a married man with the qualifications and knowledge necessary to fit him for the position of chairman of the Railway Appeals Board. The Government has violated the principle of which we have heard so much ever since the war broke out. In view of the action taken in this case, there is no justification for turning down single men who are applicants for Government positions.

Mr. LANG (Granville) [3.18]: When I asked the Premier a question earlier in the evening regarding the treatment meted out to single men by the Railway Commissioners I had no idea that the subject would be brought under discussion in its present form, although the matter is one well worthy of the consideration of the Government, and one that should be ventilated. I propose to give a concrete case bearing upon the subject of the motion. One of my own constituents has been subjected to treatment which apparently cannot be justified, except on the ground that, rightly or wrongly, the Government is determined to mete out one kind of treatment to members of the wealthy and favoured classes, and another kind to struggling poor industrious people. The case to which I refer is that of a constituent of mine named Daryll J. Byrne. This young man has been employed by the Railway Commissioners in a humble capacity.

Mr. COHEN: I will take your ruling, Mr. Speaker, as to whether the hon. member is in order in connection with a motion relating to the appointment of Mr. Hodgson as a single man to the position of chairman of the Railway Appeals Board, in referring to the treatment meted out to single men in the railway service. If hon. members are to be permitted to bring up every case in which objection has been taken to a single man the discussion will become interminable.

Mr. SPEAKER: While the motion immediately refers to the appointment of Mr. Hodgson, and the objection to him is that he is a single man, the point is that whereas the Government has appointed a single man to this highly lucrative position, the Railway Commissioners are removing single men from less favourable positions, and are preventing them from earning their livelihood; and if any hon. member desires to mention other cases by way of illustration or analogy, I shall not prevent him from doing so.

Mr. LANE: The case to which I refer is that of Daryll J. Byrne, who has been employed at the tramway dépôt at Dowling street. He has been employed there for fifteen months, and recently the Commissioners inquired of him—as they have done of other single men in their service—as to his position in regard to military service. Young Byrne was called into the office, and was questioned as follows:—

Are you a returned soldier? No.

Did you volunteer to go to the front? No.

Are you a married man? No.

On the strength of the answers given to these questions, Byrne was informed, "Your services will not be required after Friday next." That is next Friday.

Mr. HOLLIS: On a point of order. I have not seen the motion, but I understand that it deals with the appointment of Mr. Hodgson as chairman of the Railway Appeals Board, and I want to know whether the hon. member is in order in referring to the action taken by the Railway Commissioners in regard to single men in the service?

Mr. SPEAKER: It is obvious that the hon. member has not seen the notice of motion. I have already ruled that the question is not the appointment of the chairman of the Appeals Board *per se*, but the appointment of the chairman as a single man, while other men occupying more humble positions in the railway service are being penalised because they are single men.

Mr. LANG: The treatment to which this young man has been subjected has been most unfair, and exactly the opposite of that meted out to Mr. Hodgson. The hon. member for Petersham asked whether Mr. Hodgson was not regarded as qualified to fill the position. I am not going

to raise any objection to Mr. Hodgson's qualifications, but if that is the test for the humble position, should it not be the test for the highly-paid position? If this young man is fully qualified to carry out his humble duties as a cleaner he is as competent as or more competent than Mr. Hodgson is to fill his position. The Premier has said that no question should be asked these gentlemen in high positions, but when it comes to men in humble positions they are to be asked questions which have nothing to do with their occupations. The Railway Commissioners did not inquire into this young man's domestic position. They do not know that his mother has been dead for three years; that his father has been paralysed for many years; and that he is the sole support of his sister and his paralysed father. All they really asked him was, "Have you applied to go to the war?" As a matter of fact, when this young man was called up as a "Hugheslier" he was rejected as unfit for active service, but in spite of that, this unfair treatment is meted out to him. Is it any wonder that the blood of an hon. member boils when he asks a question in the House and is met with the reply, "Give me a concrete case"? Now I am giving such a case. It is the most scandalous thing that could be brought before the attention of the House, and the Minister should give immediate attention to it, in order to rectify the error which has been made.

Mr. BAGNALL: Have you made representations to the Commissioners about the case?

Mr. LANG: I have made no representations to the Commissioners, because there are no Commissioners.

Mr. BAGNALL: You should have done so!

Mr. LANG: If the hon. member can get by an appeal to the commissioners the rectification of injustices done to his constituents and the removal of the difficulties under which they labour, I congratulate him. I cannot do so though I have tried on many occasions. But that has nothing to do with the case. The question is what is the speediest method of procuring redress? I think it is to bring the matter before the House. But are only those individuals who can get the sympathetic ear of their member of

[*Mr. Lang.*

Parliament to obtain justice? Why should not all have it? When these cases are brought before the authorities they should not be dealt with behind closed doors and as if it were a favour to consider them; they should be dealt with openly and fairly, and fair treatment should be meted out to the humblest as well as to the greatest.

A man in the profession to which Mr. Hodgson belongs has others in high positions to assist him. That profession is represented in this Government by seven of its leading lights, and consequently a member of the profession has an overwhelming pull. I am not saying that Mr. Hodgson is unfit for his position because he is a single man, and I do not say he is not the best qualified man for the position. I agree with the Government that the question of his domestic state should not be inquired into, but I object to making fish of one and flesh of another, so that while the man in the high position goes unquestioned the humble individual has to answer all these questions and put up with all these disabilities. That should not be possible with a Government in power that claims to stand for a humble individual. I hope the Government will give the matter serious consideration. I express the further hope that the young man will not be made to suffer because he has had the temerity to put his trouble before his member of Parliament. While expressing that hope, however, I do not care even if he is made to suffer, because I believe there will be sufficient sympathy and milk of human kindness in the district in which he lives to see that he shall not continue to suffer. I hope that the Railway Commissioners will be asked to confine themselves to the conduct of their business. They are put there as trustees of the people to carry on the railway service, and not to become recruiting officers. I object to the commissioners foisting a system of recruiting on to the railway service. The Government should see that no injustice is done to any man through their action.

What would the position be if this young man appealed to Mr. Hodgson, and told him that he was dismissed, not because he was incompetent, but because he was a single man. This young man, and others like him, could say he has been

in the service for many years, that there is nothing against him, that his superiors say he is qualified and competent, and is everything that an employee should be, but because he is single he is dismissed from the service. Imagine the position of the chairman of the appeal board, who himself is single. The Railway Commissioners should be instructed to remove that bar, and to reinstate immediately all the men who have been dismissed for the mere reason that they are single. If the motion of the hon. member for Wagga Wagga brings about that result he will have deserved the thanks of the State, and of those who are struggling to earn a crust for their dependents.

Mr. HOLLIS (Newtown) [3.32]: If ever a hypocritical motion was moved in this House it is that which is now before the Chair. Hon. members on the Opposition side worked and voted to prevent single men from going to the front. The reason for the division of parties is that we on this side determined to put the war before everything. We thought that single men ought to go to the front. Hon. members on the other side said, "No, they should not." Yet they come down here with a motion affirming that because a man is single he should not have a Government appointment. If that is not the essence of hypocrisy, I have yet to learn what hypocrisy is. What are the facts? The hon. member for Granville said that the only reason why Mr. Hodgson was unfit for his position was that he was a single man. Does he mean to say that every employer of labour should put a man out of his service because he is single? That is the logical conclusion of the motion; shuffle as hon. members may, they cannot get away from that—there should not be any employment for a single man; he ought to be at the war. Yet hon. members opposite worked and voted to prevent single men from going to the war. The sooner they shape their actions in accordance with the motions they bring before the House the better it will be for their political characters and integrity. If I had my way I would send every single man to the front, but hon. members opposite worked and voted against that. On the public platform they said that they could see blood dripping from the fingers of every man who

voted "Yes." Where are the patriots? If any conclusion can be drawn from the wording of this motion it is that this man is not fit for the position because he is single. I have heard a good deal in this House, but that just about "takes the cake." Talk about the chameleon changing his colours! The chameleon is not a patch on the gentlemen who support this motion. I happen to know Mr. Hodgson very well. Hon. members opposite know that I wanted to divest the chairman of the Appeals Board of certain qualifications, and leave it entirely in the hands of the Government. I said that we did not want police court methods brought into the procedure of the Appeals Board. I was somewhat concerned as to who would be appointed chairman of the board, although I had nothing whatever to do with Mr. Hodgson's appointment. I did mention the name of a man to some Ministers. I thought he would have made an excellent chairman, but he did not get the appointment.

Captain TOOMBS: Was he a single man?

Mr. HOLLIS: I have no feeling in that respect. What I am concerned about is the hypocritical attitude of hon. members opposite, who now want every employer to dismiss single men from his service. I recognise that there are single men in this country who have greater obligations than many married men, and are we to debar those men from getting positions for which they are qualified? I do not know anything at all about Mr. Hodgson's domestic arrangements, but what I desire to draw pointed attention to is that Mr. Hodgson is regarded as being unfit for this position because he is a single man by men who a few weeks ago were taking the very opposite side.

Mr. BOSRON: We did no such thing!

Mr. HOLLIS: Let us have some consistency. There is no consistency in this. Judging by what I know, the appointment is an excellent one. Mr. Hodgson is a capable engineer.

Captain TOOMBS: An engineer?

Mr. HOLLIS: Yes. When he first went to the Bar, like many other young fellows, he did not earn much money, and having previously served his apprenticeship as an engineer, he devoted his time to engineering and earned his living as an

engineer. A man who does that has some 'go in him, and is peculiarly suitable for such a position as this.

Mr. BOSTON: Is he married or single?

Mr. HOLLIS: He is single. I did have an objection to single men getting these positions, but hon. members opposite cannot say that.

Mr. LANG: Did not Mr. Hodgson's father leave him £20,000, and is it not a fact that all he is doing now is to drive round in a motor-car?

Mr. HOLLIS: I cannot say, but I do not think so. I believe Mr. Hodgson to be a suitable man for the position, and I do not know where we could get many men more suitable.

Mr. BOSTON: Would you object to a single man getting a position in the Government whether it be a high or low position?

Mr. HOLLIS: No. During the campaign I objected to single men getting any other employment than in the military service, but hon. members opposite did not. They have turned a complete somersault. The hypocrisy shown in this motion is most pronounced, and I venture to say the object in moving it is merely to waste the time of the House.

Captain TOOMBS (Hurstville) [3.44]: The hon. member for Newtown calls this a hypocritical notion. Having regard to those who sent him here and the work he was sent here to do, he might well call this a hypocritical motion, because he should be an authority on hypocrisy. The hon. member, after his many years of experience in this House, absolutely fails to grasp the question and to ascertain what is the basic principle which underlies the reason for moving this motion. The hon. member talked all round the question from an absolutely wrong standpoint, and from a standpoint that was not put forward by this side of the House. If the hon. member has at heart the welfare of the railway employees, whom he is supposed to represent, I will endeavour to explain to him why this motion was moved. We have had evidence before us repeatedly that not only the Railway Commissioners but various other Government departments have, when a man has applied for employment, asked him the question, "Are you married or single?" If the man has said he is single, he has

been definitely told that there was no room for him—that his place was somewhere else. A short time ago certain officers took upon themselves to start an inquisition within the service. Men were sent for, and asked whether they were married or single. They were put upon the rack, as it were, and practically held their job in fear of being dismissed from the railway service if they did not volunteer. That is what we are up against. We say that if it is a good thing for the man at the bottom to be dismissed because he is single, it is equally good for the man at the top. We say that the Government itself has stood behind the doctrine that single men need not apply, and that single men are to be the first put off their work. It is disgraceful for the Government to enunciate this doctrine against the man at the bottom while it puts other single men into high positions. It should be known not as the "National Government," but as the "job-making" Government.

We did not question the professional capacity of the gentleman under notice until that matter was raised by the hon. member for Newtown. We were concerned only with the hypocrisy of the Government which was enunciating two different doctrines. We knew of course that it was the leader of the Government who sent a telegram saying that one "Willy Watt" in Australia was as good as 10,000 men in the trenches. Apparently it never struck the hon. gentleman that the way to win the war was to send 16 "Willy Watts" per month. We do not believe in that differential policy, but the hon. member who raised the question of this gentleman's capacity, tells us he was such a poor lawyer that he could not make a living, but had to go to engineering. If that is true it proves conclusively that it was not the gentleman's legal training or ability that fitted him for his position. The hon. member asked us "Where are the patriots." The patriots are sitting on this side of the House, not sheltering themselves unconstitutionally behind the walls of Parliament to prevent their masters, the people, giving them what they are asking for. On the statement of the hon. member for Newtown that this man was only a poor lawyer, I want to know why he was ap-

[*Mr. Hollis.*]

pointed. Are there no men in the legal profession available who can make their living as lawyers—who are brilliant lights in the industrial courts?

Mr. JAMES: Not one!

Captain TOOMBS: How funny; not a labour lawyer available. I wonder whether they tried to ascertain if Mr. Connington was available—a man who has proved his ability in the Industrial Court?

Mr. JAMES: There was not a single application!

Captain TOOMBS: What was the use of applying? It was a foregone conclusion; the matter was cut and dried. I suppose it was a case of "none but a lawyer need apply." I understand the Act provides that a man need not be a lawyer or a magistrate, but need only have the qualifications of a magistrate.

Mr. JAMES: That is correct!

Captain TOOMBS: Were there no men available who have a practical knowledge and experience of industrial law? No, they must have a lawyer. We have too many lawyers. It would do citizens of this State good to get hold of the law almanac, and see the number of solicitors and barristers who are battenng and fattening upon the people. To see such a number of them per head of the population goes to prove that justice is far too expensive a luxury in this country. If justice were dispensed as it should be there would not be room for these regiments of lawyers who to day are doing no useful work, producing nothing except costs and litigation, and living upon the toil of those who do produce. A lawyer is not a producer; he is merely something that lives upon the man who does produce.

Mr. JAMES: I rise to order. I would not have taken a point of order upon the hon. member as long as he kept within bounds, but this is not a discussion on the qualifications of lawyers.

Mr. SPEAKER: I am afraid that the hon. member in his enthusiasm is going too far. The question is not whether this gentleman is a lawyer or an engineer.

Captain TOOMBS: Whatever may be the reason for the appointment, I hope this gentleman will prove to be an efficient officer. He has my best wishes. But my point is that we, on this side of

the House, are against this system of differentiation, the hypocritical standard under which Bill Jones on the sidewalk may be dealt with because he is a single man, but you must not touch the single man whose hands are white, and who has a sufficiency of this world's goods at his back. Last night we heard the doctrine that the bookmaker in a large way is all right, but the bookmaker who cannot afford to ride in a motor-car is a parasite. You can be as big a sinner as you like as long as you have gold behind you, but do not be born poor or without friends; do not be the man at the bottom, because, if you are, there is nothing but the boot for you. This single man is being appointed to this well-paid position under the Crown, while hundreds of single men are walking about the streets, and do not know where their next meal is to come from. There are more unemployed on the streets of Sydney to-day than at any time during the last five years. The hon. member for Newtown may have sold his birthright for a mess of pottage, but we on this side of the House are against the hypocritical doctrine which is put into force in the Railway Department that single men at the bottom of the ladder can be put off a job because they are single, while other single men can be pulled in off the sidewalk and given the best jobs in the service. We on this side represent the toilers and the workers. We are here to fight their battle, whether it be profitable to do so or not. We are determined to fight to the bitter end. If the hon. member for Newtown cannot see that it is our duty to protest against this scandalous differential treatment of men at the top and men at the bottom, he is where he ought to be, and, at a later period, he will again be put where he deserves to be.

Mr. J. STOREY (Balmain) [4.1]: I did not intend to take part in this debate. I knew nothing about the appointment, except what I saw in the newspapers. I rose principally to refer to the bitter attack made by the hon. member for Newtown upon this side of the House. I am sure that in his calmer moments the hon. member will realise the enormity of his offence. We have been very much perturbed by the force of the language he used. The arguments he brought forward

were irresistible, but we feel that his charges against us are unmerited.

Mr. HOLLIS: You know that you tried to stop single men from going to the war!

Mr. J. STOREY: I may have said that I object to single men going to the war, but I believe that large men ought to go to the war. They would be useful on the parapet to stop bullets and save better men. The hon. member for Newtown did not touch the question, but indulged in a tirade of abuse of members on this side of the House. I do not blame the Railway Commissioners for appointing Mr. Hodgson; they had nothing to do with it. Everyone, except the hon. member for Newtown, knows that the appointment was a Cabinet one. The questions as to who should go to the war, and as to the circulars that were issued, are matters which belong to the Railway Commissioners.

Mr. HOLLIS: Does the hon. member say they should not appoint single men to any position?

Mr. J. STOREY: I say that Mr. Hodgson, whom I know only casually, is a very capable young man, either as an engineer or as a barrister. I understand that he is a single man. I also understand that he has very few obligations, if any, except it be to a sweetheart or two. If there was anything which the hon. member for Newtown enforced with eloquence and persistency during the recent recruiting campaign it was that single men without obligations ought to go to the war without being compelled to do so. In that, hon. members on this side of the House joined with the hon. member, but he went further and said that if single men would not go to the war voluntarily they should be compelled to go. We said that we did not think that they should be compelled to go, but that they should be allowed to go if they chose to do so. We say that the hon. member for Newtown is politically hypocritical in sitting behind a Government which agrees to the appointment of a single man to a lucrative position in the public service after having said during the recent campaign that single men—and married men, too—should be compelled to go to the war.

Mr. HOLLIS: What did the people say?

Mr. J. STOREY: The people spoke with a very decisive voice, and so did the

[*Mr. J. Storey.*

soldiers also. Whatever may be the imperfections of hon. members on this side of the House, we have the gratification of knowing that seven to four of the soldiers at the front said that we were right.

Mr. GRAHAME: You are only guessing!

Mr. J. STOREY: No, I am not guessing. I am not breaking any confidence when I say that two moments ago Mr. J. H. Cann showed me a letter from his brother, Mr. George Cann, in which he said, "the soldiers here gave the conscriptionists a very severe bump." What did he mean by that? He is a brother of a distinguished member of this House, and is a member of the House himself, and is now at the front risking his life in defence of his country. Hon. members on the other side have no right to say that we on this side are upholding a disloyal crowd. The soldiers at the front have answered such an insinuation as that effectively, and so have the people in the country. The Railway Commissioners placed notices on railway premises throughout the country to this effect, "Your country needs you. Have you any obligations? If not, your services are required at the front." If a man is single the Railway Commissioners expect him to go to the war. If a single man applies for a position in the railway service he will not get it, no matter how capable he may be. That is the position as far as the Railway Commissioners are concerned, but they had nothing to do with the appointment of Mr. Hodgson. The Government has appointed Mr. Hodgson, and I believe did so knowing that he was a single man, and that he possesses the qualities of a first-class soldier. Notwithstanding the fact that we are spending large sums of money in pointing out to public servants their duty in regard to the war, the Government has appointed a single man to a high permanent position in the public service. Such an act as that cannot be justified, and I do not think the Minister for Public Instruction will attempt to justify it. The Premier has stated that the railway workers selected Mr. Hodgson for this position. It does not matter to me if the railway workers as a whole agreed to his appointment. I still dissent from it. I say, without hesitation, that Mr. Hodgson ought not to have received this appointment. If this young man is a strong,

capable British subject he ought to be at the front, where every single man capable of bearing arms ought to be.

Mr. EDDEN (Kahihah) [4.13]: If the statements which have been made by hon. members are correct, I say that the Opposition has reason to find fault in regard to the appointment of Mr. Hodgson. I was in the House when a question was asked the Premier by an hon. member opposite in regard to single men being refused appointments in the railway service. The Premier said there was no truth in the statement. Whether it is true or not I am not in a position to say. If it is true that the Railway Commissioners refuse to appoint single men in the railway service, I say that under the present circumstances they are doing wrong, and the Government is doing wrong in supporting the action of the Commissioners. I do not know Mr. Hodgson, but if it is necessary for men in the lower grades to be compelled to go to the war because they are single, I say that the same necessity applies to any other single man, even though he wears a wig and gown. He should be told that his place is with those at the front. I do not suppose the country would stand still if this young gentleman went to the front. I do not believe in unfair discrimination being exercised; but the Premier stated that there was no truth in the allegations made by hon. members opposite. I did not hear the speech of the hon. member for Newtown, but apparently he said something which has ruffled hon. members opposite, and has led to a considerable amount of re- crimination. I know I am not perfect, and perhaps I may have done wrong. I went out as a conscriptionist, and have been made to pay the penalty. I was ex- communicated, not only by the people in my own district, but also in Sydney. It is of no use to heap anathemas on men with whom we may differ, after having worked side by side with them for many years. We may be right or we may be wrong, and wrangling will not help the great labour movement we were sent here to support. We have been driven into the position we now occupy, and I am as good a labour man to-day as ever I was. If the facts of the case are as stated by hon. members opposite the Government

has not done the correct thing; but the Premier has given an absolute denial.

Mr. HOSKINS: Mr. Hodgson is living with his widowed mother, and hon. members opposite know it!

Mr. EDDEN: I do not know what the position is. If what has been stated is true, hon. members opposite are not to be blamed for having brought this matter forward. The Government should make careful inquiries before appointing single men to high and lucrative positions, whilst they are refusing to appoint single men to lower grades in the service.

Mr. JAMES (Goulburn, Minister for Public Instruction) [4.20]: I would compliment the hon. member for Wagga on his moderate speech; but I am sorry to say that I cannot compliment in similar terms those who followed him, because, instead of dealing with the subject of the motion, which is of considerable importance, they allowed themselves to drift into a heated argument upon the merits and demerits of hon. members on opposite sides of the House. Perhaps this was partly due to the speech of the hon. member for Newtown, and I am sorry he introduced the matter as he did. But on the other hand, there was no need for hon. members opposite to raise a discussion entirely wide of the mark. The Government recognises that the principle outlined by hon. members—if they only believe in it—is one to which we can give our hearty assent. Hon. members have said that single men should be at the front, and I wish they really meant it. I am rather inclined to think that the speech delivered by one hon. member was made solely for advertising purposes.

Mr. SPEAKER: The last thing any hon. member would think of would be advertisement.

Mr. JAMES: The hon. member to whom I have referred certainly strayed away from the question under discussion. He gave an *ex parte* statement in regard to the action of the Railway Commissioners in a certain case, whereas his proper course would have been to go to the Railway Commissioners and ascertain their side of the question. I deprecate bringing matters of this kind before the House before both sides have had an opportunity of stating their case, and seeing that the Commissioners are not in any way under

the control of the Government, they should have been referred to by the hon. member.

Coming back to the question of the appointment of Mr. Hodgson, as a single man, to the position of chairman of the Railway Appeals Board, hon. members opposite know that the question of the qualifications of the chairman was debated at the conference which took place between members of this and the Upper Chamber, and a general agreement was arrived at as to the kind of man who would be suitable, and who would be acceptable to the railway workers. It was laid down by hon. members opposite that it was undesirable to appoint a man who had spent his time in the police courts, and had become bound up with the police court practice. I advocated the appointment of a man entirely free from any associations of that kind, and suggested that if possible we should secure the services of a good business man. The conference generally came to the conclusion that the man to be appointed should, whilst having the qualifications of a police magistrate, not have the taint of police court associations such as would attach to him if he had presided over a police court. I might mention that most of the applications received were from police magistrates—most estimable men who had done good work for the State, and who were fully capable. But recognising that the chairman of the board would occupy a difficult and delicate position we thought it desirable to appoint a man who while he must have a knowledge of legal procedure would be of such a disposition that he would be capable of meeting those who appeared before him in a proper spirit, and obtaining from them their side of the case. As it happened Mr. Hodgson was the only man among the applicants who complied with these conditions. We went carefully through the applications, and although from different points of view most of the applicants were well qualified, they lacked the one thing necessary to make for success. We wanted a man who could go into the chair unprejudiced—a man who by his training had fitted himself to deal with all classes of employees, and who at the same time would be able to sift evidence and would

especially be able to distinguish between mere expressions of opinion on the part of superior officers and statements of essential fact. We thought Mr. Hodgson most closely complied with these conditions, and would be most likely to give satisfaction to the men. Certainly none of the other applicants approached him in regard to the fulfilment of the requirements I have indicated. If we had set aside the applications received, and had gone outside, we should probably have been subjected to the criticism that we had done so for the purpose of pushing some one specially favoured into the job. We did not invite further applications because we thought that Mr. Hodgson having gone through his training as an engineer—having done his work as an apprentice—would thoroughly understand matters from the point of view of the men, and also having qualified as a barrister would be able to fulfil the requirements on the legal side. Mr. Hodgson had a very fair practice. Hon. members will see that it would be impossible to secure the services of a barrister with a large practice by offering such a salary as that attached to the position. We did not inquire as to whether Mr. Hodgson was single or married, but we felt that we were bound to appoint the best man we could find as chairman of a board which had been asked for by the railway men for so many years. We thought we must give them a chairman who would appeal to them and would at the same time be capable of doing all the work required of him.

In view of the large and important service with which we were dealing it seems to me that the question of whether applicants were married or single should not have arisen. This is not merely a question of putting in a man to do another man's job. We required a man of special qualifications, and the consideration of whether a man was married or single did not crop up. There was no question as to the appointment being cut and dried. It has been suggested that the Premier stated that Mr. Hodgson had been asked for by the railway workers. He did not say that. He merely said that the railway workers had asked for the board. We justify our action on the ground that of the applicants that came

forward, only one fulfilled what we conceived to be the requirements. Under the circumstances the Government cannot be blamed for making the appointment. I quite agree with hon. members opposite that young men should be at the front— young men who have no obligations to bind them down here, and who are strong and well. That is merely my personal opinion, and the general feeling of the country apparently is not in accord with it. If the Government is to follow the decision of the country in this matter there is no reason why Mr. Hodgson as a single man should not have been appointed. In regard to the statements made by the hon. member for Granville, I doubt very much whether the facts are as put forward by him. He has stated only one side of the case, and his proper course would have been to go to the Railway Commissioners, and ascertain their side of the story before coming here. But he merely asked his friend for his side of the story, and rested there. If anyone had made an accusation against his friend, he would no doubt have gone to him, and asked for his side of the case. Similarly I hope that if anyone made a charge against me the hon. member would come to me before he took action.

Mr. LANG: There is a general system of victimisation!

Mr. JAMES: The Premier absolutely denies that.

Mr. LANG: He denied the facts of the case I quoted!

Mr. JAMES: No, he said that if you would put a concrete case he would have inquiries made, but he denied the general allegation. I contend that the Government has justified itself. The chairman of the Railway Appeals Board will occupy a very peculiar position. He requires to have a legal training in order to be able to properly sift evidence, and at the same time he must be a man who can be in sympathy with those who come before him. If you had a police magistrate, who had sat for a number of years in a police court, and had become bound by the red-tape methods which are inseparable from a police court, in all probability he would not give satisfaction. If a good business man, with the qualifications of a police magistrate had come forward, I would sooner have had him than a lawyer.

As to Mr. Hodgson's qualifications it has been suggested that he is a second-rate lawyer. As far as Mr. Hodgson's knowledge of the law is concerned, I can say that he is a first-class lawyer. He stands in a very fair position as a lawyer. As a successful practitioner at the bar, he certainly does not stand as high as many others. Probably he may not have the same faculty to obtain verdicts as other members of the bar have.

Mr. WRIGHT: He has not the faculty to mislead juries!

Mr. JAMES: You can say that if you like. Sir George Reid once said he could always get a verdict from a jury, but the Full Court always upset it. We find that our best judges were not always the best advocates when they were at the bar. I do not say that we could not have got a better man than Mr. Hodgson if a higher salary had been provided. I do not say that if we had looked throughout the State we could not have found a better man. I should have liked to find a man possessing some initiative, which Mr. Hodgson may or may not possess; but under the circumstances, Mr. Hodgson was the best man amongst the applicants, and the Government was therefore justified in appointing him.

Mr. WRIGHT (Willyama) [4.33]: I quite agree that this matter should be approached calmly. The hon. member for Newtown made some very strong statements, but I would not bother about them, because, in my experience, there is nobody so bitter as a renegade. Why did the Government make this appointment, in view of the fact that there is a Public Service Board in existence, which is supposed to make these appointments, so as to keep these matters outside political influence? If the Government is going to make these appointments, the best thing to do is to abolish the Public Service Board. The gravamen of the charge is that in the lower grades of the railway service applicants have been asked by the Railway Commissioners whether they are single, and what their obligations are. If they do not satisfy the Commissioners that they have special obligations, the Commissioners say, "Your place is at the front"; or at any rate they say, "We cannot employ you." One would imagine that the concern of the Railway Commis-

sioners would be to keep the best men in their employ, irrespective of whether those men were married or single. I quite admit that if I were an employer I would, at a time like this, give married men preference over single men. But what we are complaining about is the action of the Railway Commissioners in directing that men shall not be employed if they are fit to go to the front. If the railways were well managed, there would be men ready trained for every position in the service. That would provide an incentive to young men to enter the service because even if they joined as railway porters they would have the knowledge that they might, by showing diligence and ability, eventually become railway commissioners. This Government has broken all right principles in connection with appointments and increases of salary in the civil service. It has increased the salaries of the higher-paid men, while it has not made a corresponding increase in the wages of the lower paid men.

Mr. FINGLETON (Waverley) [4.38]: The question before the House is not the qualifications of Mr. Hodgson, but the principle involved in appointing single men to positions of this kind at the present time. I do not blame the Railway Commissioners for this appointment. It is an appointment for which the Government has to take the full responsibility. It has made this appointment in the face of the fact that, for several months past, it has been the rule, not only in the Railway Department, but other departments of the public service, when persons have made applications for employment, to put these questions: "Are you a single man? Have you offered your services for enlistment?" In the Railway Department an additional form containing these typed questions are placed before an applicant for employment. If it is right that a man who seeks employment in the lower grades of the service should be asked these questions, it is equally right that applicants for higher positions should be asked them; for the man in the lower grade is just as necessary for the safe and proper working of the railways as the man who occupies a high position. The Minister of Public Instruction forgot to state whether applications were called for this position by advertisement. I do not think that they

[*Mr. Wright.*

were. I fancy that it merely got abroad that the position was vacant, and a few applications were sent in. But applications for employment in the lower ranks of the service are in every case advertised, and applicants are required to state whether they are married or single. As far as the Railway Commissioners are concerned, it does not weigh with them whether an applicant has a widowed mother or any other person dependent on him for support. The Premier states that this kind of thing is not taking place, but I am in a position to say that the Premier is not rightly informed. I know cases of men who were put off work, and who, on returning, were asked whether they had in the meantime offered themselves for military service.

Mr. WADDELL: Why not write to the Premier and give particulars of these cases?

Mr. FINGLETON: My experience is that there are numbers of men who, rather than be victimised, will suffer in silence. For every one man who has the courage to come forward and protest against procedure of that kind, you will find a hundred who will not.

Mr. WADDELL: If they are refused employment they have nothing to risk!

Mr. FINGLETON: I shall give one illustration. I interviewed the Railway Department on behalf of a man who was the support of his widowed mother. When I stated that he was a single man and was supporting his mother, they said, "We are very sorry; we want men, but we cannot employ him." I have heard questions asked in this House on the matter, and the reply has been that this was not done at the direction of the officers of the department. In the lower branches of the service there are officers who take upon themselves responsibilities which they should not take. They try to intimidate men by saying that they should go to the front. You have them saying that no matter what a man's responsibilities may be, no matter whether he has a widowed mother or other relatives to support, he is not to get employment in the department unless he can show a rejection badge. As far as single men are concerned we do not know what the responsibilities of some of these men are. It is not every man that will come out in

public and say that he has responsibilities, and cannot go to the war. There are many single men who, if they had no responsibilities, would be willing to go. A single man may have greater responsibilities than a married man. This so-called National Government says that this is the only man capable to fill this position.

Mr. JAMES: The only one among the applicants!

Mr. FINGLETON: Was the position advertised?

Mr. JAMES: I should think it was, but I do not know!

Mr. FINGLETON: I am not dealing with the individual, but with the principle involved. It has been said that this gentleman has a widowed mother. I wish everyone who has a widowed mother were in as good a financial position as he is. The humblest man in the service who has a widowed mother is more entitled to consideration than a man in this gentleman's position. In the case referred to by the hon. member for Granville, the man, although he was single, had greater responsibilities than many married men, still he was told his services were not required. And he was not told by the men at the head of the department, but by some of the tyrants underneath who are not "game" to go to the front. The sooner that Ministers realise their full responsibility and take full control of their departments the better. [*House counted.*] I suppose it is useless to expect this National Government to take any notice of remarks from this side of the House. There are seven or eight members of the legal profession in the Cabinet, and it is only natural that they would look after their own fraternity in connection with an appointment of this kind. The Government cannot clear itself of the charge that it has appointed a single man at a time like this to a high position in the service. Even if he had responsibilities, and anything happened to him at the front, he is in a good financial position, and those dependent on him would not be left quite unprovided for. In the case of men in the lower ranks of the service, they have to answer the questions put to them. If a man says that he is single he is told

may be, he cannot be employed. Not only are such men refused the right to earn their living but they are insulted; they are told they have "cold feet." If this motion has no other effect I hope it will show the Government that it ought to practise what it preaches. Mr. Hodgson is a single man. We are not questioning his qualifications, and, in the case of the man engaged in cleaning cars, his qualifications have not been disputed. He must have been qualified otherwise he would not have held the position so long. It is to be hoped that the Government will give instructions to the various departments to the effect that the restrictions which have been imposed must be done away with. Let the Government say, "We have broken the regulations and we cannot ask you to do something which we ourselves have not done."

Mr. PAGE (Botany) [4.53]: The question is whether the Government was right in appointing a single man to this position which carries a salary of £750 a year. I have no hesitation in saying that the same treatment should be given to the man who receives only 9s. or 10s. a day as to a man in a higher position. I quite understand that the appointment of Mr. Hodgson has been made by the Government, while men in the Tramway Department are under the control of the Railway Commissioners. But if men in the lower branches of the service are compelled to answer the questions which have been referred to, the same questions should be put to applicants who are seeking employment in the higher positions of the service. If a man is eligible to go to the front he should be told that that is his place.

The hon. member for Wagga made an uncalled-for remark to which the attention, not only of members of this Chamber, but also of the general public, should be called. He said that married men who volunteered to go to the front evidently did so in order to shirk their responsibilities here. The tablet on the wall of this Chamber reminds us that two hon. members of this House, the late Lieutenant Colonel Braund and the late Sergeant Larkin, volunteered to go to the front and fight our battles on the other side of the water. They laid down their lives for us.

Mr. MCGARRY: Both married men!

Mr. PAGE: Yes, they were married men. They left their wives and families here, and yet the hon. member for Wagga tells this House that those men volunteered to go and fight for this country in order to shirk their responsibilities. The hon. member, if he is a man at all, ought to apologise to the House and to the two widows, Mrs. Braund and Mrs. Larkin.

Mr. NESBITT: Lieutenant - Colonel Braund's two boys have also gone!

Mr. PAGE: They have also volunteered to go and fight and take some revenge for the death of their father.

Mr. OSBORNE (Paddington) [4.54]: I rose principally to draw attention to the indifferent attitude adopted by the Cabinet on this question, compared with the general attitude adopted by the Railway Commissioners. That I think constitutes the whole question. So far as I am concerned, there is nothing else in it. I know very little of Mr. Hodgson. I know nothing of his qualifications as chairman of this board, and do not know whether he is competent for the position or not. The motion hinges entirely on the fact that Mr. Hodgson is a single man, and the appointment has been made by the Cabinet, whereas during the past twelve months the Cabinet has instructed the various Government departments that no more single men are to be engaged. It seems to me that that is an act of inconsistency to which we may well draw public attention. A few days ago I put a question on the business-paper asking if it were not a fact that during the period the proclamation issued by the Federal Government was in operation certain employees in the Railway Department were called up and catechised by the officers in charge of their respective branches as to whether they had reported themselves at the various depôts or not, and I am now informed—I cannot doubt the accuracy of the information—that during that time a number of young men were called up by their officers and informed that they would either have to show a rejection certificate which had been issued to them as the result of a medical examination, or an exemption badge which had been granted by one of the military courts in connection with the proc-

[*Mr. Page.*

lamation. The Railway Commissioners may have deemed it necessary to act as recruiting agents for the Federal authorities under the proclamation, but it is questionable whether they were not exceeding their duty in doing so, and it seems to me that if that is the method which is going to be adopted in regard to the ordinary employees in the railway service and every other part of the public service it is grossly inconsistent on the part of the Government to say that an exception shall be made in regard to the appointee to a high position in the service. I simply rose to place that phase of the question before the House, not that it had not been placed before the House by previous speakers, but simply because I thought it my duty to draw attention to the gross inconsistency of the Government in the attitude they have adopted in this matter. I hope that mistakes of this kind will not occur again. No doubt, as the Minister for Public Instruction said, this was one of those matters that are dealt with in a perfunctory manner, not on the question of whether an applicant was a single man or not, but simply taking into consideration the qualifications of the individuals applying for the position. I have no knowledge as to whether applications were called for in the ordinary way and whether there were a number or very few applicants. I am not going to question the wisdom of the Cabinet in selecting Mr. Hodgson on his qualifications, but I question the wisdom of the Government in establishing a precedent that for a highly-paid position of this kind a single man can be selected, whereas an ordinary individual who has to take a lower position is subjected to a certain amount of criticism by departmental officers when he offers himself for employment in the public service. The whole thing is inconsistent, and I hope it will not be repeated. It seems to me that this Government at a very early stage of its career should have taken up a consistent attitude on this question as on all other matters, though I can hardly hope for much consistency from the Government in the light of events during the last few days and the remarkable somersaults exhibited by hon. gentlemen opposite generally on important questions. An ordinary applicant for a position in the railway

service is asked to definitely state whether he is single or married. It does not matter whether he has obligations to half a dozen people—to his sisters or widowed mother or others dependent upon him. He is not to have the least consideration on that account. The mere fact of his being a single man absolutely disqualifies him from appointment at the present time, unless he can produce an exemption badge or a rejection certificate. We ought to be consistent in these matters, and we look to the Government to give us a lead. It is to be regretted that at this early stage in the Government's career, and in connection with the first appointment of any note made by it, the Government has departed from the principle laid down in regard to ordinary applications for employment and has laid down the principle that it can do something in connection with a highly-paid official which cannot be done in connection with the appointment of lower grade persons in the public service.

Mr. HOSKINS: I move:

That the question be now put.

The House divided:

Ayes, 30; noes, 16; majority, 14.

AYES.

Abbott, M.	Hoskins, T. J.
Ashford, W. G.	Hoyle, H. C.
Ball, R. T.	Hunt, J. C.
Briner, G. S.	James, A. G. F.
Brown, W.	Lane, H. W.
Cann, J. H.	Latimer, W. F.
Colquhoun, P. B.	McGarry, P.
Crane, J. T.	Morton, Harry
Crawford, T. S.	Morton, Mark F.
Fallick, J.	Nesbitt, G.
Fitzpatrick, J. C. L.	Price, R. A.
Graff, A.	Waddell, T.
Grahame, W. C.	
Hall, Brinsley	<i>Tellers,</i>
Hollis, R.	Bruntnell, A.
Holman, W. A.	Grimm, A. H.

NOES.

Brown, T.	Minahan, P. J.
Dooley, J.	Osborne, J. P.
Durack, E.	Stuart-Robertson,
Estell, J.	R. J.
Fingleton, J.	Toombs, Capt. S.
Hickey, Simon	Wright, J.
Keegan, T.	<i>Tellers,</i>
Lang, J. T.	Boston, W. J.
Miller, G. T. C.	Kearsley, W.

Question so resolved in the affirmative.

Mr. BOSTON (Wagga Wagga), in reply [5.9]: I feel that I have justified my action in moving the adjournment of the

House seeing that the Ministry has decided to prevent any further discussion on this very important matter by moving the gag. I dare say that within the next few weeks we shall have the same band of coercionists going round the country advocating men being patriotic and going to the front.

Mr. JAMES: I rise to order!

Mr. SPEAKER: I think that the hon. member's observations as to what may take place in regard to recruiting are foreign to the subject before the House.

Mr. BOSTON: The Minister of Public Instruction said that it was not the function of the Cabinet to inquire whether Mr. Hodgson was single or married. If the Cabinet thought it was not its business to inquire as to whether Mr. Hodgson was single or married, I question its right to inquire whether a man who applies for an ordinary position in any other part of the service is single or married.

Mr. JAMES: The Government does not!

Mr. BOSTON: It does it every day. If a man applies for a position in any public department the first thing he is asked is whether he is single or married. If my statement is doubted I can bring absolute proof of its truth. In the Police Department men are turned down daily because they are single men.

Mr. MINAHAN: It is on the printed form!

Mr. JAMES: It is always on the printed form, but not for that purpose!

Mr. BOSTON: I am justified in bringing this matter before the House so that the people may know what a lot of humbugs we have administering the affairs of the country. I hope that when we get into recess our gallant team on this side of the House will stump the country from one end to the other and show the absolute hypocrisy of the Government.

Question—That this House do now adjourn—put. The House divided:

Ayes, 16; noes, 38; majority, 22.

AYES.

Boston, W. J.	Miller, G. T. C.
Brown, T.	Minahan, P. J.
Dooley, J.	Osborne, J. P.
Durack, E.	Stuart-Robertson, R. J.
Estell, J.	Toombs, Capt. S.
Fingleton, J.	
Hickey, Simon	<i>Tellers,</i>
Kearsley, W.	Lang, J. T.
Keegan, T.	Wright, J.

NOES.

Abbott, M.	Hoskins, T. J.
Ashford, W. G.	Hoyle, H. C.
Bagnall, W. R. C.	Hunt, J. C.
Ball, R. T.	James, A. G. F.
Briner, G. S.	Lane, H. W.
Brown, W.	Latimer, W. F.
Bruntnell, A.	McDonald, G. R. W.
Cann, J. H.	McGarry, P.
Cohen, J. J.	Morrish, J. J.
Colquhoun, P. B.	Morton, Harry
Crane, J. T.	Morton, Mark F.
Crawford, T. S.	Nesbitt, G.
Cusack, J. J.	Page, F. J.
Fallick, J.	Robson, W. E. V.
Fitzpatrick, J. C. L.	Waddell, T.
Graff, A.	Zuill, W. A.
Grahame, W. C.	
Grimm, A. H.	<i>Tellers,</i>
Hollis, R.	Hall, Brinsley
Holman, W. A.	Price, R. A.

Question so resolved in the negative.

WORKMEN'S COMPENSATION BILL.

Royal assent to this bill reported.

INSTITUTION FOR DEFECTIVE CHILDREN BILL.

Bill returned from the Legislative Council with amendments.

INDUSTRIAL ARBITRATION AMENDMENT BILL.

Bill returned from the Legislative Council with amendments.

TOTALISATOR BILL.

THIRD READING.

Motion (by Mr. JAMES) proposed :

That this bill be now read a third time.

Mr. BOSTON (Wagga Wagga) [5.25]: I would ask the Minister to consent to the recommittal of the bill so that we may reconsider clause 8.

Mr. JAMES: No, I cannot do that!

Mr. BOSTON: Then I will move for the recommittal of the bill with a view to the reconsideration of clause 8, and the fixing of a fairer distribution of the totalisator commission amongst the country racing clubs. As the provision now stands in the bill, the whole of the racing clubs in this State will be entitled to retain three-tenths of the commission, deducted from the totalisator gross receipts. This will operate harshly in regard to the country clubs, and last night I sought to introduce an amendment which would have the effect of giving the country clubs half the amount of the commission. The hon. member for Annandale had moved that the words "seven-tenths" be struck out,

and I was told that there would be no obstacle in the way of my bringing forward my amendment at a later stage. But afterwards I was informed that I was too late. The Temporary Chairman admitted afterwards that he had misunderstood me, and had been under the impression that I desired to strike out the words which were the subject of the amendment moved by the hon. member for Annandale. I did not wish to interfere with the percentage fixed for the racing clubs in the metropolitan and Newcastle areas. I would even have agreed to reduce their proportion of the profits because they have a great pull over the country clubs. I suppose every country representative has received a communication from the racing clubs in his district asking him to move in the direction of securing a larger share of the profits from the totalisator, and I would press the Minister to consent to the recommittal of the bill.

Mr. JAMES: I cannot do that. We must forward the bill to the Legislative Council at once. If we do not we shall not be able to get it through this session. I am giving the country clubs the equivalent of $4\frac{1}{2}$ per cent.!

Mr. BOSTON: It is a mere supposition that the unclaimed dividends and fractions will represent $1\frac{1}{2}$ per cent.

Mr. JAMES: We can only judge from what has happened elsewhere!

Mr. BOSTON: Would it be possible to arrange to have the matter rectified in the other Chamber?

Mr. JAMES: No. The Council will not be able to amend a taxation bill!

Mr. HOLMAN: I think the arrangement we have made in regard to handing over the unclaimed dividends and the fractions to all country clubs outside of the 40-mile radius will prove generally satisfactory and dispose of the objections raised by the country racing clubs. In any case, if the arrangement should not prove satisfactory, we can review the whole bill next year.

Mr. BOSTON: With a view to testing the feeling of the House and giving country members an opportunity of reopening this matter, I move:

That the motion be amended by striking out all the words after "That" and inserting in lieu thereof the following words: "the bill be recommitted with a view to the reconsideration of clause 8."

Mr. WRIGHT (Willyama) [5.30]: I hope the Minister will agree to give the country clubs 4 per cent. The bill as originally drafted provided that all the clubs should have the fractions, whereas now it is provided that as far as the proprietary clubs are concerned the fractions shall be paid into the Treasury. The position is that the country clubs are no better off than they were under the bill, as originally introduced. It would only be a matter of justice to make this concession to the country clubs.

Mr. JAMES: We are not trying to benefit racing clubs at all!

Mr. WRIGHT: I understand that, but it would only be a matter of justice to give an additional 1 per cent. to the country clubs. It would not make any appreciable difference to the State revenue but it would mean a great deal to country clubs. If it should be found to be unworkable I would be willing to assist the Government to amend the bill next session.

Mr. BRINSLEY HALL (Hawkesbury) [5.33]: I hope the Minister will agree to the recommittal of this clause. Those clubs outside the fixed radius should be given further consideration.

Mr. JAMES: Since it has been made known that they will get 3 per cent., 1 per cent. sinking fund, and the fractions, most of the country clubs are satisfied!

Mr. BRINSLEY HALL: The proprietary clubs will not receive this benefit. The Minister has said that he does not want to assist the proprietary clubs, and that he wants to get revenue. I desire to point out that if he gives the country clubs a small percentage they cannot instal the machine, and therefore he will not get revenue from them.

Mr. JAMES: If they could not instal the machine they would be so small that the revenue would not be worth having!

Mr. BRINSLEY HALL: I hope the Minister will agree to the recommittal of the clause in order that the percentage to country clubs may be increased by at least 1 per cent.

Mr. ZUILL (Clarence) [5.37]: I am in favour of the recommittal of the clause. Last night I foreshadowed an amendment which would have provided that the metropolitan clubs should receive one-fourth of the 10 per cent. and country

clubs should receive one-half. I do not see why country clubs should be put on the same footing as the metropolitan clubs. Most of the country clubs have four or five meetings a year, at which there are small attendances, whereas the metropolitan clubs have quite a number of meetings, at which the attendances are usually very large. Last night I was given to understand that I would have an opportunity of moving my amendment, but I subsequently found that I was debarred from moving it.

Mr. T. BROWN (Lachlan) [5.39]: The proposal to increase the percentage to country clubs is worthy of further consideration. The country clubs are entitled to more consideration than the metropolitan clubs, and they are certainly entitled to more consideration than the proprietary clubs.

Mr. JAMES: They are getting it. They are getting about $5\frac{1}{2}$ per cent.!

Mr. T. BROWN: I question that. They are getting 3 per cent. and 1 per cent. sinking fund, and the Minister says that by giving them the fractions and the unclaimed dividends they will get an additional $1\frac{1}{2}$ per cent. There is no guarantee that the fractions and unclaimed dividends will amount to that.

Mr. JAMES: That estimate is based on the experience of small country clubs in New Zealand!

Mr. T. BROWN: It has been pointed out to me that at a big Sydney meeting the average attendance is about 40,000 while at the largest meetings in the country centres the attendance is not more than 8,000. At a large number of the country meetings the attendance is not more than 500. Taking the attendance the Randwick at 60,000 on Easter Monday and £2 10s. as the investment per head on the totalisator, we have £150,000 invested on the tote, and at 3 per cent. it would mean that the wealthy A.J.C. would get a revenue of £4,500 on the day's operations. Then take a small country meeting where the attendance is 1,000 and the investments on the tote amount to £2 per head. That would amount to £2,000 and the revenue derived by the club would be £60 only as compared with £4,500 received by the A.J.C.

Mr JAMES: The country club's expenses would be about a hundred times less!

Mr. T. BROWN: The expenses would probably be less but I desire to say that that I have had a communication from the secretary to the Western District Racing Club bearing upon this matter.

Mr. J. C. L. FITZPATRICK: I met a deputation yesterday, the members of which were perfectly satisfied when the matter was properly explained to them!

Mr. T. BROWN: I have no doubt the A.J.C. is perfectly satisfied, but I am pleading for the small country clubs, and I say that it is the duty of the Minister to mete out a fair measure of justice to the small country districts. As this is a war measure passed for the purpose of raising revenue and as it is also an experiment and runs counter to the sentiments of a large section of the community a limitation should be placed upon its duration.

Question—That the words proposed to be struck out stand part of the question—put. The House divided:

Ayes, 28; noes, 22; majority, 6.

AYES.

Arthur, Dr. R.	Hoskins, T. J.
Ashford, W. G.	Hoyle, H. C.
Bagnall, W. R. C.	James, A. G. F.
Ball, R. T.	Latimer, W. F.
Brown, W.	McDonald, G. R. W.
Cohen, J. J.	McGarry, P.
Colquhoun, P. B.	Morrish, J. J.
Edden, A.	Morton, Mark F.
Fallick, J.	Page, F. J.
Fitzpatrick, J. C. L.	Robson, W. E. V.
Graff, A.	Waddell, T.
Grahame, W. C.	
Grimm, A. H.	
Hollis, R.	
Holman, W. A.	

Tellers,

Bruntnell, A.
Levy, D.

NOES.

Boston, W. J.	Lane, H. W.
Briner, G. S.	Lang, J. T.
Brown, T.	Miller, G. T. C.
Cusack, J. J.	Minahan, P. J.
Dooley, J.	Morton, Harry
Durack, E.	Stuart-Robertson, R. J.
Estell, J.	Wright, J.
Fingleton, J.	Zuill, W. A.
Griffith, Arthur	
Hall, Brinsley	
Haynes, J.	
Kearsley, W.	

Tellers.

Gardiner, A. R.
Price, R. A.

Question so resolved in the affirmative.

Question (Mr. James) proposed:

That the bill be now read a third time.

[Mr. T. Brown,

Mr. T. BROWN (Lachlan) [5.50]: I move:

That the bill be recommitted for the purpose of having a clause inserted fixing the time limit for its operation.

Mr. SPEAKER: I am afraid I cannot receive the motion.

Question—That the bill be now read a third time—put. The House divided:

Ayes, 37; noes, 16; majority, 21.

AYES.

Ashford, W. G.	Holman, W. A.
Ball, R. T.	Hoyle, H. C.
Briner, G. S.	James, A. G. F.
Brown, W.	Keegan, T.
Colquhoun, P. B.	Lane, H. W.—
Cusack, J. J.	Lang, J. T.
Durack, E.	Levy, D.
Edden, A.	McDonald, G. R. W.
Estell, J.	McGarry, P.
Fallick, J.	Minahan, P. J.
Fingleton, J.	Morrish, J. J.
Fitzpatrick, J. C. L.	Morton, Mark F.
Gardiner, A. R.	Page, F. J.
Grahame, W. C.	Stuart-Robertson, R. J.
Griffith, Arthur	Waddell, T.
Grimm, A. H.	Zuill, W. A.
Hall, Brinsley	
Hickey, Simon	
Hollis, R.	

Tellers,

Dooley, J.
Osborne, J. P.

NOES.

Boston, W. J.	Latimer, W. F.
Brown, T.	Miller, G. T. C.
Bruntnell, A.	Morton, Harry
Cohen, J. J.	Price, R. A.
Crane, J. T.	Wright, J.
Haynes, J.	
Hoskins, T. J.	
Hunt, J. C.	
Kearsley, W.	

Tellers,

Arthur, Dr. R.
Robson, W. E. V.

Question so resolved in the affirmative.

Bill read a third time.

LOAN ESTIMATES.

Reduced Loan Expenditure—Railway Duplication Works—Trawling Industry—Construction of New Railways—Dearth of Loan Moneys—Dubbo to Werris Creek Railway—Meat Industry Board—Grain Elevators—National Park—Totalisator—State Bakery—Railway to Gosford Racecourse—Returned Soldiers—Commonwealth Services—State Industrial Enterprises—Norton Griffiths Agreement—North Coast Railway—City Railway—Caves Houses and Tourist Resorts—Advances to Settlers.

In Committee of Supply (Mr. G. R. W. McDONALD in the chair):

Mr. HOLMAN (Cootamundra), Premier and Colonial Treasurer [6], moved:

That there be granted to his Majesty for the year 1916-17, to be raised by loan, a sum not exceeding £5,851,430 for public works and other services.

He said: As this matter will be before hon. members during the dinner hour, I

should like to explain that hon. members will understand that it does not include any loan capital expended on duplication works. That is already covered by a separate act. The sum actually contemplated by the loan estimates to be assented to this evening is £5,851,480.

AN HON. MEMBER: Does that include Norton Griffiths borrowings?

MR. HOLMAN: It includes everything except duplications. The anticipated duplication expenditure will make the total loan expenditure for the year about £6,500,000. This is for capital expenditure on public works.

[The Chairman left the chair at 6.30 p.m. The Committee resumed at 7.30 p.m.]

MR. HOLMAN: I do not think I need detain the Committee at any length with a statement of what is provided by the Loan Bill which I have to submit. As the Committee is aware the loan estimates for this year provide for a shrinkage—the exact amount of which I will give to hon. members in a moment—upon the estimates for last year. I will say at once that that shrinkage is a matter of compulsion, not of policy, on the part of the Government. The difficulties of maintaining a loan policy and raising the necessary loans on the London market which have been apparent to hon. members on both sides of the House ever since the war began have been steadily increasing and we are now in a position where, for the remainder of the year, it will be impossible—I use the word advisedly—with every effort we can make, to maintain the full rate of expenditure that we have so far, by very strenuous effort, succeeded in maintaining since the beginning of the war. Hon. members are aware, of course, that, for some years before the war broke out, we maintained a certain level of loan expenditure each year, we commenced a number of important works the two principal of which were the duplication of railways and the completion of the equipment of the railways—by equipment meaning not merely the building of rolling-stock, but also the reforming of the terminal facilities in Sydney involving very heavy works and very great expenditure. Hon. members are also aware that, in spite of the great blow given to our financial operations by the war, for the first two years after the

outbreak of the war we were able to maintain the works supported by loans of the state at that level. We have been able to do that only at the expense of steadily increasing difficulties—difficulties of which I have had occasion to speak, both in this House and elsewhere, frequently, but difficulties which by very great exertions—I say that advisedly—on my own part and on the part of the Treasury staff, and on the part of the Agent-General who represented us in London, we have been able so far to overcome. The difficulties, however, continue to increase, and we see no prospect of overcoming them, except in part, from now forward. We have therefore estimated for a somewhat diminished expenditure—not greatly and radically diminished, but undoubtedly a shrinkage of expenditure for the remainder of the year. There will be, as far as possible on our part, an avoidance of anything like shock. Hon. members have heard stories, and if they have seen paragraphs in the newspapers, as I have this afternoon, as to its being the policy of the Government to turn thousands of men out of employment, they may dismiss those stories from their minds as mischievous lies intended only to create scares. There is no foundation for those stories; but during the last two and a half years we have lived expecting to be brought to a stage sooner or later where shrinkage would begin, and only by a combination of luck and energy have we avoided reaching that stage sooner than we have—partly by luck, but certainly by the expenditure of a very great deal of energy. Now the moment has arrived, and we are asking the House to authorise a somewhat lessened expenditure this year than for last year. That will be felt naturally in all departments of our activities, but it must be felt principally in the work of duplication. The work of duplication has been carried on until it has reached a point where another year's expenditure like that of last year—£1,400,000—would probably have completed the whole of the work which was regarded by the Railway Commissioners as absolutely indispensable. We have had reluctantly to give up the hope of bringing it to that point before the end of this financial year. We have had to

materially diminish the amount of work we contemplated doing; and whilst we shall go on with the work that is approaching completion, we shall nevertheless slacken down the rate of working on duplications generally, and instead of about £1,400,000 which we spent upon this great object last year, we shall expend, I anticipate, this year a little less than one-half of that sum. That will be the direction in which the shrinkage will be most felt, and that will be the direction in which it can be made with less derangement to the general development of the State.

I should like to explain to hon. members how we stand. We estimated last year to spend £7,750,000 and we actually spent about £500,000 more than that sum—the actual expenditure from loan funds went up to £8,500,000. We estimate this year to spend £6,500,000 in round figures. The resolution does not show £6,500,000; but that does not include what is spent on duplications. That is a separate item, about £600,000 or £700,000 which can be added on—that makes £6,500,000. We were able last year, although we estimated a certain sum, to outrun the estimate a little and we spent £500,000 more, but I cannot hold out to hon. members any expectation that we shall be able to exceed the estimate by that or any corresponding amount this year, because the loan funds available will, in all probability be strictly limited, and the amount I am now estimating is the very outside that I have any right to anticipate. The difficulties on the London market are, as I have said, even greater than I had anticipated. This being so, all we can say is that the work of development of the country will still be vigorously pushed on, and what work we have—which hon. members will see is not diminished by an overwhelming amount, but still is diminished by a considerable amount—will be so distributed as to create a minimum of disturbance or of suffering arising out of unemployment on the part of those who have been employed on Government works up to now. We have called into existence in this State a large army of men working on Government works—duplication works and railway construction—and these men must be considered in any change which is now brought in, and they will be considered. We will do every-

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thing in our power to avert and minimise any hardship as the result, not of a change of policy, because there really is no change of policy, but this change of circumstances which forbids the giving full effect to a policy. But it is unavoidable that there should be some shrinkage, and with that a certain amount of unemployment.

Mr. HAYNES: In reference to a telegram that appeared in the paper this afternoon, can the Premier give us any information regarding the conference which the Attorney-General has been attending in Melbourne, and as to the proposals of the Federal Prime Minister?

Mr. HOLMAN: No; I am in this position: I have had no communication of any kind from that conference as to its proposals. I am entirely unaware what proposals had been put before it so far, and I venture to say that whatever paragraphs may appear in the papers are entirely misleading as to what the drift of discussion at that conference has been.

Mr. HAYNES: The telegram I think stated that the Attorney-General left the conference and returned to Sydney!

Mr. HOLMAN: Probably when the Attorney-General arrives in Sydney he will bring with him a report of what the conference has been doing; but he has not thought it necessary to let me know what has been done there, and I am not in a position to inform the Committee.

Mr. MINAHAN: Is there any withdrawal from the special deposits account?

Mr. HOLMAN: The hon. member means to get rid of the overdraft. We are arranging for that. Our loan operations which we now have in view will do that sufficiently if we can effectuate them; but I am bound to put it to the Committee, and of course hon. members will understand, that nobody in London at this moment thinks that any loan would succeed. I mean that from week to week the whole financial situation may change, and the estimates, I am putting to the House to-day are only what it is considered by our advisers in London may, under all the circumstances, of the case, reasonably be hoped for and expected. More than that is impossible, and less than that we ought not to strive for. We shall aim at these figures, but I am not in a position to give the Com-

mittee an assurance that these figures will be reached. It depends on factors in no way under the control of the Government of this State or the Government of Australia, and hon. members can see that the whole position is one of very grave concern. I do not disguise that from myself. I have never disguised it from myself for a moment. I do not disguise it from the House. For the last two and a half years we have been living in a state of uncertainty, and financing, as I have frequently said in this House, practically from month to month. If we could see one month ahead of us, we have been sufficiently happy in being able to do that.

Mr. HAYNES: Have you seen a report in the newspapers to the effect that the Government Savings Bank Commissioners are not able to make any further advances to settlers owing to lack of funds?

Mr. HOLMAN: I have not seen the statement, which, in any case, has nothing to do with the estimates now before us. I do not know that I can add to the observations I have already made anything that would be of any assistance to the Committee. It is proposed to press forward with undiminished speed the works that are nearing completion, and the reductions will be made with the greatest care and with a view to minimise the disruption as far as possible. There are many works which even at the present rate of progress could not be brought to completion within less than twelve months, and now we have to face the possibility of their not being completed for twenty-four months owing to the slackening of speed. It is in connection with works of the latter class that the Treasurer has to look for the reduction of expenditure in connection with our developmental policy. In regard to duplication works, there are certain sections which are so nearly completed that it would be a great pity not to spend the few thousands of pounds necessary to complete them so that we may derive the benefit of their use as working sections of the lines. There are other sections which could not under ordinary circumstances be ready within the next year, and we have now to face the prospect of their not being ready for two years. This is no doubt regrettable but it is inevitable. The only anxiety that besets

me is, of course, the constantly pressing anxiety, which must be in the mind of any man who studies the financial position of the day, namely, as to whether we shall be able to obtain the diminished amount upon which the estimates have now been based. I have already said that upon this point I can give the House no assurance, nor could any other man standing in my place as Treasurer to-day. The matter is not under the control of this Parliament or of this Government, and therefore we can only do what is humanly possible, as we have been doing for the last two years and a half, and continue to hope for the best. I can only suggest that hon. members should pass the bill which authorises the loan expenditure for the year, and leave matters to myself and my colleague, the Assistant Treasurer.

Mr. PRICE: There are certain items in the estimates which have been charged against loan funds but which should have been charged against revenue!

Mr. HOLMAN: If the hon. member will show me what the items are I will have them struck out. I think hon. members who have done me the honor to follow my financial statements for the last two or three years will do me the credit of saying that I have most carefully distinguished between items which should be charged to loans and those which should properly be paid out of revenue. I have done more than any man who has held my place before me to see that the revenue charges of each year have been met fairly and paid out of revenue. I have been most careful in regard to this point, and while almost inevitably every year one or two items which should have been provided for out of revenue have crept into the loan estimates, these are matters which have arisen in the haste of administration, and as I have frequently explained they do not represent any definite policy but are mere accidents of bookkeeping.

Dr. ARTHUR: Is any loan money to be set apart for the Housing Board?

Mr. HOLMAN: The Housing Board has a residue from the last loan appropriation which will keep it going for the present.

Mr. LANG: Is any provision made for the city railway?

Mr. HOLMAN: Yes; under the heading "Minister for Public Works," the hon. member will see two items for the city railway representing together £520,000.

Question proposed.

Mr. DURACK (Bathurst) [7.53]: I do not propose to detain the Committee at any great length. In connection with the budget speech, the finances generally were very fully discussed, and at present there is very little to be added to what was said on that occasion. Generally speaking, the policy of the Labour party in regard to loans has always been that in a new country such as this, a policy of progressive loan expenditure is justifiable provided that the money is spent on reproductive works which will advance the general interests of the community. That is the policy of the Labour party to-day.

Mr. COCKS: That is where you failed in your test!

Mr. DURACK: We have not failed in any test so far. Whilst the policy of the party is as I have indicated, it may be a difficult matter at the present time to contend that a reduction in the expenditure of loan money is not necessary. The Treasurer has told us that last year the loan expenditure amounted to £8,250,000, whereas this year only £6,500,000 of loan money will be spent.

Mr. COCKS: If we can get it!

Mr. DURACK: Just so. I think the reduction now foreshadowed is probably one that cannot be cavilled at under the circumstances. The Premier has definitely denied certain statements which he has characterised as lies, in regard to unemployment, and has stated distinctly that the Government does not propose to bring about unemployment if it can possibly be avoided.

Mr. HOLMAN: It is no part of our policy to create unemployment!

Mr. DURACK: It must be recognised that a reduction in loan expenditure such as has been forecasted will necessarily bring about some measure of unemployment. This must occur despite the exercise of the utmost care, and I can only express the hope that the Treasurer will exercise the most rigid scrutiny in regard to the directions in which the reduction of expenditure is to take place. At this stage I could not say

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that a reduction of the expenditure upon duplication works would be unwise. Possibly that is one of the best directions in which reductions could be made. The Treasurer has at his disposal information which is not at my command, and he assures us that a reduction of the expenditure on duplication works will cause less dislocation than reductions made elsewhere. We have no option but to accept his assurance, but it is unfortunate that the very necessary duplication works should be the first to feel the pinch. Of course, if the interests of the large army of men employed on Government works require that the duplication operations should suffer, we must put up with it, but it is a pity that these works should have to be curtailed, and I can only hope that the greatest care will be displayed in curtailing expenditure. In the past these duplication works have not been carried on as expeditiously as they might have been. There appears to be an inclination on the part of the Railway Commissioners to spread their operations over a long length of line, with the result that whilst a large amount of duplication work has been going on no portion of the duplication has been completed. Take, for example, the Western line. The line has been duplicated to a point somewhere to the west of Lithgow, where a deviation has been authorised. Whilst we have the duplication extending to a point west of Bowerfels we then have a section of single line. To the westward of that again there is a large section of duplicated line as far as Locksley, about 25 miles to the eastward of Bathurst. Then again westward of that there is no duplication until a point 15 or 20 miles west of Bathurst is reached. Although there are two fairly large breaks between the points I have indicated, the Railway Commissioners have been continuing operations at Blayney. We have a section of duplication completed there, then a large considerable length of single line, another section of duplication, and another section of single line, and so on. This appears to be a particularly extravagant and unsatisfactory method of carrying on the work.

Mr. HOLMAN: The first break will be at the Bowenfels deviation, and we were waiting for the Public Works Committee to report on that!

Mr. DURACK: If it is necessary to carry out certain deviations, those deviations should have been referred to the Public Works Committee in time to have the work going on simultaneously with the other work carried out by the Railway Commissioners.

Mr. J. H. CANN: It is sometimes months before you can get a report from the exploring parties. Exploring parties are busy on some of the sections now!

Mr. DURACK: That does not affect the general policy. Those exploring parties might have been out months earlier, because it was known years ago that this work must be carried out. I shall give one instance of the mismanagement that occurs in connection with the duplication works. In 1911 or 1912 the piers for the bridge across the Macquarie River at Bathurst were completed, and yet nothing further has been done. After the war broke out steel was probably not obtainable, but the fact is that those piers were put up years before they were required.

Mr. HOLMAN: I admit that if there were difficulties over deviations the duplication should not have been carried out on the western side until those difficulties were overcome!

Mr. DURACK: I have already said that I am not going to deal extensively with these estimates because the financial position has already been dealt with in the budget debate. But there is one matter to which I wish to refer because it was not open for discussion in the budget debate for the reason that the Auditor-General's report was not available. There is on these estimates an amount of £75,000 for the construction of trawlers the establishment of depots and wharf accommodation in connection with the trawling industry. The policy of the Labour party with regard to dealing with foodstuffs is clearly defined. We have always advocated the nationalisation of certain services, particularly when we are of the opinion that that nationalisation would have the effect of reducing the cost of living to the poorer classes of the community. We have in the past supported a policy of providing cheap fish, but it is a matter for serious consideration as to whether that policy should be continued if under Ministerial

control there has been that degree of mismanagement which appears to have been allowed to exist in connection with this particular industry. Under ordinary circumstances I do not think that any member would have had occasion to cavil at the proposed expenditure of £75,000, but if the industry has been so mismanaged as to cause a comparatively heavy loss it is questionable whether the Committee is justified in approving of the expenditure of another £75,000 out of loan until the industry is placed on a sound footing. The Auditor-General's report has only been available during the last twenty-four hours, but I have had it sufficiently long to realise that some of the comments of the Auditor-General cannot be lightly passed on one side. Here is one little extract:

After the lapse of reasonable time numerous inquiries were made of the acting accountant as to whether the accounts were ready for audit. The invariable reply was that the ledgers had not been written up. As no satisfaction could be obtained, Mr. Gray and myself commenced to audit the accounts on the 12th October, but, as they were in such a chaotic state, we had to desist on the 13th October. The acting accountant was informed of the condition of the accounts, and instructed to write up and balance same immediately.

That discloses a very serious state of affairs. It is stated that the accounts were in such a chaotic state that practically nothing could be done with them.

Mr. HOLMAN: What other evidence of mismanagement does he give?

Mr. DURACK: The whole thing gives evidence of mismanagement. You can find heaps of comments here.

Mr. HOLMAN: I do not want comments; I want facts. The Auditor-General is too fond of comments!

Mr. DURACK: The Auditor-General is paid to find facts which he comments upon. He further refers to the fact that they apparently did not follow the usual practice of calling for quotations when they wanted to make purchases out of contract. He points out that in one specific case brown paper was purchased out of contract and no quotations were obtained. Although the Stores Supply Department had a stock of brown paper it was not asked to supply quotations.

Mr. WADDELL: Would it not be better to defer further reference to this until the item is under consideration?

Mr. DURACK: Perhaps it would. I merely wish to state at this stage that the industrial undertaking should be placed on a sound basis before another £75,000 is expended upon it. I was led into details by the interjection of the Treasurer to the effect that I could not find anything to complain of, but relied on the comments of the Auditor-General which, the Minister inferred, amounted to nothing.

Mr. HOLMAN: As the hon. member himself has only seen this report to-day and I have not seen it at all, would it not be fair to withhold criticism of the industry until those responsible have had an opportunity of ascertaining what the charges are?

Mr. DURACK: I admit that it is most unfair that we should be called upon at such short notice to offer criticism, but I ask, when are we going to get an opportunity of criticising the undertaking?

Mr. HOLMAN: Wait till next session!

Mr. DURACK: We have been informed by one of the hon. member's colleagues that an election will probably take place before next Easter. Here are some of the comments of the Minister's late colleague, Mr. George Black:

Apart from Mr. Stead's want of candour with me, I have to complain of the fact that he has preferred throughout to surround himself by incompetents and weak men. He has even gone so far as to suggest that I should make Mr. Bates, until lately a temporary shorthand-writer and typist in my department, the sub-manager. Mr. Bates seems a very decent and well-behaved man, but he is quite incompetent to fill such a position. Mr. Stead has shown a similar disposition throughout. He has appointed to the charge of the fish shops, places with a turnover of several hundreds of pounds per week, men who never in their lives have served behind a counter, and who have no knowledge of business methods, simply because they were relatives of his friends.

Mr. HOLMAN: What is the document which the hon. member is reading from?

Mr. DURACK: It is a minute by Mr. Black for the Cabinet. It discloses such a state of affairs that no member of this Committee is justified in sitting down quietly and saying that we should wait until the House meets again before criticising this. Just imagine the Minister in charge of the department reporting to the Cabinet that this Mr. Stead employed persons in the industry with no training,

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no capacity, and no qualifications except the one qualification that they were relatives of his friends!

Mr. LEVY: There were some relatives of Mr. Black!

Mr. DURACK: There may have been. If I can find any reference to that, I will quote it. At the same time I do not wish it to appear that I believe there were any relatives of Mr. Black. I may explain how this matter came to my knowledge. Some days ago, before the financial debate came on, I asked the Colonial Secretary, as leader of the House, if he would obtain for me, at the first possible moment, a copy of the Auditor-General's report on the trawling industry. I asked that openly in the House. I found the document in my box to-day after lunch. Where it came from I do not know, but I suppose it came from the Colonial Secretary.

Mr. J. H. CANN: I cannot understand a Cabinet minute being in that report!

Mr. DURACK: The point is that if there is such a Cabinet minute in existence, the Committee has the right to see it.

Mr. HOLMAN: Oh, no; it is confidential!

Mr. DURACK: If that Cabinet minute is in existence, and what it states is true, then Mr. Stead has no right to be there as manager.

Mr. HOLMAN: What is the date of the minute; when did Mr. Black write it? It is monstrous to have a thing like this sprung on us without knowing anything about it. I may say that, whatever the date is, Mr. Black has departed from the minute since then.

Mr. DURACK: The date is not a good one for the Premier's convention; it is the 29th April, 1916.

Mr. HOLMAN: Since that date Mr. Black has entirely changed any opinions he expressed to that effect!

Mr. DURACK: Mr. Stead is still there.

Mr. HOLMAN: You quote Mr. Black as saying that Mr. Stead was untrustworthy. That was six months ago. Since that date Mr. Black has changed that opinion—that is, if he ever did entertain such an opinion!

Mr. DURACK: If he did not entertain that opinion, why did he issue that minute to Cabinet?

Mr. HOLMAN: It was a statement of certain opinions!

Mr. DURACK: Do you mean that Mr. Black has changed his opinion that Mr. Stead appointed some of his relatives?

Mr. HOLMAN: Yes!

Mr. DURACK: That should not be a matter of opinion. If a responsible Minister minutes that to the Cabinet it is a matter of fact and not a matter of opinion, and can be easily proved or disproved. I did not want to spring this on the Premier almost at the end of the session, but I thought there would be no other opportunity of referring to the matter. Before the financial debate I repeatedly asked for the Auditor-General's report on the trawling industry, but it was not available.

Mr. HOLMAN: I am not reflecting on anything the hon. member has done!

Mr. DURACK: The delay is not my fault, nor the fault of the Auditor-General, but it is due to the fact that the responsible men in this industry had not prepared their books and submitted their accounts to the Auditor-General in time, so that officer was compelled to issue a supplementary report, and it is only this afternoon that that was placed in my hands.

Mr. HOLMAN: I will give the House an opportunity to debate the matter to-morrow before we go into recess, if the hon. member wishes it, and after I have had an opportunity to see the contents of the report and ascertain the facts. It is impossible for me to say anything in the course of this debate that would be of value in connection with documents I have never seen, and which contain charges which strike me as ridiculous, but which I have no way of refuting to-night. I do not want to escape debate on the matter, and I will give the hon. member, if he desires it, an opportunity to take up the debate to-morrow. A debate to-night is bound to be barren.

Mr. DURACK: The position is that on the loan estimates there is an item of £75,000 for building trawlers.

Mr. HOLMAN: That is in connection with a contract which has been let. The work must go on. Even if the House decided to abandon the industry, we should have to complete these contracts, and sell the trawlers to recoup ourselves

the money. The £75,000 is a commitment, and if ultimately the industry turns out to be a failure, which I do not admit, we shall still have an asset we can realise upon quite easily.

Mr. DURACK: My object in dealing with this matter on the loan estimates, which I realise should have been dealt with on the financial statement, is due to the fact that I understood there would be no opportunity to deal with the matter elsewhere. I may say for the information of the Premier that this afternoon I intimated to the Colonial Secretary that I proposed to move the adjournment of the House to-morrow, if no other opportunity arose, to discuss this question. I felt that to-night was the last opportunity I would have, at all events this session, for dealing with the question, and that I must bring it forward. But if the Premier thinks it would be better—I myself think it would be better—to allow hon. members to see what is contained in the report of the Auditor-General, which I can assure hon. members is a document worthy of some consideration, we can discuss the matter to-morrow. If the Premier is satisfied I am prepared to not take up any further time of the Committee. I should like to make sure of one point, however, that is how the discussion is to be reached.

Mr. HOLMAN [8.22]: The hon. member would have to move as a matter of urgency. I undertake to provide some method to-morrow. If I may be allowed to interpose at this stage, it may save me a reply later on. I interjected several times while the leader of the Opposition was speaking, and expressed myself, perhaps, with some heat. But I assure the hon. member it was not directed to him. Nor do I suggest that the hon. member has done anything he was not entitled to do in obtaining the report and reading from it. It is his duty, even more than his right, to obtain such reports and make use of them. I have heard extracts from the report with some indignation, and I propose, on top of my other duties, to read through the report between now and to-morrow, and ascertain what allegations of fact it contains. Till then I beg hon. members to keep an open mind on the whole subject of the trawlers and the management of the

trawling industry. I ask the leader of the Opposition particularly to keep an open mind until he has heard whatever statement can be made in explanation by the officers of the department and the Minister.

Mr. J. STOREY: Would it be possible to obtain from Mr. Stead some form of reply to the report between now and to-morrow night? He has been subjected to a great handicap all the time he has been doing the work. That is only fair to Mr. Stead!

Mr. HOLMAN: It is only fair to Mr. Stead that that should be done. I do not propose to enter into the merits of the question to-night. I am not ready to do it to-night; but knowing the general history of the effort, and the measure of success that has been achieved, I am astonished to learn that the Auditor-General has taken this view of the managerial capacity of the officer in charge. I want to see upon what facts he bases his views, and ascertain what light can be thrown on those facts by inquiry in the department. I ask hon. members to keep an open mind till that has been done. The fact that accounts were in arrears, while it is a deplorable fact, does not suggest anything against the capacity of the manager. He may have been unfortunate in his choice of an accountant; he may have had an accountant given to him by the Public Service Board. That may not be to the discredit of Mr. Stead. I agree with what the hon. member for Balmain has said that Mr. Stead has been very much handicapped. I feel the extraordinary position in which I stand to-night. It is the first time I have ever been in such a position since I have held Ministerial office of seeing what is alleged to be a Cabinet minute in an official document and in the public press.

Mr. J. STOREY: Mr. Black, in his endeavour to be fair to Mr. Stead, has obviously sent him a copy of the Cabinet minute, and, as it was amongst the papers, the Auditor-General got hold of it!

Mr. HOLMAN: I should like to know what right the Auditor-General has to take a paper, which is a private paper between Ministers, and transform it into a public document. If I picked up a private letter in the street I am not entitled to publish it because it is under

my physical control. However, I do not want to discuss that matter now. I only wish to say that I recognise that the leader of the Opposition had an absolute right to say all he has said to-night and more. I am in the unfortunate position of not having the information which the hon. member has obtained, and I cannot debate the matter to-night; but before we go into recess to-morrow I will give the hon. member an opportunity to bring the matter up, and by then I shall have information which I have not to-day. If any observation that fell from me while the hon. member was speaking was taken by him as reflecting upon his fairness, I wish to assure him I had no such intention.

Mr. WADDELL (Lyndhurst) [8.26]: I think the usual thing in discussing the loan estimates is for hon. members to deal with the general financial position, and later on, if an hon. member wants to move the omission of any item he can do so. It has always been usual for the Treasurer, through his official advisers, to be in a position to afford the fullest detailed information in connection with any item the Committee is asked to pass. I am sure the Premier will see that that is only fair, because very large items are a matter of serious importance.

Mr. DURACK:

Mr. HOLMAN: Would it not be better to adjourn the debate at some later stage this evening? If hon. members will cooperate with me in getting the bill through all its stages to-morrow, we can continue the debate to-morrow. My hon. friend can speak again and so can I.

Mr. WADDELL: Hon. members know that there has been a considerable loss in connection with supplying the metropolis with deep-sea fish. Unfortunately it looks as though there was going to be a greater loss before this project is made a paying concern. One difficulty is the fact that strikes are continually occurring in connection with this project. That seems to have been passed over by hon. members altogether. If we are going to educate the public by carrying on this project to use deep-sea fish, it is a very serious thing that every now and then the hand of the Minister is paralysed by a strike over which he practically has no control.

[Mr. Holman.]

Captain TOOMBS: The men who are running that particular industry cannot control those engaged in it!

Mr. WADDELL: I do not know the particulars, but in connection with an industry established to help to supply the citizens with sufficient fish we have the fact that time after time—I think I am correct in saying at least three times—there have been strikes. Hon. members know what that means in connection with the supply of food which people are being educated to depend upon every day. If the Government were not running this industry, we should have, as we had previously, a large number of fishermen catching fish along our shores and bringing them to market every morning. If the Government goes on with this project, it means deluging the market now and then with fish, and squeezing out men who formerly earned a living by catching fish, and who always kept the community supplied with fish. It seems that in connection with this project we shall alternate between a feast and a famine.

Mr. HOLMAN: Surely that is better than to have a famine all the time!

Mr. WADDELL: Not all the time. A short time ago I went to one of the Government fish shops, and asked the manager to tell me the truth about different matters I was investigating. Amongst these matters was the price of fish now and before this project was started, and he assured me that the price was no cheaper now, and that deep-sea fish, soon after they are taken out of the water, get flabby and are not good food. We can understand that, because of the enormous pressure on fish in deep-sea water, soon after they are taken out that may occur.

Mr. J. STOREY: We do not understand it. We do not believe it and the man who told you that is an idiot!

Mr. WADDELL: That is your opinion. The oracle, with all his self-sufficiency, has given us his opinion and I suppose that we shall have to bow to it. I should like to deal with the general financial position, which seems to me to be a very serious one. I must confess that the light and airy way in which the Premier and Treasurer deals with the financial position

fairly staggers me when I come to think of how we stand. I ask hon. members to consider for two or three minutes what was the financial position on the 1st of this month. On the 1st of this month the only money which the Government had to finance its way, not only in connection with loan expenditure, but with other expenditure also, was about £700,000 in Sydney; the Government was spending money at the rate of about £700,000 a month in loan expenditure, and there was the fact that the Government owed £1,300,000 in London and was sending money to London to pay that debt. So in reality the position of the Government on the 1st of this month was that it not only had no money to make good the overdraft in London, and no money to carry on the loan expenditure at the rate of £700,000 a month, but it owed about £500,000. For the last three years I and others have been pointing out to the Treasurer that he was following a wrong course—that the hon. gentleman was borrowing and expending far more money than the financial position of this country warranted and that sooner or later the hon. member would come to a full stop. I do not want to hurt the Premier's feelings but to talk to him plainly, because it seems to me that he does not realise the serious position into which the country is drifting. In carrying out the enormously heavy expenditure which we have been carrying out for some years we have been gradually drawing to New South Wales men from all parts of Australia until the Government has considerably over 20,000 men now engaged on loan works. Is it not a serious thing to follow a policy of spending about twice as much money as it is likely we will be able to keep on spending and drawing men from all parts of Australia, as well as from industries in our own country, to Government works, knowing that we are hastening to a dead-end when the whole of these men may be thrown out of employment? Not only was our financial position on the 1st of this month such that we practically had no money with which to carry on, except by overdraft both in London and here, but there was the position—I speak subject to correction—that the only loan money we knew of with which the

Government could carry on an expenditure that the Premier estimates, at £6,500,000 was £2,000,000 a year from Norton Griffiths. I think the arrangement was that for the year preceding the 4th of last November £4,000,000 was to be supplied by Norton Griffiths, and I understand that they supplied that amount, and it has been spent. From the 4th of November onwards we shall be getting only at the rate of £2,000,000 from Norton Griffiths, of which we are sure, to carry on an expenditure of £6,500,000 or thereabouts, and this after a drop from over £8,000,000. Last year about £8,500,000 of loan money was spent. The Premier may be right and I may be wrong—each must act on his own judgment—but the hon. member does not seem to see that in connection with a situation in regard to which he himself says he cannot see more than a month ahead, he has 20,000 men or more employed on loan works. Many of these men have wives and families. Is it not a serious thing that in connection with the policy which the Premier has been pursuing he cannot see more than a month or so ahead for those 20,000 men, or at any rate the majority of them?

Mr. HOLMAN: We have not been able to do more than that for the last two and a half years. No one could see more than a month ahead at any time during the last two and a half years!

Mr. WADDELL: What I complain of is that the Premier has apparently used no discretion. My hon. friend seems to have handled the public finances just with the feeling that he could go on at the same rate without any regard to the increasing difficulties in the way of getting money, and without any regard to the fact that money was becoming dearer and dearer. The hon. member seems to have thought he could go on at the same rate for years to come. What is to happen if the hon. gentleman cannot borrow in London—and he has not been able to tell us to-night that he can borrow in London—what is to happen to those 20,000 men or thereabouts, a large number of whom are married men with families, and who depend on the Government for work?

Mr. WRIGHT: The same old tale!

[Mr. Waddell.]

Mr. WADDELL: Yes, but does the hon. member consider that it is a good thing when you cannot see more than a month ahead?

Mr. STUART-ROBERTSON: How does the hon. member propose to improve the situation?

Mr. WADDELL: In the first place I want to press home the fact that hon. members on that side who have been associated with the Premier during the last two years have supported a policy which has landed us in a position where we have to drop from £8,500,000 to £6,500,000, and we do not know whether we shall be able to get more than £2,000,000 of this money.

Mr. HOLMAN: I have to yield to superior force!

Mr. WADDELL: If the Premier knows of any other source of supply of loan money I shall be delighted. Whatever my faults are, no one can accuse me of being callous and hard-hearted and having no sympathy with my fellow-men. I conceive that there is a moral obligation on the Government, after it has drawn men from all parts to the public works, and if by its policy it has reached a position where it has to stop the greater part of those works and throw a large number of men out of employment. In view of the Premier only being assured of £2,000,000, and not knowing whether he will be able to get any money in London, I cannot understand the hon. member submitting to us even the estimates he has submitted to us to-day. The rate of interest is now much higher than it has been for four or five years. About four years ago the average rate of interest which we were paying on the whole of our loans was $3\frac{1}{2}$ per cent. or thereabouts. Now it is nearly 5 per cent. Another serious aspect of the financial position is that a great many of the works which the Government is carrying out are not interest paying. There are twenty-one railways now in course of construction. Having twenty-one railways in course of construction simultaneously means that the completion of any one of these lines will be extended over a period perhaps twice or three times as long as would be the case if the Government followed a wiser or more businesslike

policy, and put in hand about one-third of the number of lines and had them carried out quickly so that they would soon be carrying goods and giving a return, and preventing us from losing interest. According to these estimates we have twenty-one different lines now in course of construction, and the Premier does not know where we will be able to get money to finish them in ten or twelve years. Is that businesslike; is it a wise thing?

Captain TOOMBS: It is only fair to say that that is owing to the war!

Mr. WADDELL: I do not see how the war has had any effect in the matter.

Captain TOOMBS: We have had difficulty in getting money because of the war!

Mr. WADDELL: We knew the last two years that the war was on, and we also knew that it might last not only for a year longer, but for some years longer. Under these circumstances is it fair to the taxpayers that the Premier should continue to carry out a policy that will swell the interest bill?

Mr. STUART-ROBERTSON: If we do not complete the railway lines now under construction we shall lose the benefit of the money we have already spent on them!

Mr. WADDELL: Yes, but what I complain of is that we are going on with twenty-one or more lines the construction of which is being long drawn out, and in the meantime the people chiefly concerned are not getting the benefit of the railways and the country is losing a large amount of money in the form of interest charges. I ask whether this is a wise or businesslike policy to carry out. If it is not, the country must suffer.

Mr. HOLMAN: It must be remembered that although many of these lines are not completed, traffic is being run over portions of them and the capital expended is not all dead. I admit that the works are not producing the full amount of revenue they will return when they are completed.

Mr. WADDELL: I recognise that, but the point is that we are being subjected to heavy taxation for war purposes, and we must come to the conclusion that it will be unwise for us to follow out a policy that will heap up our interest bill. The increased amount we shall have to pay for

interest this year as compared with last year will be £361,000, and fully half of this amount will have to be provided by taxation. If the works upon which we are spending loan money are not giving us an adequate return, any deficiency will have to be made up by imposing taxation. Take, for example, the trawling industry, which is not paying its way. It is now proposed to spend £75,000 more upon that enterprise.

Mr. HAYNES: Surely the trawling industry should not be made a charge against loan funds?

Mr. WADDELL: Yes, the capital cost of the trawlers can legitimately be charged to loan account. In regard to nearly all the railways that are being constructed in the country it is not expected that they will yield revenue sufficient to meet interest and working expenses for a year or two or even longer. There will be a loss incurred in connection with nearly all of them, and in addition to this we are going on with a number of works in connection with northern river and other harbours which will cost £300,000 and from which we will derive little or no revenue. Then there are other works to be carried out at Newcastle, and looking through the estimates one can see a large number of works that will not prove reproductive. If the Premier can borrow all the money he wants to carry out these works, how can the increasing charges be met except by imposing taxation? In connection with our business undertakings I find that £15,000 is to be spent upon the State timber yards and that the abattoirs will absorb an additional £250,000. No doubt ultimately the abattoirs will prove a paying concern, but in the meantime the whole affair seems to have been terribly muddled. Whether this has been due to the fault of the present Government or to some shortcoming on the part of the Administration to which I belonged, I could not say; but in any case it must be recognised that for some considerable time to come a heavy loss will be incurred. Upon water conservation £250,000 is to be spent. Of course, in this connection the Government is merely carrying on the works that were commenced by its predecessors; but in shaping the loan estimates the Treasurer

must consider the claims of the works that have been left over as legacies by previous Governments. On both sides of the House there was a general feeling that the Burrinjuck scheme would pay handsomely, and I was the only man in the House who pointed out that it would probably prove a howling frost and would not pay for many years to come. My forecast has proved to be absolutely sound. The Auditor-General's report shows that last year the loss in interest charges amounted to £137,000, and that the total revenue received was £18,000. Heavy costs are being heaped up owing to mistakes that have been made in the administration of the irrigation settlement, and the taxpayers will have a very serious bill to settle before matters are placed upon a satisfactory footing. This irrigation project is one of those schemes which must be gone on with despite any losses that may be incurred for the present, but it is questionable whether under present conditions we should engage in similar undertakings, such as the irrigation works on the river Murray which are to involve an outlay of £800,000. If we are to enter upon fresh loan works entailing heavy losses our interest bill will grow year by year to the extent of hundreds of thousands of pounds. If all our loan works were self-supporting the position would be different.

Mr. HOLMAN: There are none of these new railway lines that will not become self-supporting within a few years. Many of the new railway lines failed to pay their way during the first few years because the country was only gradually being brought under cultivation, but there is not a single line passed during the last five years that is not expected to fully pay its way within a year or two. It must be remembered that we are carrying twenty lines which were built ten years ago and which have not paid up to to-day.

Mr. WADDELL: That may be so; but in shaping his financial policy the Treasurer must take all such matters into consideration. If our railway system does not pay we shall have to increase taxation, and this will probably mean bigger imposts upon incomes and possibly also upon land. Owing to the increased wages awarded by the industrial tribunals the

[Mr. Waddell.

Railway Commissioners had to increase freights eighteen months ago, and only the other day had to make a further demand upon our producers. Freights are going up and our producers are being subjected to bigger handicaps and eventually will reach a point at which it will be impossible for them to profitably send their produce to Sydney and enter into competition with producers in other parts of the world. We are going to meet some portion of our increased interest charge this year out of the profits derived from the totalisator, but we shall not be able to rely upon this source of revenue to meet the increased demands upon us for very long.

Mr. HOLMAN: Seven-eighths of the increase in the interest bill is chargeable to the business undertakings of the State. That was all covered by increased earnings last year, with the exception of the railways and it would have been covered by the railways if the railways had made proper charges to the military authorities. Seven-eighths of the interest bill therefore has not added one penny of taxation and £50,000 only has to be met outside the earnings of the undertakings.

Mr. WADDELL: I ask will not the position be made worse if the hon. gentleman proceeds with the construction of too many railways?

Mr. HOLMAN: If they are railways that do not pay. In days gone by railways were constructed that have not yet paid!

Mr. WADDELL: It is impossible to alter that, but the policy of constructing new railway lines simultaneously in all directions can be altered. If railways are constructed that do not pay there must come a time when the Government will have to impose fresh taxation.

The whole position of the Murrumbidgee irrigation settlement seems to be one of disorder, extravagance, and waste, and utterly devoid of anything like common-sense business management.

Mr. MILLARD: There is no prospect of it paying until there is a new arrangement!

Mr. WADDELL: That is so. It is most unfortunate that we still have political influence in connection with the management. Experience shows us that these concerns should be managed by men who are altogether independent of

politics. When an election is pending and the representative of the district in which the concern is located is a supporter of the Government there is always a tendency on the part of the Minister in charge of the concern to make concessions that cause very large expenditure, and experience shows that the more we keep our business concerns free from political control the better it is for the country. Here are some items which appear on these estimates: Newcastle improvements and wharfage, £75,000; Port Kembla, £50,000; Coff's Harbour, £30,000; Nambucca, £5,000; Government dockyards, £75,000. The chances are that these works will not pay interest for years to come. If the policy be continued of carrying out works that will not pay, our interest bill will grow to such an extent that we will not be able to borrow more money than we are paying by way of interest. We have to provide about £3,500,000 every year in London to meet our interest payments, and if the Treasurer cannot borrow any money in London for twelve months that £3,500,000 must be sent from New South Wales. My fear is that the taxation will become so heavy in this State that foreign investors will not invest their capital here? Look at what has happened in the past in connection with the mining industry. At Newnes a sum of about £3,000,000 has been invested by a London company. At Cobar over £100,000,000 has been invested by an English company. In a mine in my district an English company spent about £200,000, and at Mount McDonald a company from the Straits Settlements spent about £95,000. That is only one industry in the State in which enormous sums of money from other parts of the world have been invested. I ask will this state of things continue if, through bad management, taxation becomes so heavy that it will not pay foreign investors to sink their capital in this State? Under present conditions a man with a large income has to pay 6s. 3d. in the £ by way of Federal income-tax. Then there is the progressive land-tax, the State income-tax, the local government tax, as well as other taxes, and before very long a man who has a large income will have to pay considerably more than half

of it in taxation. The heavier taxation gets the less a man has to spend in extending his business or industry.

Mr. HAYNES: We have passed the Totalisator Bill not a day too soon!

Mr. WADDELL: There is no doubt about that. I should like to give an illustration which bears out my contention. In the Argentine Republic some few years ago the value of the Spanish paper peso was reduced to about 33 per cent. of the gold peso. Railway construction practically ceased owing to the fact that those who had spent their sovereigns in building railways got paper money, which was only worth one-third of its face value. The flow of foreign capital to the Argentine stopped. But the Argentine Government propounded a scheme by which it proposed to redeem the paper money and bring it up to its face value. The whole position immediately changed, and capital commenced to again flow into the country, and as a consequence railway lines were constructed at ten times the rate at which they had previously been constructed.

Captain TOOMBS: Three years ago your estimate of the safe limit of issue of paper money in Australia was £11,000,000. That has been proved to be utterly incorrect!

Mr. WADDELL: I never said that. If the hon. member will read the speech of Mr. Fisher, who was Treasurer some years ago, he will find that Mr. Fisher stated that the issue by the banks then was about £10,000,000. It is a matter of amazement to me, having in view the financial position of the country, that the Treasurer should say he is sorry he is not able to put before the Committee estimates of expenditure to the same amount as last year.

Mr. BAGNALL: Do you not think, in connection with the increased amount of production the last two years, that the farmers have to thank the expenditure of the Government? They could not have got their crops away if it had not been for the construction of railways!

Mr. WADDELL: To some extent perhaps.

Mr. BAGNALL: The public works policy has made it possible!

Mr. WADDELL: Not altogether. Take the railway from Sydney to Narro-

mine. That railway has been in existence thirty years, and you can grow wheat all the way. The railway to Moree has been in existence twenty years.

Mr. BAGNALL: Twenty-five per cent. of the increase in production is due to the policy of the Government in connection with public works and railways!

Mr. WADDELL: I should say 10 to 15 per cent. The management of our public finances represents a policy of drift. I do not care whether I am supporting the Government or not, I say that the Treasurer appears to have no conception of his responsibility to the people as regards public expenditure.

Mr. MINAHAN: Then the Government should not be supported for an hour!

Mr. WADDELL: I admit that we are between the devil and the deep blue sea. I realise that the Treasurer has had a difficult time. He has not had sufficient time to put the financial affairs of the country in order. The estimates have been flung together. In some places they have been cut down by rule of thumb. The loan expenditure is put forward in a shape that I deplore. The Treasurer does not seem to have realised the gravity of the situation, seeing that things must come to a dead-end in a few weeks' time when 20,000 men who have been enticed from other industries to work for the Government may be thrown out of employment. I implore the Government to use the rest of this year in shaping its financial policy so that when the next estimates come along we shall see signs of care and business ability.

There is an item of £200,000 in connection with the bulk handling of wheat. As there is no one in New South Wales who has ever put up elevators I would advise the Government to call for tenders in England and America to get contractors to carry out the work.

I am quite in accord with the Government in its desire to see that the people are employed, but owing to the policy we have been pursuing there has been more work to do than men to do it. That has been the principal cause of so many strikes. Men in different callings all over the country have struck because of any little grievance. Seventy-five thousand of our young men have gone to the front, and that has left the labour market

lightly supplied with men. The Federal Government has also been expending enormous sums in connection with the war. There never was a time when there was less necessity for the Government to carry out works in order to find employment. I hope the Treasurer will not be able to get the money he wants. It is only necessity that will bring him to his senses. The expenditure should be reduced to £4,000,000, that is provided £2,000,000 more than Norton Griffiths & Co. will lend could be borrowed. If the Government cannot borrow the full amount it will have to reduce the expenditure to £2,000,000. What fills me with concern is that the Treasurer simply puts the estimates on the table, makes a short speech, and apparently takes no interest in the future. He does not touch on the serious financial difficulties that confront the people and will bring about a large amount of suffering.

Mr. PRICE (Gloucester) [9.25]: The Government will have to meet an obligation to the extent of £22,000,000 for the renewal of bills. The average rate on loans falling due is 3½. You cannot renew them at less than 5 or 5½. That means a large amount to be paid for interest and the burden falls on the taxpayer. With regard to Treasury bills, I find there is an amount of £658,000 at credit, against that there is a debit of £700,000. There is also an estimated expenditure of £1,300,000. Notwithstanding those figures, the Treasurer brings forward loan estimates to the extent of £5,851,480. I warn those hon. members who represent the working-classes that they are living in a fool's paradise. When money cannot be found to meet the expenses, who is going to foot the bill?

There is an item of £335,000 for the resumption of the Gas Company's premises, Darling Harbour. It is an additional sum. During the plague time the Government found a large sum of money for the resumption of properties in that area. This item is evidently for the resumption of Gas-lane, which ends in a dead wall. Richardson and Wrench, and Raine and Horne, made a valuation of £200,000, so the Government is going to spend £135,000 more than the property is worth. In these estimates there is a further sum

of £200,000 "towards construction of Flemington to Belmore and Wardell-road to Glebe Island and Darling Island railways." In regard to the construction of the line from Flemington to Belmore, every man, woman, and child travelling on the main suburban line laughs at the hollow farce that is being enacted by the employment of fifteen or twenty men shifting mullock with a cart at the usual Government stroke. All this waste of expenditure has to be made up by increasing the railway and tramway fares, and these have to be paid, of course, by people who travel. This line has cost 75 per cent. in excess of the value of the work done. There is an item of £25,000 towards the equipment of the railway refreshment-rooms. These refreshment-rooms have been taken over by the Railway Commissioners and placed in charge of Mr. Hunt. There has been gross mismanagement, and they are going from bad to worse. Without calling for tenders certain brands of spirits, cigars, &c., have been ordered by different officials and taken over by Mr. Hunt. Such a concern as this should be run on business lines by capable business men. Under the heading "Industrial Undertakings," a sum of £1,700 is provided for the State bakery establishment. A man named Boss originally ran this show. It was offered in the public market for sale at £3,000, and it was subsequently sold by Boss to the Government for £5,000. After selling a part of the plant, he was given the right to retain a portion of the premises, and the State was ultimately taken down to the extent of £7,000. Now £1,700 has been provided to bolster up a rotten concern. I want to unmask the hypocrisy of this kind of thing. There is an item of £5,000 for the erection of buildings, improvements, &c., in connection with the National Park Trust. I should like to know what the trustees of the National Park do. They have launches for themselves. The National Park is merely a preserve for a number of trustees. In connection with railway construction, a further sum of £80,000 is provided for the Tullamore to Tottenham railway. This line has already cost the country 33 per cent. too much for the work that has been done. It cost £600 for clearing, survey-

ing, and engineering expenses per month when the expenditure on labour was only £800 a month. Now I come to the Dubbo to Werris Creek line, the construction of which was recommended by the Public Works Committee after an exhaustive inquiry, the railway to be taken along a specified route. At the request of the Minister for Lands and two German constituents of his—one a member of the local Labour League and the other the president of the Progress Association—the line was diverted 3½ miles to Mundooran, against the report of the officers; and in this way £6,000 of public money was wasted. After that the line passed on to Merrygoen, and when it reached that point Nerton Griffiths & Co., who had some plant at Wyandra a little further on, said that they would like the line to go on to that point. Mr. Cann, the Minister in charge, wrote a minute in which he said that the report of his officer was to the effect that the expense of that deviation was not warranted, and that the deviation would entail an extension of the line 16½ miles, and the construction of a bridge over a river, instead of the line going straight across country, and that this would necessitate the traffic being hauled over 16½ additional miles unnecessarily for all time. When the Commissioners were asked what they suggested all they could suggest was the carrying out of a triangulation scheme to avoid the "back shunt." They said, "We want the most direct line we can get," and then Mr. Cann made the following minute: "There is no justification for this deviation, because it entails 16½ miles more haulage and the crossing of a bridge over Wantabele Creek. There is no justification whatever for it, and therefore it cannot be granted." But the following morning, on the 6th July, a telegram comes to the Minister for Lands, Mr. Ashford, from this gentleman, and another telegram comes from his brother. One is the secretary to the Labour League, and the other is president of the Progress Association. This little coterie get together, and a marvellous thing occurs. Although Mr. Fraser condemned the proposal, and although there are no papers in the department to justify it, yet this country is put to the expense of £80,000 for a deviation

which is contrary to the law. A detour of 16½ miles is made, and an increase of £80,000 put on the estimates. That is done at the suggestion of these German gentlemen. It is a public scandal, and I am not going to be party to allowing £80,000 to be spent unnecessarily. These are constituents of the Minister; one is Oscar Carl and the other is Carl Oscar.

Mr. HAYNES: It is absolutely criminal if it is true!

Mr. PRICE: The papers disclose that Mr. Cann one day said, "This cannot be granted because it is wrong." Mr. Fraser said the same thing, but the next day, after these telegrams have gone through, the plans are amended and the request granted. When I went down to the department, Mr. Cann gave me a chance to see the papers. I made a note of their official numbers, and it took me four solid hours to go through them and make copies of the plans, until I got the hang of the whole thing. [*Committee counted.*]

There is another little item for which my hon. friends are responsible—it is in connection with the Meat Industry Board and abattoirs. Buildings were erected, the walls of which were beautifully tiled and charmingly finished, but as soon as they were put up 6 feet, at a cost of 32s. 6d. per yard, they had to be taken down again at a cost of £60,000, because it was found they were put in the wrong place. The same with the other parts of the construction of this work. We have loaded and loaded the works with expense through gross incompetency, incapacity, and want of business knowledge and ability on the part of those in charge. I see that £750,000 is to be appropriated for the purposes of the Metropolitan Board of Water Supply and Sewerage. The administration of this huge concern is by no means satisfactory. The whole show is being run by the gangsters, and the public are being called upon to pay exorbitant rates for services which are by no means adequate to the requirements of the community. The sum of £200,000 is set down for the construction of grain elevators, and for purposes incidental thereto. Some time ago I asked for information as to whether certain negotiations were being entered into for carrying out important works in connection with the con-

[*Mr. Price.*

struction of grain elevators, and whether all this was being done to the exclusion of Australian firms, which were prepared to tender. No tenders were called for, but all the necessary documents were prepared in the department for entering into a contract. I asked for information as to whether quotations had been asked for, and as to whether it was contemplated to accept certain offers or whether opportunities would be afforded to Australian firms to tender; but the only information vouchsafed to me was that the matter was under consideration. It is desirable that there should be open and fair competition, and that everything should be done in the full light of day, and hon. members are entitled to full information as to what is being done before passing these estimates and before it is too late to raise any question as to the transactions now proceeding. At a time like the present the immediate problem for the Government to solve is how best to conserve our resources for the furtherance of the war. In the first place we require to intelligently develop the country in order to provide the maximum of employment for the people. The economic difficulties which surround the situation are so great that we must make every effort to attract population and bring about an inflow of wealth. The country which can establish itself on the soundest financial basis is the one which will profit most in the years to come. I should like to take a hopeful view of the outlook, but one cannot shut his eyes to the present economic pressure, and the unemployment which under unwise administration must inevitably be brought about. Once the markets for our primary products become normal again we shall see in this country considerable depression. The present inflated prices cannot continue for ever, and those who want to see the country progress and secure that its foundations are laid on a solid basis, must agree that the policy of pandering to the working classes should be abandoned. We are living more or less in a fool's paradise. The financial obligations of the country, loans falling due and other indebtednesses, will in the near future tax all the resources of the Government to meet. We know that the Attorney-General and one of his colleagues is now

attending the conference of Premiers in Melbourne, whose chief business is to confer with the Commonwealth authorities in regard to the provision of ways and means in the future. Do hon. members really recognise and appreciate the significance of the financial burden which rests upon this country? Additional ways and means must be found. The problem is a serious one, and whilst hon. members on all sides recognise the ability of the Premier and his colleagues and their desire to place things financially on an even keel, it remains for the Premier and his colleagues to justify the confidence imposed in them by solving the problem in the best interests of all parties in the community. After all the additional burden of taxation which must result from any effort to make ends meet will ultimately have to be carried by the people themselves; and the sooner the workers realise that the present inflated costs must inevitably be passed on and added to the price of commodities the better it will be. Above all it is the duty of the Government, in its public expenditure, to see that the men in the employment of the State do a fair day's work for the pay they receive. Our public works are costing very much more than they should cost under business-like administration, and that excessive cost is helping to increase the burden which already rests upon the shoulders of every man, woman, and child in the country.

Captain TOOMBS (Hurstville) [10.10]: It is hardly necessary for any member of the Opposition to criticise the loan estimates submitted by the Government, after the biting criticism indulged in by the hon. member for Gloucester. I have been looking up three volumes of *Hansard* containing speeches by the hon. member for Lyndhurst and except that the dates are different, one speech could be substituted for another. To-night we have had the same old gloomy pessimistic speech, the same old prediction that New South Wales is going to the dogs. When we were on the other side of the House it was all due to our Government, but to-day it is due to the present Government. I do not know how the hon. member can reconcile his position. He sat behind a Government that spent thousands of pounds in bringing immi-

grants to this country. He supported that policy, but to-night he finds fault with the Colonial Treasurer because that gentleman has pursued a policy which has attracted people here from the various States of the Commonwealth. I should have thought that a policy which attracted people here without spending money to bring them here would have been commended by the hon. member. He tells us that the country is going to blue ruin, but, as usual, he does not put forward one suggestion as to how that can be prevented. I am not, and never have been, against a vigorous policy of constructing public works out of loan money. In a young country like this it is necessary, and that it has done good to New South Wales is evidenced by the degree of prosperity which we enjoy as compared with other States of the Commonwealth. The hon. member seeks to take to task not only hon. members on this side but hon. members on his own side for going cap in hand to the Government and asking for the construction of railways, tramways, bridges, water supply and sewerage systems, and the thousand and one things which this country requires to make it fit to live in. I am not going to condemn the Government for expenditure such as that. We are sorry that the financial pressure is so great as to make it imperative on the Government to cut down the expenditure of loan money this year. It says something for the optimism of the Treasurer that he has furnished the estimates which he has this year, rather than do as the hon. member for Lyndhurst would have him do—immediately upon seeing a dark cloud, throw up the sponge, come down to the House and tell us that New South Wales is bankrupt, and that the shutters will have to be put up in the morning. The Minister is doing right in trying to keep the wheels of industry going.

Reference has been made to the number of men employed by the state. Those men receive wages, and if they were not worth their wages they would be dismissed. The money that is spent in wages by the State is returned to it in the form of created values with something in addition. Only about two years ago we were informed that New South Wales had, practically speaking, no debt at all:

Every business man appreciates the difference between a debt owing by a firm and the reproductive capital that is used by a firm for the purpose of improving its business. For instance, a business man may be working on an overdraft at 6 per cent. and getting a return of 9 or 10 per cent. and no man of commercial instincts will regard that as a debt. About two years ago the State Statistician noted the fact in his "Statistical Bulletin" that with the exception of about £2,000,000 the whole of the debt of New South Wales was not only returning interest but was also showing a profit. Under those circumstances what have we to be afraid of? Is there any reason to suppose that businesses which are paying to-day will suddenly cease paying to-morrow? The hon. member for Lyndhurst, who is always ready to condemn the industrial undertakings of the State, made reference to the State bakery. If the hon. member peruses the report of the Auditor-General he will find that there is no State undertaking in so good a financial position as the State bakery. What a pity it is that instead of having one bakery there were not 10,000 State bakeries! There would not then be much talk about introducing the totalisator. It is the best paying proposition in the State to-day, and it has paid almost from the outset.

I want to thank the Government for at last paying some heed to the repeated requests which I have made with regard to a certain area in my electorate.

I am pleased to see an amount on the estimates for buildings and other improvements at National Park, which have been urgently necessary for many years. Some of the buildings have been falling to pieces through the inroads of white-ants, and the trustees have been hard put to it to cater for the public.

I have frequently pointed out that money was made available for Mount Kosciusko, Jenolan Caves, and other holiday resorts for the wealthy classes, but that none was made available for National Park, the pleasure-ground of the masses.

I was also pleased to hear the Premier say that he was not going to cause dislocation of industrial life by dismissing large bodies of men and throwing

them on the labour market. I believe that if a man is employed, although at a small loss to the State, it is better for the State than if that man is unemployed and becomes a total charge upon the State. We quite realise that times are not normal, and that at any moment it may not be possible for the Government to raise loan money. Then will arise the time for some other method to be adopted. It is possible there is some other method. It will not be the first time that the country has been thrown upon its own resources. It will not avail the Government then when it finds there is no more money for it in London to say, "Well, we shall call 'Hold, enough.'" I hope that will not be the solution offered by the Government. If it is it will soon be put out of office by the people.

I regret that the data with regard to the trawling industry were not available when the estimates were under discussion. I have never had faith in that experiment since the first day I went on the trawlers. I at once saw the lack of capacity exhibited. I have done my best to give advice on the matter. I have put questions on the business-paper and have been assured that everything is all right. I knew perfectly well it was not, and that when an investigation came to be made the industry would be found wanting.

Mr. HOLMAN: What do you say is wanting?

Captain TOOMBS: I believe that though Mr. Stead is as great an expert as there is in the southern hemisphere in regard to fishes and their classification, he does not know sufficient of the practical side of the trawling industry. The Premier sent him Home to bring out two trawlers. He no sooner returned with them than there was a dislocation of the industry. Had I been sent Home by a firm of shipowners to bring out two ships which were to be engaged upon an experiment, I would, when shipping the crews, have signed them on articles which would have carried them not only to Australia but would have kept them on the vessels for six months afterwards. I would then have had them at work for six months on my own conditions, and would have thus learned what the ships were capable of doing. But the Premier

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engaged an amateur at the work, and consequently he made a mistake. I do not believe that Mr. Stead picked up the best men available. When I went on one of the trawlers, the Hon. James Wilson, a member of the Upper House, stood alongside me. I saw a man trying to coil down a deep-sea lead-line into a bucket, and he made the most beautiful bunch of cats-meat I ever saw. I took the line out of his hand and asked him why he did not coil it down properly. I told him we had ordinary seamen on our coast who knew how to coil it down in a proper way. I said to the pilot, "Well, captain, what do you think of it?" He said, "Look here, old man, if it is an exhibition of incapacity it is the finest exhibition I ever saw; but as an exhibition of trawling I do not think much of it." It was as a matter of fact nothing but an exhibition of incapacity. Mr. Stead did not know how to select suitable men. Why should he know? He did not know whether he was getting the real article or longshoremen. In exactly the same way the hon. member, Mr. Black, was offered the services as accountant of a man who had had practically the control of the accountancy of the shipping ring. Mr. Black did not take him. No, he would find something better elsewhere. He found an amateur so far as fishery accounts were concerned.

Mr. HOLMAN: I suppose the Public Service Board appointed the man!

Captain TOOMBS: The Public Service Board does not know any more about trawling than Mr. Stead or Mr. Black does. Would the hon. member consider the Public Service Board competent to appoint a ship's husband? I am sure that no member of the board could tell you the duties of a ship's husband, nor could Mr. Stead. Men are only human. If a crowd of sailors find that a Sunday-school superintendent has been appointed over them they will soon get out of hand.

Perhaps the knowledge of the actual state of affairs has not come too late to retrieve the position. Although I am in opposition, I am not going back on the policy that I supported when I followed the Premier. I give him credit for initiating the trawling industry. The industry will succeed if it is properly

handled. One solution of the difficulty will be to put the crews on the same basis as English crews. Give them certain wages, which will be relatively higher than the English wages, and then give them a cut out of their work.

Mr. HOLMAN: Hear, hear!

Captain TOOMBS: The Government will then be able to get practical men who will be satisfied. Let them also appoint as manager a man who knows his business. When a request is put in for stores he will know whether they are required or not. I do not want to see the trawling industry ruined for the sake of getting at the Government. I want to see it one of our big industries, something that will stand as a monument, not to the National Government, but to the Labour party who created it.

I hope that after the war the financial position will be relieved, and that our vigorous policy of loan expenditure will be continued. The note of retrenchment sounded by the National Government is unpopular. The people know that, because of the loan expenditure, they have prospered exceedingly. They know that values have been created. If it is blue ruin they have experienced for the past five years, as the hon. member for Lyndhurst suggests, they want as much as they can get.

If hon. members opposite do not carry on the policy initiated by their predecessors, they will have to make room for men on this side of the House who have confidence in the natural resources of the State and in the energy of the people. They realise that there is room in this State for thousands of people to come here and enjoy prosperity. So sure as the present Government fails in its duty to the State by not providing the necessary lines of communication and other facilities to assist the people, so sure will it have to make room for a Government from this side of the House who will give the country what it wants.

Mr. COCKS (St. Leonards) [10.35]: I think, with the hon. member for Lyndhurst, that a broad, comprehensive review of the financial position of the State from time to time is very desirable. I recognise that the hon. member for Hurstville, when he speaks of the ability of men to coil a rope, and of handling men on board

steamers, is in his element. I bow to his expression of opinion on matters appertaining to the sea. But when he criticises the ex-Treasurer of a very successful Administration, in the person of the hon. member for Lyndhurst, his criticism is beyond his experience and largely beyond his ken. The hon. member for Lyndhurst may take a somewhat pessimistic view of the position and the outlook. But when the hon. member for Hurstville bases his financial observations on the supposition that the people want a continuation of a policy which year by year has added to the taxation of the country, and does not go deeper than the surface, when he says that the people ask for more blue ruination, as he rightly named it, more straining of the resources of New South Wales, until the people cannot get more from them, when he tells them in fact to suck the orange dry, and not to care for future generations, he condemns himself out of his own mouth, and his condemnation is of a most lasting and real character.

Mr. MINAHAN: Whom did he condemn?

Mr. COCKS: He said that the hon. member for Lyndhurst is a pessimist. And when that hon. member predicts blue ruin the hon. member for Hurstville says, "Give us more of this loan expenditure; it is a popular proposition." Of course it is a popular proposition. Any spendthrift would say that. The publican welcomes a man if he has money on him, till the last sixpence goes, and then he puts him in the gutter.

Mr. MINAHAN: We are getting value for the expenditure!

Mr. COCKS: When the hon. member tells me that we are getting value for the expenditure I will read him a statement made by the Premier to-night, when he said that seven-eighths of the loan money produces interest. That does not mean that it makes ends meet. There is a deficiency and the tendency is for that deficiency to increase year by year and for us to go leeward year by year, if I may borrow a nautical term from my friend, the hon. member for Hurstville, and for us to go nearer and nearer to the rocks financially. If we are in such a wonderfully prosperous condition, and everything is bright and rosy, how is it that year after year the

occupants of the Treasury benches ask us to impose increased taxation; how is it that a surcharge on the income-tax is asked for; how is it that we have to resort to a partnership in vice and encourage the national failing of gambling in order to produce more revenue? If the hon. member for Hurstville is right in saying that we as responsible people in charge of the business of the country have to continue the process that has been in operation the last six years, I should like to ask the hon. member where he is going to get the wherewithal, and how long the money-lender is going to stand, not an investment, but a squandering of money. It is absolutely wrong from an economical point of view that the supervision of labour, and labour itself, should be paid for with money out of the same purse. Unless you have a distinct incentive for economy in the expenditure of money you will have recklessness, carelessness, and squandering. In plain language it comes to this: that if the Government employs 20,000 men on work which the Government itself cannot supervise, and the Government employs supervisors who have not any incentive to see that a fair day's work is done for a fair day's pay, they will do exactly what the hon. member for Hurstville admitted to-night he did. The hon. member says that is human nature; so it is. If you have slack supervision you will have a falling off in the product day by day. The hon. member will admit that if he were a supervisor employed by the Government to look after a number of men under him he would probably choose the line of least resistance and would not see that he got a fair day's work out of the men for a fair day's pay, because if the hon. member did that his path would be more thorny. Political influence would be brought to bear against him. The hon. member would bear in mind that other men had suffered under similar circumstances and that complaint might be made against him with the request, "Please remove this supervisor because he wants to get too much out of us. Give us a man who will look the other way when we are doing a loaf."

Captain TOOMBS: According to your own proposition you should not pay a supervisor and a labourer with money

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out of the same purse. Can you tell me any business firm in the city which employs labour and also foremen to supervise the labourers which does not pay them with money out of the same purse?

Mr. COCKS: The hon. member has left out an essential. There must be an incentive. The man who employs a foreman and the men under him says to the foreman, "I am not making enough out of the men under you. I am not the Bank of England, nor have I unlimited means of borrowing money, as the Government has. I have to meet my shareholders once or twice a year and they will want to know what is the matter with me if I do not produce dividends for them. So I have to produce dividends for them, in which case I am not grumbled at." A man supervising Government unskilled labour has no incentive to put forward an effort to see that from the men under him the Government gets a return of 20s. in the £ for what it pays.

Captain TOOMBS: Nonsense; that is not so!

Mr. COCKS: A man says "Why should I make my path more thorny, why should I get myself into trouble with those above me because the men under me having voting power and being required by the Government to keep it in office I am not in an independent position and cannot demand from those men an honest day's work for a fair day's pay?"

Captain TOOMBS: That is not so!

Mr. COCKS: It is so. It is known from one end of New South Wales to the other. The solution of the difficulty is this: Every man when he goes in for an undertaking wants to know whether the means at his disposal are sufficient for the completion of that undertaking. He says, "How much will it cost me?" and if he has not the capacity, skill, and necessary knowledge to supervise the work himself he has the incentive of self-interest to keep expenses down and he says "I would rather pay a percentage to another man to come in between and be a contractor. Whilst I protect the workmen against being paid a low rate of wages, I want proper supervision and it will pay me to pay a contractor's profit to ensure that I get that supervision, which I cannot get under any other circumstances." The leader of the Opposition said that money

well spent was a benefit and that the more money we get into the country the better will be our position, if it is wisely used. The hon. member for Hurstville I admit made use of a similar expression. The hon. member, however, says that money borrowed is capital.

Captain TOOMBS: If it is sunk in the business!

Mr. COCKS: No, it is not capital. Money borrowed to supplement the capital that you have in a business carries with it a greater responsibility than the money which is absolutely yours in the business, but there is always this contingency: the man who has lent you money to invest in your business, the same as people lend money to the Government of New South Wales to use in carrying on the affairs of the State, will sooner or later ask for the repayment of that money, and you cannot get it again in the form of a loan unless you have made a right and proper use of it. [*Committee counted.*]

Captain TOOMBS: How is it that railways constructed in Queensland and also in New South Wales under the day-labour system have cost less than railways carried out under the contract system?

Mr. COCKS: You can easily make a false comparison in regard to the relative cost of two railways of equal length by reason of the fact that one may be a comparatively easy engineering proposition whilst the other is a very difficult engineering proposition. The comparison cannot be made on a fair basis unless all the circumstances are disclosed. But I have never yet in my municipal experience come across any indication that day labour, associated with construction, maintenance, or anything that can properly be handed over to a contractor as a complete work, can be carried out on lines which will compare favourably with saying to the man, "Your money is at the back of this; here is the fixed price I am prepared to pay." You then have the contractor fighting for the greatest efficiency, and the best use of all artificial means of labour-saving; and there is everything to induce him to achieve the best results in order that he may at the end of the contract have a surplus left representing the value of his efficiency of supervision. Whilst I am prepared to admit that money well borrowed and well

spent is an asset in the development of a young country, I say on the other hand that during the last six years of the history of New South Wales it has not been a case of money well borrowed and well spent but of money squandered and ill-spent. In the Premier's words to-night, seven-eighths of the loan money represents interest returning; but there is an eighth which represents many millions.

Captain TOOMBS: Look at the money sunk in the North Coast railway—a work which is not completed; yet those that are completed are carrying it on their backs!

Mr. COCKS: If the hon. member wishes to talk about economy in expenditure, why in the name of heaven were twenty different railways started and not one finished? Why has the money been lying idle for years and years? Instead of having an army of 20,000 men spread over a number of fag-ends of railways producing nothing, why did you not take one or two jobs in hand, complete them from start to finish, hand them over to the department and make them pay, and then turn your attention to the next one—handling the matter in a businesslike fashion? What would you say if you went into a factory and found that for three or four years they had had nothing but heaps of uncompleted work and not one article ready for sale? How would any business run on such lines meet interest on the money invested or capital borrowed, upon which the borrower desired an annual return? It is on such lines that criticism falls in respect of our national outlook.

Mr. STUART-ROBERTSON: But because of that mismanagement and waste you are taking the Treasurer to be responsible!

Mr. COCKS: There was a driving force that put the Premier off the line. He was trying to placate you gentlemen, and those behind you at the Trades Hall, against his own common-sense, judgment, and experience. You were the driving force that insisted upon the expenditure which kept you in power.

Mr. STUART-ROBERTSON: For the last three years I have been complaining just as much as you are complaining to-night!

Mr. COCKS: All I can say is that the complaints now being heard must have been uttered in the secret caucus, because

it was wonderful to see the unanimity of the former Ministry and its supporters in swallowing everything that came before them. My opinion of the Premier has always been that if he had had happier surroundings and wiser colleagues he would have been one of the best assets that any party could have. I have nothing to retract in respect of any private or public utterances regarding Mr. Holman. I respect him as a man, and he now has his opportunity of proving that under happier circumstances he will be a good Treasurer. But I do say that whatever the facts were at the back of his action as Treasurer in the past, the money has not been well spent.

There is another feature to which I wish to draw the attention of the Committee. I believe in the sovereign rights of the States, including New South Wales. I believe that anything we do of an unnecessarily antagonistic character, which will bring us nearer to unification, is a huge mistake in the interests of the people dwelling in this State. The point I wish to make is, that if we year by year bring down a bigger budget and go in for more borrowing, then we shall ultimately have the press and the people so incensed at the increased taxation—following upon expenditure that does not bring in interest—that there will be a huge popular cry to sweep away the States and let us have unification. Every time you increase the budget—every time you come along with more taxation, you are drawing nearer to the day of test, when the people will turn round and say, in spite of those who know that it will be a step in the wrong direction, that they have had enough of the extravagance of the Government, associated with State Parliaments, and that they are going to throw in their lot with the Federal concern and have unification. It is not the right course year after year to increase our borrowing—to have twenty or twenty-two railways unfinished which were commenced largely for political reasons, but not upon a sound financial basis. The prosperity of New South Wales is dependent upon a sound financial system, and if we subordinate considerations of sound finance to electioneering or popular cries, or to any immediate advantage that may be gained from a party point of

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view, we shall bring New South Wales down to a level from which it will be most difficult to raise her. We shall then find the democracy regarding with concern the burdens which are being imposed upon them, and disposed to yield up the sovereign rights of the State and join the unification movement. The demand for unification is now being made, and it will gather strength as taxation is increased. We have our income-tax and our surtax on incomes and we have recently passed a Totalisator Bill to which I was strongly opposed. I look upon it as a blot of ink on a white costume. It is a huge mistake for us to go into partnership with vice and to derive revenue from the encouragement of the bad habits of the people. When we are called upon to impose taxation and to resort to various methods of raising revenue, including the imposition of increased railway freights and fares, in order to bridge over the gap between the income and the expenditure of the State, it is about time that a firm hand was laid upon our expenditure and reasonable methods were adopted to place our finances upon a sounder and more conservative basis. I do not see why we should contemplate the expenditure of another £75,000 upon the trawling industry. But we are in this unfortunate position. The moment we question this proposed expenditure, we are met with the statement by the Treasurer that the contract has been signed. Before we have had an opportunity to deal with this question, we have been committed to the expenditure and now we are in honor bound to see the thing through. But where is our responsible Parliament when upon items being subjected to criticism we are told that the State is already committed to the expenditure? It is a perfect farce. This sort of thing happens in regard to estimates that are brought down when three-parts of the year have gone. It is a mockery. A step has been taken in the right direction by the Treasurer in bringing down reduced loan estimates, and I agree with the hon. member for Lyndhurst that our loan expenditure should be still further reduced. It is lamentable to think that we should have 20,000 men who regard the Government as a huge benevolent institution that will keep them employed whether the work in

which they are engaged is profitable or not. Whilst all this is going on farmers and others throughout the country are hungering for labour. Men, instead of being employed under what may be termed natural conditions, are being provided by the Government with work which is being carried out under imperfect supervision.

Mr. DOOLEY: Do you allude to the Norton Griffiths contract?

Mr. COCKS: I do not know how the hon. member can talk about the Norton Griffiths agreement without a blush on his face. If we had been treated candidly and had been told that in connection with that agreement £30,000 would have been paid in additional salaries we should have been scandalised, and no hon. member on the Liberal side of the House would have given the proposal sympathetic consideration. A proposal to spend this huge sum in additional salaries would not have been entertained for one moment, seeing that we have our own officers who are fully capable of doing the work.

Mr. DOOLEY: It was a monstrous proposition!

Mr. COCKS: The hon. member was responsible for it.

Mr. DOOLEY: I was not; I never supported it!

Mr. COCKS: It is undoubtedly a wise thing to reduce our loan expenditure. The men who are now employed on Government works and who look upon the Government as their permanent employer should be told that the time is approaching when they will have to seek employment in natural avenues instead of relying upon the artificially bolstered up resources of the Government. These men should be told that as opportunities offer for obtaining other employment, they should withdraw themselves from the Government works rather than wait until the time arrives when there will be no further Government work for them.

Dr. ARTHUR: The late Secretary for Public Works admitted that the men employed on the Condobolin-Broken Hill line were not doing 50 per cent. of the work they ought to do!

Mr. COCKS: A statement of that kind is merely in keeping with the observations of those who travel on our

railways. The time elapsing between the arrival and departure of a train is devoted to loafing. It is human nature for men to go to the full limits permitted under a system of lax supervision, and I am not blaming the men, but the system. If these men who are now employed by the Government seek natural avenues of employment, they will probably find that the man on the land will exact a day's work for a day's pay; but the men will be employed in work which naturally arises out of the development of the country. We have been carrying out extensive public works by the expenditure of huge sums of loan money, and as a result have attracted nomadic workers from all the other States and have found them employment at the expense of the taxpayers. The day-labour system will never have my support.

Mr. CUSACK: No, because you stick up for the contractor man!

Mr. COCKS: I am not worried about the contractor, but about the poor old taxpayer. I only use the contractor as a means to an end, to get honest supervision over the expenditure of public money in which every decent-minded man in the community is vitally interested. I never knew any man who in his private affairs would adopt the day-labour system when he could not supervise the men himself, but had to leave them under bad supervision, when he could get the same conditions of work for the men and the same rate of pay, by taking an intermediate man and saying, "You can make what you like out of this job, but give me a fixed price." If we adopt that attitude with regard to our own affairs, it is only right that we should adopt similar safeguards in connection with the expenditure of money belonging to the public. After all, we are in a position of being public trustees. I view with grave concern the increasing budget which year after year is presented to the House, and the constantly increasing taxation, in conjunction with the fact that the Federal Government is looking for every possible avenue to increase the sources of taxation owing to the exigences of the war. Dealing with the financial aspect, I would point out that I believe the Government of this State is making a huge mistake in shouldering the responsi-

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bility of the expense associated with providing for returned soldiers. It is purely a Commonwealth matter and in assuming the burden ourselves we are really not giving any relief. Whilst the money comes out of the same set of pockets, we are putting an unfair burden on the State, which must react upon us because the public will say: "We are meeting our obligations to the returned soldiers through the Federal authorities, why therefore should the State interfere?" Why not at once put the whole burden on the shoulders of the Commonwealth, and let them carry it?

Mr. MINAHAN (Belmore) [11.14]: I am somewhat amused at the attack of two experienced financial hon. members upon their present leader. Presumably when the division bell rings those hon. members will give us their support. The hon. member for St. Leonards has blamed the present Opposition for the position in which the Premier finds himself to-day. As a matter of fact, the Premier himself is to blame. This is not the time to trace the history of what has expired during the last twelve months, but if the Premier had made even the feeblest attempt to carry out the policy and planks of the party in response to the conference, which after all is the governing body, there would have been no trouble. We were not to blame for that. As regards the Norton Griffiths scheme, I for one opposed it most strenuously in our own caucus. After reading through the agreement I was not prepared to support a policy of that character. I tore the proposal to pieces in caucus, and when it came before the House I spoke against it, and indicated that if I were forced to give a vote for it that I would rather leave the movement than support it. I remember the leader of the Opposition stating that the scheme would cost the Government not less than 12 per cent. The hon. member for St. Leonards and others who now sit behind the Premier looked with suspicion upon the Norton Griffiths contract, but are they prepared to suspend it now in view of the position of the country? The hon. member for Lyndhurst created the impression that the Treasurer had sufficient funds to enable him to go on for months. I doubt very much whether he has anything left. At the end of the financial year, instead

of the Consolidated Revenue Fund showing a surplus it will show a deficit of considerably over £1,000,000. That shows the serious position of affairs. Six years ago when Mr. Holman came into power the various industrial undertakings of the country not only provided interest on the capital expenditure and made provision for a sinking fund, but there was a balance of over £100,000 which was paid into the consolidated revenue. [*Committee counted.*] After six years' operations not only is there insufficient return from those undertakings to provide a profit, but we now have to find out of the consolidated revenue no less than £660,000 to meet the deficit on their working. The Premier is inviting the House to vote an amount of six and a half millions on the loan estimates. It would be interesting to know what the hon. member proposes to do with the money. We have heard the expenditure indicated in several directions, but what is our position as regards the six millions of loans on the point of maturing? The Premier may have to meet those loans. The point is will the people from whom the money has been received be prepared to let us have it again at a new rate of interest? That is very doubtful. Furthermore, he makes no reference to his debits in connection with other accounts. Whilst he spent some £8,000,000 last year he encroached upon our trust funds to the extent of about four and a quarter millions. That money has been spent on public works, and no provision has been made to borrow money for the purpose of paying it back.

Mr. JAMES: We pointed that out when you were on this side, but you did not say anything then!

Mr. MINAHAN: There was not that serious intrusion upon our trust funds that there has been during the past twelve months. I believe in using these funds to a reasonable extent, but they should not be used to the unreasonable extent that they have been used of late. There is, approximately, £7,000,000 of trust funds, and the Premier has encroached upon them to the extent of about £5,500,000; indeed, it is a question whether there is anything left.

As far as the shortcomings of the Holman Government are concerned, hon.

members opposite now have an opportunity to make good in that connection. The hon. member for St. Leonards referred to the introduction of the totalisator as being an ink-stain on a white garment and spoke of it as a form of gambling. I do not subscribe to the principle laid down by the hon. member that investment on the totalisator is gambling. So long as a man can afford to spend £1 or £100 it is mere speculation, pastime, or pleasure. A man only gambles when he cannot afford to spend the money or when he spends the money of other people. We never forced the Premier into the position of placing an ink-stain on a white garment when we were behind him, so that if it is an immoral act his present supporters are to blame.

Mr. GRIMM: You were to blame because you could not get him to do it!

Mr. MINAHAN: We did not consider it an ink-stain. The Premier expects to get about £200,000 from the totalisator by the end of the financial year, but those who know anything about the matter know that he will hardly get as many shillings because it will take four or five months to erect the buildings and the machines and put the whole thing in working order.

The hon. member for Orange has said that the Government can sink its arms up to the elbows in sovereigns, but my opinion is that it has not a penny left. Considering the lateness of the hour and that we are to deal with an important measure after this, I do not intend to delay the House any longer. The hon. member for Lyndhurst drew attention to the very serious state of our interest bill. During the last six years it has increased by about £1,500,000 and the probability is that within the next eighteen months it will be double what it was six years ago. By the end of the year the Premier will have to renew loans to the amount of £6,000,000. He is at present paying 4 per cent. and in all probability he will have to renew the loans at 6 per cent. Three or four months after that he will have to find another £3,000,000 and will have to pay 6 per cent., whereas now he is only paying 4 per cent. I sympathise, therefore, with the Treasurer in the position in which he finds himself and still more

so when able financiers like the hon. members for Lyndhurst and St. Leonards scarify him in his absence. I am not prepared to subscribe to the opinions expressed by the hon. member for St. Leonards in regard to the carrying on of our public works. I do not and never did believe in the Norton Griffiths scheme.

Mr. HOLMAN: You are against the conference there, as I am against it on conscription!

Mr. MINAHAN: I am not prepared to agree with the sentiments expressed by the hon. member for St. Leonards, because we find the system operating well in the Railway Department, and in the shire and city councils. Our friends opposite wish their old friend the contractor back, but they will not have our support in that.

Mr. GRIMM (Ashburnham) [11.26]: Although I am not one of those able financiers referred to by the hon. member for Belmore, it has struck me that, in view of the fact that the Government is launching on a new sea, it might not expect the adverse criticism it has received to-night.

Mr. MINAHAN: From your own party!

Mr. GRIMM: I understand that, and I think it would be a fair thing for hon. members to stay criticism until they see in what direction the Government proposes to economise. I admit that there is necessity for economy to-day, but I am not prepared to agree with the contention that economy should be exercised in the direction of curtailing our public works. A young country like this needs above all development, and that development should be made in constructing country railways. Unless we are prepared to recognise our responsibilities in that direction this country will not advance at the rate at which it should. I sincerely hope that the Government, even though it has to borrow money, will push on with developmental works throughout the country so as to enable the backbone and sinew of the State, the producers, to get their produce to market. Unless those men are helped by railways it will be impossible to properly develop this country.

There is one item in connection with which we could reasonably economise, and that is the item of £75,000 for the construction of State trawlers, the establish-

[Mr. Minahan.

ment of depots, and wharf accommodation, as well as the provision of motor vehicles. Those who have read the newspapers this evening will have seen the statement by the late Colonial Secretary severely condemning the manager of that department.

Mr. STUART-ROBERTSON: The Minister himself was the man responsible!

Mr. GRIMM: Probably he is responsible to a very great extent. There has already been a very serious loss in that industry and any business man who after twelve months finds that he has made a loss of £10,000 on a certain enterprise would say, "I shall cut that out and start something fresh." Here, however, there is distinct evidence that we are going further into the mire. We are going to construct additional vessels in order to carry on a losing industry.

Mr. OSBORNE: They are in course of construction!

Mr. GRIMM: The late Colonial Secretary told us that he could have sold at a substantial profit these vessels which he obtained from England. I would seriously commend to the Government the desirability of offering those vessels for sale and cutting out that infernal industry which is only creating trouble in the way of strikes. No one has had any cheaper fish from it.

I have already stated that I hope to see a progressive policy in connection with country railways. There is a large list of those works here, and no matter what the effect of the advice of the hon. member for Lyndhurst may be, and unfortunately he is generally dismal, I hope the Premier will not let himself be convinced that he should cut out all of those items. There is one work which is absolutely necessary, and that is the Canowindra to Eugowra railway. If that is constructed I shall be perfectly willing, if necessary, to go out of this House. It is a thriving district, and the only thing necessary to complete the happiness of the people is the railway to Eugowra. I hope the Premier will avail himself of the £10,000 provided.

Mr. STUART-ROBERTSON (Camperdown) [11.32]: I do not wish to see the item for trawlers withdrawn. I think the operations would have been more successful if they had been properly managed. It is idle for the late Chief

Secretary to try to throw the blame for failure on the officer whom he put in charge, because Mr. Black had a great deal of information of which he made no use. Why did he choose as manager a man who had no experience of the business?

Mr. HOLMAN: The Public Service Board made the appointment. Mr. Black was not responsible for it!

Mr. STUART-ROBERTSON: Surely the Chief Secretary should have had some voice in the method of doing business. He was advised by many people that the establishment of shops involving a huge expenditure was a serious mistake, and that it would be better to deliver the fish direct from the vessel instead of keeping it in cold storage. If the trawlers and the distribution of fish had been properly managed the industry would have shown a profit instead of a loss. The venture has been of considerable benefit to the people of Sydney, not only because it reduced the price of fish sold in the State shops, but because it compelled private sellers who had a monopoly of the trade to reduce their prices. I am pleased to know that the operations are to be continued, but I sincerely hope a more businesslike method will be adopted. Even if the shops have to be abandoned, the first loss will be the last.

There is an item of £335,000 towards the resumption of the Australian Gaslight Company's premises in Darling Harbour. I would ask the Treasurer if it is absolutely necessary to resume those premises at the present time?

Mr. HOLMAN: The resumption has taken place, and this is a further payment!

Mr. STUART-ROBERTSON: Is it the final payment?

Mr. HOLMAN: I think so!

Mr. STUART-ROBERTSON: I was about to suggest that if it were not so, seeing that money is scarce it would be as well to strike the item out.

Mr. HOLMAN: The company has been shifting its plant, and it has had to draw on us for capital for the erection of new plant. I am inclined to think that we cannot avoid paying the money this year. The transaction has been going on for three or four years. However, it is a matter of arrangement.

Mr. STUART-ROBERTSON: I quite see that once the word of the State has been given it must be honored.

The next item to which I would direct attention is £1,700 for the State bakery establishment. The bakery has been established sufficiently long to be able to pay its own way, and if it cannot do so now with the custom it is able to get from the Commonwealth, the chances are it never will pay.

Mr. HOLMAN: It is paying its way all right. This is evidently money for extension of premises. We are not of course bound to pay all of these items. We have taken authority to do so, but under the system prevailing in regard to loan expenditure, we can transfer any one item to any other. We shall do that if necessary. If for example we can manage without this £1,700 it will give us that much towards some other service!

Mr. STUART-ROBERTSON: The next item to which I would refer is a vote of £50,000 under the department of the Secretary for Lands, as follows: "Returned Soldiers' Settlement Act—Advances to Assist Settlers and to meet other expenses incurred under the provisions of the Act." I assume that the whole of this matter is in accordance with the land settlement scheme. I understand that, in respect of any money expended as proposed here, the State will be reimbursed—that is, we are not giving that money away.

Mr. HOLMAN: No, nothing out of the loan fund is being given away. That is all in accordance with the ordinary methods. What we are giving in the true sense to the soldiers has been already passed out of the revenue account. This is all investment!

Mr. STUART-ROBERTSON: I agree with the hon. member for St. Leonards that it is a mistake to have a number of unfinished lines throughout the State. The more expeditiously these lines are completed the better, because the less interest there will be to pay before they begin to earn a profit. The hon. member for St. Leonards laid the blame of the expenditure in connection with these works upon the late Labour Government. It appears that the most expensive lines, lines that will be the last to pay, are the

North Coast lines, and they were not started by the Labour Government. They were initiated by the Carruthers Government, and commenced by the Wade Government. They had to be continued by the late Government, otherwise the money invested on the first and second sections would have been thrown away. I regard the North Coast railway as one of the worse propositions of the lot from the financial standpoint, but the Labour Government was not responsible for the commencement of the expenditure. The difficulty probably arose from a want of knowledge of figures on the part of the men who started so many railways at once. I supported the Norton Griffiths scheme when it was first mentioned. I felt it was necessary, after having started all these works, to complete them as expeditiously as possible. I say now that £100,000,000 spent in the development of this state by means of water conservation and irrigation works and by railways would be money well spent, and if it were spent within a year that would be the best way to spend it.

With regard to the item about bridges, the hon. member for St. Leonards drew attention to the fact that Norton Griffiths and Company had supplied £4,000,000 to the present Government in accordance with their contract. I should like to know how much of that money has been spent by Norton Griffiths and Company.

Mr. HOLMAN: In the first year only about one-third!

Mr. STUART-ROBERTSON: Rumour says that we shall not be able to borrow at all in the next three or four months. If that is true, how is the Government going to complete its contracts with Norton Griffiths and Company? I suppose some portion of the money is assigned to the city railway. I was not in favour of that railway at the beginning, but now the work has been commenced. There must have been £12,000 or £14,000 already spent on it. If the work is stopped now, the whole of that expenditure is wasted. Work must not be left in an unfinished condition. Any earthworks which have been commenced, I suppose, will have to be filled in again, except in the case of a drive. A drive through rock can be held up by proper bracing.

[Mr. Stuart-Robertson.

Mr. HOLMAN: I do not think there is anything so far done that could not be left *in statu quo* until the work was recommenced. I do not think any bracing would have to be put in as the hon. member suggests. The difficulty is that we cannot get steel. It is no use going on with the earthworks, spending £250,000, and leaving the work idle for two or three years until steel becomes available.

Mr. STUART-ROBERTSON: I am referring to the short-sightedness of the Government in this matter.

Mr. MINAHAN: The resumptions must cost a great deal!

Mr. STUART-ROBERTSON: I presume that the properties have been resumed at their proper value, but if the buildings have not been pulled down—

Mr. OSBORNE: A lot of them have been!

Mr. HOLMAN: There will be a dead loss of the interest on the whole expenditure up to date while the scheme remains in suspense. It is a choice whether we shall pay interest on the small sum or on the big sum. If we can see that the supply of steel is going to be cut off, it is better to stop at once than after spending £250,000, and then have to pay interest on £250,000 instead of on a few thousand pounds.

Mr. STUART-ROBERTSON: If the city railway is not gone on with, I take it the reason is that steel is not available for the purpose.

Mr. HOLMAN: That is structural steel for girders and so on!

Mr. STUART-ROBERTSON: Owing to the action, I presume, of the Federal Government in commandeering the steel?

Mr. HOLMAN: Yes, but that subject is now under consideration. It is not settled yet. If, when it is settled, there is no supply of steel, we shall have to stop the city railway!

Mr. STUART-ROBERTSON: Will country railways be affected in the same way?

Mr. HOLMAN: Not in the same way. We hope to make arrangements about rails, but we cannot make arrangements about structural steel.

Mr. STUART-ROBERTSON: Railways that are being constructed through country where wooden bridges would suffice, or where concrete might be used, may be carried on?

Mr. HOLMAN: Very probably!

Mr. STUART-ROBERTSON: On the North Coast, where heavy steel is required for bridges, there is a possibility of the work being suspended, while railways in plain country will have an opportunity of being continued.

Mr. HOLMAN: That is the position!

Mr. STUART-ROBERTSON: I think that that information will be very useful to the public. I know of my own personal knowledge that before the war there was considerable difficulty in getting proper structural steel for bridges and since the war commenced there has been infinitely more difficulty.

Mr. HARRY MORTON: It may be necessary to put up wooden bridges, even on the North Coast railway, whilst the war lasts!

Mr. STUART-ROBERTSON: I think it was fortunate that Sir Joseph Carruthers was Premier of this State at the time the North Coast railway proposal was dealt with.

Mr. HARRY MORTON: Yes. They got all the land in the Gloucester estate for nothing!

Mr. STUART-ROBERTSON: The bit that was taken out of that estate increased the value of the remainder to the extent of about 200 per cent. It is all very well to say they got it for nothing—the “nothing” was really something that meant an increase of 100 per cent. on the net value of the whole concern.

Mr. HARRY MORTON: You are not against the North Coast railway!

Mr. STUART-ROBERTSON: I am not against any railway. I have said that I am not against borrowing and spending money if it is spent in a proper manner, but I am very much against the manner in which a number of officers in the Public Works Department carry out their work. I have said on the floor of the House a dozen times that even a horse knows when a fool is driving it. A man of ordinary intelligence, who has been twenty or thirty years engaged in railway construction, knows when the engineer in charge does not know how to carry out the work he is employed upon and has no ability as an organiser. The cost of these works has been increased owing to laxity of supervision and inefficient management, and not owing to the

inefficiency of the men who carried out the work. I do not propose to vote against any item in these estimates. I am glad to have got the information that has been made available.

With regard to the trawlers, I would recommend the Premier to get some person who has a thorough knowledge of business to go into the question of the advisableness of continuing the Government fish shops. When this proposition was first before the House I went to some trouble in pointing out to the then Colonial Secretary, Mr. Black, that fish could be delivered at the street corners by motor lorries and people could purchase the fish at so much each. I believe that under that system people would have got fish at about one-third less in price than they are paying for it at the present time, and this industrial undertaking would have been a paying concern instead of involving the State in a loss. It is not too late now for the matter to be gone into thoroughly. In dealing with the men employed on the trawlers I think that the Government might offer them a percentage on the value of their catches in addition to their wages. If these men make £30 or £40 a month, I do not care what they make, provided that we can make a profit out of what they do, and the public are satisfied with the supply of fish. If we could have continuous catches of good fish and the public could be supplied with the fish at a lower rate, and if in order to achieve this object we had to pay more per month to the men engaged on the trawlers by means of a commission in addition to the wages, the money would be well spent. I recommend to the Premier the advisableness of trying some such experiment rather than to allow the criss-cross business to continue which has been going on between the management and the men on the trawlers ever since the industry was commenced. I ask the Premier to endeavour to make this undertaking a paying proposition.

Mr. OSBORNE (Paddington) [11.57]: I disagree with hon. members who have said that the trawling industry has proved a failure ever since it has been in operation, or rather it would be more correct for me to say that I entirely disagree with the statement that the community has not derived any benefit from the

trawling industry. I am sure that many thousands of people have come to recognise it as something that ought to be appreciated by them, as indeed it is. It seems to me that the whole trouble has not arisen in connection with the introduction of trawlers here, but, as pointed out by the hon. member for Camperdown, owing to the method of distributing the fish once they have been brought ashore by the trawlers. I do not intend to take exception to the amount on the estimates for the construction of additional trawlers, because I believe that it would be possible for the Government to supply people with plenty of good fish if there were a better method of distribution. I think the Premier will admit that quite a number of us took the view that the installation of expensive fish shops was an entirely wrong proposition. But the Colonial Secretary of the day, who had very fixed ideas in connection with the matter and was particularly obstinate, decided to carry it out in the way he thought best. It does not seem to me to be fair that after committing himself to this industry, going to Oxford-street and opening the first Government fish-shop with a blast of trumpets, and wearing an apron and inviting people to participate in the opening ceremony and have some of the fish, he should now try to throw the responsibility for the failure of the industry off his own shoulders on to those of Mr. Stead. I rose to draw attention to the construction of railways. Whilst I agree with hon. members generally that this is something which ought to be gone on with wherever possible, it seems to me that we have been going much too fast in that particular direction. The result is that to-day we have some two dozen lines in course of construction from which we are not getting anything like a decent return upon the money invested. Looking at the Chief Commissioner's report, it is a significant fact that the same twenty-eight railways which showed a loss last year are showing a loss this year. They show a total loss of some £401,000. No less than fourteen of them show an increased loss this year; so that instead of our position improving it seems to be getting worse. Unless closer atten-

tion is paid to the construction of lines in the interior of the State, and the possibility of their paying in the near future, I am afraid we shall soon reach the stage when we will not be able to raise loan money for railway construction at all. I desire to draw the attention of the Premier to that specific fact because it seems to me to be a serious matter.

It is proposed to spend an additional £400,000 this year on the North Coast railway. The Chief Commissioner's report shows that last year the loss on the section from West Maitland to Wauchope was £54,000, as against £43,000 the year before; that instead of improving our position by increased traffic we are actually showing on that one section alone an increased loss of some £11,000. The same thing applies to another section—Raleigh to Coff's Harbour—which this year shows a loss of £3,751. The section, Glenreagh to South Grafton, show a loss of £9,897. These three sections together show a total loss this year of over £67,000—an incomparably greater loss than last year. If we go on constructing additional sections of this railway year after year, with the loss increasing all the time, what is going to be the financial position in the future?

Then take the Moree-Mungindi extension line. In 1915 the loss on that was £6,669; this year it was £8,692—an increased loss of £2,000 on one small branch line.

Mr. MARK F. MORTON: There was the drought last year!

Mr. OSBORNE: No doubt that had something to do with it. One quite realises that the construction of these branch lines is a godsend to the settlers in outlying parts of the State; but the question is to be taken into consideration is just how long can the State carry out this policy if we are going to continue to partially construct lines year after year when those lines are showing an increased loss instead of a balance on the right side of the ledger. It must be palpable to hon. members that we cannot go on like that for an indefinite length of time. This year we are finding it necessary to resort to increased taxation with the object of keeping the consolidated revenue account properly balanced. These in-

creases in taxation are absolutely necessary in order to meet the interest bill, which is climbing up because of the increase in loan estimates year after year. I would urge the Government to press on with lines which are in course of construction and to make them reproductive, and not to seriously consider the building of any fresh lines for the next three or four years; otherwise we shall not be able to raise sufficient revenue from them to pay interest on the cost of their construction.

Mr. MARK F. MORTON (Allowrie) [12.7 a.m.] : The gist of the argument of those who have been agitating for an extension of the trawling experiment is that it is bound to produce cheap fish for the people. I do not object to that for a moment, so long as it does not result in a loss to the State; but representing as I do many hundreds of souls on the South Coast who are dependent upon fishing for a livelihood, I would point out that it is no satisfaction to them that the Government has been able to reduce the price of fish to such an extent as to make their livelihood a precarious one. If you can make this fishing experiment a success without bringing the price of fish so low as to make private enterprise unprofitable, I have no objection; but fish has been reduced so low in price that the business has become unprofitable to those engaged in it.

Mr. HOLMAN : If we can organise the market even at a somewhat lower rate, it will be very much better for the producer in the long run!

Mr. MARK F. MORTON : I do not object to lowering it provided the State enterprise is paying; but if you are going to produce a loss, as you have during the last twelve months, you are doing no good to the enterprise itself and harm to those dependent upon it for a living.

Mr. HOLMAN : Quite so, if that loss is to be permanent. I believe that it will not be permanent!

Mr. MARK F. MORTON : I hope it will not, but I had an interesting trip with the late Chief Secretary, when I went with him two or three times to interview fishermen on the South Coast; and I was staggered at his method of treating them. I never thought the late Chief Secretary would make the statements he

did, but he told the fishermen of the South Coast to take all their supplies year in and year out at a certain specified price, which was higher than is now being charged retail; and he said at the same time that he did not bind them to stand to him, but whenever fish rose above a certain price he was prepared for them to take advantage of the higher price, and come back to him when it did not pay them. Those statements were made in my presence to three deputations of fishermen—not which waited upon him, but upon which he waited.

Mr. OSBORN : That sounds like a fish story!

Mr. MARK F. MORTON : Yes. Mr. Stead was there to substantiate what the Minister said. He practically expressed his readiness to enter into a contract at a high price, leaving the men free to go elsewhere if they could get better prices, and to come back to him under the contract when it suited them. He told them that he would take any classes of fish that they could procure all the year round. These statements were made in cold blood and we can quite understand how this fish business has not paid. Whether the trouble has arisen through the fault of the late Minister or of the Inspector of Fisheries I do not know. I understand that the proposed vote will be absorbed mainly in paying for trawlers which are being built in the old country, and if that be the case we are bound to pass the vote. At the same time I have no doubt that if it is decided not to go on with the industry there will be no difficulty in getting rid of the boats at prices even in excess of the contract price.

I see an item here of £10,000 which is a further sum intended to be devoted to the construction of the railway from Gosford to Gosford racecourse. In connection with all these country racecourses, for many years past the Railway Commissioners have been prepared to provide railway conveniences if the clubs would pay for them. Some time ago in connection with a racecourse in my electorate the Railway Commissioners agreed to provide certain conveniences if the club would pay a lump sum. This was agreed to and the work was carried out. Some two or three years afterwards I noticed

that the Gosford Race Club had obtained a vote of a lump sum of money for the construction of a railway to the racecourse and on my writing to the Railway Commissioners asking them why this differential treatment was meted out they told me that the money was being spent by the Government and not by them, and they disclaimed any responsibility. They said that the construction of the railway was a matter that was not under the control of the Commissioners, but that the line was being laid down by and at the cost of the Government!

Mr. HOLMAN: A satisfactory arrangement was made with the Gosford club and approved of before the work was entered upon. The club guaranteed to pay interest on the outlay for a certain number of years!

Mr. MARK F. MORTON: So far that is satisfactory, but other clubs have been required to pay cash down, and it would appear as if a special arrangement has been made for the benefit of the Gosford club as compared with other clubs.

Mr. HOLMAN: It was not a mere question of providing conveniences in connection with an existing line, but it was a matter of building a new line as a business proposition, and the Government would not carry out the work without a guarantee that the interest on the money spent would be paid!

Mr. MARK F. MORTON: For all time?

Mr. HOLMAN: I do not know, but at all events for a reasonable time. I will look up the particulars and let the hon. member know!

Mr. MARK F. MORTON: The only other matter to which I wish to refer is the enormous provision that is being made for the benefit of returned soldiers who are to be settled on the land. I do not yield to anyone in my desire to do whatever can be done for these men who have come back from the front. But I would point out that we are spending enormous sums of money for the benefit of returned soldiers in regard to whom we have no responsibilities as a State. The public have been told to concentrate the whole of their attention upon the repatriation scheme which is under the control of the Federal authorities, and yet we find

enormous sums of money set apart by the State for the benefit of men who ought to be the special charge of the Federal authorities.

Mr. BAGNALL: Land settlement is not a matter for the Federal Government!

Mr. MARK F. MORTON: It is being made so in connection with the repatriation scheme, and it seems to me that we are overloading the affairs of the State with these charges. It would be much better if the Premier could come to some understanding with the Federal Government so as to avoid duplication.

Mr. HOLMAN: There is no duplication. This money is to be devoted to the benefit of men who are being discharged as disabled soldiers. They will be no longer in the Federal service but will become citizens of the State!

Mr. COCKS: Is not one point about it that the services they have rendered are Federal services which should be recognised by the Federal authorities?

Mr. HOLMAN: The Federal Government recognises those services by paying a pension!

Mr. MARK F. MORTON: There are numerous other directions in which the State Government is expending money which should more properly come from the Commonwealth coffers. Both the hon. member for St. Leonards and I are members of the Public Accounts Committee, before which these matters come. Only to-day we saw where an amount of £30,000 or £40,000 had been expended by this Government in conveying horses and equipment at a lower rate on the railways than would ordinarily be the case. It is not the amount of money that is objected to so much as the principle involved, that, rather than do an injustice to the Railway Commissioners, the consolidated revenue is charged with the amount necessary to make up the shortage. Those are payments which could be more legitimately met by the Commonwealth Government. If the Federal authorities want soldiers or munitions of war carried over the State railways, they should be prepared to pay the full amount and let the commissioners have the benefit of it. The effect of the Government policy is really to load the State finances with a burden which should be shared by the whole of Australia.

[Mr. Mark F. Morton.]

Mr. HOLMAN: That is true enough. When the war broke out, at a conference held it was agreed that this class of work should be done by the States, and that no charge should be made to the Commonwealth Government. That was in the early days when no one anticipated that the war would last for some years. I have no doubt that if we conferred with the Commonwealth authorities and expressed a wish that these services should be fully paid for, it would not be demurred to!

Mr. MARK F. MORTON: I think the Commonwealth Government ought to pay for these services. The war has gone on now for some two and a half years, and it may go on for some years longer, and the cost of the war to Australia should be borne not by the State Government, but by the Commonwealth Government.

Mr. HOLMAN: I do not see why we should square accounts at the expense of the Military Department!

Mr. MARK F. MORTON: It is not a question of squaring accounts at the expense of the Military Department, but of the whole Commonwealth. As a supporter of the National Government I have no wish to vote for any reduction of the estimates. I recognise that a great deal of the money we are now asked to vote has not yet been expended, and I am sure that if the Government thinks it is not wise to spend the money, it will not spend it, so that there is no harm in voting it. As to the amounts which have already been expended, there is no use attempting to effect any reduction now; and so far as the balance is concerned, I think we may reasonably leave it to the Government to see that the money is properly expended, and to decide whether or not the industrial undertakings which, after a lapse of two or three years are still unprofitable, should be abolished. So far as the industrial undertaking in my own electorate is concerned—the metal quarry works—although I, with others, opposed the proposal in the first instance, I recognise to-day that it is a paying concern, and a credit to the state. Those who opposed the project at the outset made an error, because a great deal of the product of this metal quarry is used by the Government itself. So long as it is a paying concern, I do not think it

should be disturbed. But those concerns which are not paying and which have proved to be non-paying for the last three years should be abolished at short notice.

Mr. HOLMAN: You cannot condemn a State enterprise merely because it has not begun to pay at the end of the first two years. If hon. members realised from personal experience, as I do, the enormous difficulties in the way of getting a State enterprise on its feet, when you are dealing with public servants, who cannot be sacked and who cannot be dealt with like a private employee, they would recognise that it takes much longer than two years to get things into proper running order!

Mr. MARK F. MORTON: There is no reason why private enterprise should be crippled merely because of the desire of the Government to inaugurate a new State industrial enterprise.

Mr. HOLMAN: Nor do I think it right that we should be robbed by private enterprise for fifty years merely because a State enterprise is still unprofitable after two or three years of existence!

Mr. MARK F. MORTON: What I suggest is that if, after a serious trial, any enterprise is found to be unprofitable, a serious attempt should be made to close it down.

Mr. HOLMAN: I say that two years is not necessarily an exhaustive test when you are in the hands of public servants, and if you have to go to the Public Service Board for your servants, God help you!

Mr. MARK F. MORTON: It is not always the officers who are at fault; sometimes the trouble rests with the men themselves.

Mr. HOLMAN: It must be admitted that the labour difficulties have been exceptional during the last two years. No reasonable critic can deny that there have been difficulties confronting private enterprise!

Mr. MARK F. MORTON: Those difficulties are not getting easier; if anything they are getting worse. But it is only a continued shortage of money which will bring about dire results. However, as this is a matter which will have to be discussed more fully at a later stage, I am content to leave it now.

Mr. HOLMAN: The members of the Government—and I speak for the whole

of them—have no idea whatever of continuing any enterprise which, after a reasonable trial, is proved to be unprofitable. There may be a difference of opinion as to what constitutes reasonable time, but no one wants to see an unprofitable enterprise continued!

Mr. MARK F. MORTON: I think the Premier's explanation is a reasonable one. All I suggest is that if a trial is given to some of these proposals for another six or nine months there will be no objection, and if at the end of that period it is found they are still unprofitable the Government would be wise to insist that they should be abolished. I am glad to have the Premier's explanation.

Mr. CUSACK (Albury) [12.29 a.m.]: Looking over the estimates as presented to the House it occurred to me that there was not much to be said in regard to them; but as the debate has proceeded, one feels that it is necessary to offer a few observations, not because of what the estimates contain, but because of the criticism to which those estimates have been subjected. The criticism which has been indulged in of the action of the State Government in paying certain sums for the assistance of returned soldiers in this State, I am not in much agreement with, nor do I think it will meet with the endorsement of the public outside. If a member of this House were in a position to assist a returned soldier it would not be right for him to say, "It is the duty of the Commonwealth Government to assist him; I shall not do so." The proper course for him to adopt would be to assist the soldier if he was in a position to do so, and in the same way there should be objection to the State Government giving assistance to our returned soldiers in addition to that which is given by the Federal Government. I take up the attitude that you cannot do too much for our returned soldiers, and if the Commonwealth Government reimbursed the expenditure incurred by the State Government in this direction, it would be the proper thing to do.

A great deal of criticism has been indulged in as to the manner in which our public works are carried on. It has been stated that it is a wrong thing to carry on a number of public works simultaneously, but I do not agree with

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that contention. In every private industry the employer does not keep his men engaged on one job until it is finished. He employs them on half-a-dozen different jobs at the one time. Then again you do not find large building contractors putting the whole of their workmen on to one building until it is completed. They have half-a-dozen different works going on at the same time and they would not do that unless they found it to be profitable. The British Government does not employ its workmen in the construction of one dreadnought; it probably has half-a-dozen or a dozen vessels under construction at the one time. Would not there be great complaint by the public if all the railway workmen were engaged on the North Coast line and no other lines were being constructed? As regards private enterprise, let me point out that the original capital of the Australian Gaslight Company was £800,000, but the shares have since been so watered that the capital of the company is about double that amount. The people have to provide the interest on that increased capital, whereas in the case of the Government railways they have only to pay interest on the actual amount expended. There is an item of £300,000 to be paid to the Australian Gaslight Company for resumption of premises. About ten years ago that property could probably have been purchased for £200,000, but there is no complaint by the hon. member for St. Leonards because the Government is now going to pay £300,000. If it were proposed to give workmen £300,000 in wages to-day while ten years ago the wages sheet would have amounted to £200,000 only, there would have been great complaint on the part of that hon. member, but he makes no complaint when the money is going into the pockets of a few shareholders.

Mr. Cocks: That is a terrific stretch of imagination; your conception of the facts as stated by me is utterly wrong!

Mr. CUSACK: You said the public works were costing more to-day and that the workers were not giving value for their money. There are two railways which are illustrative of my contention. The railway from Culcairn to Albury was constructed forty years ago at a cost of £8,000 per mile. It was constructed

under contract and labour could be obtained cheaper than now. The Culcairn to Holbrook line was built some years afterwards on the day-labour system and it cost £6,000 per mile. There was a saving, therefore, in cost under day labour, although the working-man got more out of it. In the first place the contractor got away with more than half of the total cost. The complaint to-day is not that the work is costing more but that the labourer is getting more out of it.

Mr. Cocks : That is not what I said !

Mr. CUSACK : I am satisfied that the man working on a railway line to-day gives better value for his money than he did under the contractor.

With regard to the Norton Griffiths scheme, I was in favour of it when it was first submitted to this House and rejected. I have heard some of my late colleagues protesting against it to-night, but I have no knowledge that there were more than two or three of them who protested at the time. If there is anything wrong about the system, it is time it was made known to the country. The hon. member for St. Leonards said to-night that some of the supervising officials were getting £30,000 or £40,000 for their work. As a matter of fact, their supervision might be saving the country £60,000. If it were let under private contract, the contractor might get £200,000. None of his friends would complain of that, but it is a dreadful outrage if workmen get more wages than they used to get. I hope the National Government, now that it has the opportunity, will thoroughly investigate the matter and if there is reason to believe that a job is being put up on the people the people should be told so. If it is true that a given mileage of railways is costing more than it cost under either contract or day labour the figures should be laid before us ; but if the expert management of Norton Griffiths Company, Ltd., saves us large sums of money then the system is a good bargain for the country. Criticisms of the character generally levelled against these proposals are often made for political purposes and it will no doubt be found that the Liberals who when in opposition adversely criticised much of the work carried out by the Labour Government

will, now that they are on the Treasury benches as members of the National party, approve of those works.

Mr. HOLMAN [12.50 a.m.] : I propose to move to report progress and ask leave to sit again at a later hour. I shall ask hon. members at the second stage of the discussion to confine themselves to the matter of the trawling estimates. If we are able to rise at a reasonable hour I propose to ask the Speaker to leave the Chair and make this a continuous sitting. I will not move that we adjourn until to-morrow but until a later hour. It is understood however that the debate will not be resumed until to-morrow afternoon.

Mr. DOOLEY : I should like to fall in with the suggestion of the Premier but there are a couple of small matters I should like decided.

Mr. HOLMAN : Certainly.

Mr. FINGLETON (Waverley) [12.52 a.m.] : I can hardly keep quiet when I hear hon. members criticising the Government I supported till recently in respect of measures it was not responsible for. I am not going to vote against any item on the estimates. Some hon. members have picked out certain items for criticism because that suits them at the present moment. As far as the trawling industry is concerned, I realise that when you go into a business you have to spend a certain sum at the beginning. You cannot expect to make it pay from the start. Notwithstanding that the trawling industry is not a paying concern at the present time, it will pay well in the near future. It has already done a great work for the people. It has been a benefit not only to the poorer classes, but to people generally, at a time when meat was dear. The industry did not start a moment too soon. In view of the statement made by the former Colonial Secretary, it is no wonder that the industry has not been a success.

With regard to the North Coast railway, it has to be said that the late Government was not responsible for that work. It has already cost between three and four million pounds, and it is not finished yet. The hon. member for St. Leonards criticised the late Government for having carried out certain works, but he should rather have criticised the North Coast railway, which is one of the biggest

scandals in our history. If certain promises had not been given by a former Government the work would not have been started when the Labour Government came into power. The Government is obliged to keep on spending money on the work until it is completed. The line has to compete with a water service and the Great Northern railway. It will never pay. It will be a burden on the taxpayers for all time.

Mr. PRICE: The hon. member does not know anything about the line!

Mr. FINGLETON: I have been over a great portion of it. The Premier is not to blame for the expenditure on the work. When the Labour Government came into power it found the work in such a position that it had to be carried on. When it went to the people, the late Government said that any work which had been started by its predecessors would be carried on to completion. The North Coast railway is being constructed against the best interests of New South Wales. I agree with the policy of constructing railways to the farthest point inland. Although I am a representative of a city electorate I intend to support the completion of all lines already started which will be of benefit to the people in the country. We ought to do the best we can for those people. That is a policy which the late Government did its best to carry out. Its policy was to send railways ahead of settlement. Hon. members supporting the present Government criticised that policy, although the whole of the lines carried out under it did not cost nearly as much as that great white elephant, the North Coast railway, is costing.

I should like to know the attitude of the Government in regard to the city railway—whether the Secretary for Public Works, who represents a country constituency, is going to close down on that work which was started by the last Government. This railway is a line which party after party has promised the people to carry out to get rid of the congestion of traffic in the city streets. It is badly wanted; it will pay from the day it is opened for traffic, and will be one of our best paying lines—not like the North Coast railway, which will never pay. I hope that those members of the present Government who were responsible for the

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starting of the city railway will do their best, notwithstanding the opposition with which they may meet from some of their colleagues, to see that this work is carried to completion at the earliest possible moment.

Mr. SIMON HICKEY (Alexandria) [1.3 a.m.]: It appears to me that the trawling industry will presently be over-capitalised to a considerable extent. In a little while there will be £130,000 invested in it. I invite the Government to consider whether the turnover that can be obtained from the fishing industry warrants an expenditure to that extent. I am in favour of State enterprises under reasonable conditions, but in my opinion they should show a prospect of returning a profit within a measurable period. Without knowing the possibilities of this industry, it is difficult to say what would constitute a fair capital for it. Judging from what happens in other businesses, about which I know something, and judging also by the turnover that some of the State fishshops show, I do not think the Government could produce a turnover there commensurate with the capital invested in this industry. Capitalised at 5 per cent. it will be necessary for the Government to find £6,500 per annum to pay interest. Those are rather formidable figures, especially for an industry that is being carried on under the worst possible industrial luck that any industry could be carried on under. There may be some blame attachable to the management of the concern, but whether that is so or not, those responsible have had a very difficult position to face with respect to the employees engaged in the industry. I do not know the merits of the matter, but I should imagine that it would be impossible for the industrial conditions obtaining in this industry to be so bad as to warrant the number of dislocations that have happened up to date. Dislocations of such frequency are enough to damn any industry.

Mr. HOLMAN: If we cannot get some guarantee of continuous work, we cannot possibly keep the industry going!

Mr. SIMON HICKEY: Of course you could not. The majority of the people are not prejudiced against the State spending money in this direction. There are some people who would oppose State

enterprise under all conditions. Of course I am not one of those, and I venture to say that a majority of the people of the country are not favourable to that extreme view. Although we are whole-hoggers in the matter of State enterprise, none of us would advocate it if carried on under such unfair and extraordinarily absurd conditions as those which have obtained in connection with the trawling industry. In my opinion if this industry is going to retain the present amount of capital to continue its activities, it will be necessary for the Government to seek some means of immensely increasing the present turnover. Sooner or later I think it will be necessary for the Government to consider the advisableness of canning fish. The Government could either can the fish itself or sell the surplus fish to some enterprising people who would do the canning. The canning of fish is surrounded with some difficulties, because people skilled in the canning of meat are, I understand, not capable of canning fish. Special training and experience are necessary to enable that class of labour to acquire the necessary skill to can fish. Lately a few men have been taken from the meat industry here by the French Government and sent to Noumea so that they might can fish, lobsters, and other crustaceans there. I regard that as a favourable thing for this State, because presently these men, like good patriots, will make back to their own country, and the Government, or whoever does the canning of fish here, eventually will have the nucleus of a team in those men who have had experience in New Caledonia in this line.

I notice that these estimates include a sum of £1,700 for expenditure in connection with the State bakery. I suppose that is to make additions. One thousand seven hundred pounds is a very modest sum to provide for that purpose, in connection with one of the encouraging industrial enterprises of the State. The return which that little enterprise had been able to make so far is a sufficient warrant for us to vote a much larger sum in connection with it than £1,700, if it is required.

In the matter of tramway construction, I beg leave to remind the Premier that in the metropolitan area lines have been

constructed which have been quite unproductive. I allude particularly to a line of tramway which has never been used, though put down nearly three years ago. It is about 2 miles in length, goes along Sydenham-road, and couples the Cook's River tramway with the Dulwich Hill tramway. The rails are completely covered at the present time by a macadamised road, and it will cost something to make them usable for tramway purposes. Apart from that, it seems to me absurd that the country should be put to an expense of £20,000 or £30,000 in laying down a line of tramway and that the line should be allowed to remain idle for nearly three years after its completion. I notice too that it is proposed to spend £10,000 on the Caves Houses and tourist resorts generally. I think that sort of thing is very much overdone. At this time of our history we might very well save ourselves such expenditure. We could find a better way of expending loan money to the extent of £10,000 than on these attractive sites.

Mr. DOOLEY: Do you know the revenue received from them?

Mr. SIMON HICKEY: No, I confess I do not; but I should think the revenue would not be enhanced by the expenditure of this amount.

Mr. DOOLEY: They more than pay for themselves; enormous revenue is received from them!

Mr. SIMON HICKEY: I am very glad to hear that; but even so, the Caves are already sufficiently well advertised, and I do not know that an extra expenditure of £10,000 would bring any more people to them than go now; and after all, if you can raise a certain amount of revenue without the expenditure of additional money there is no logical reason why you should spend very much more on the upkeep of these places than is necessary to produce that revenue.

I notice further that the Government is saddling itself with an expenditure of £50,000 to provide advances to assist settlers and to meet other expenses incurred under the Returned Soldiers Act. Of course, no man would argue against a proposal of that kind, but it does seem to me that the Treasurer is not as keen as he might be in making those shoulders bear the burden of providing for the soldiers

that should bear it. If he, in his generous way, decides to take upon himself the expenditure which rightly belongs to the Federal domain, his figures at the end of the year will not appear as attractive as they would if he were only called upon to embark upon expenditure incurred within the legitimate domain of State finance. I think the Treasurer would be well advised to be much more keen than he has been in making the Federal authorities bear the burden of what is, after all, legitimate Federal expenditure and responsibility incidental upon the war.

Mr. WRIGHT (Willyama) [1.15 a.m.]: I desire to ask a few questions with regard to certain items on these Estimates. There is a further sum of £10,000 provided for building a railway from Gosford to Gosford racecourse, which I understand is just for the purpose of running people out to the races. That seems to me to be a waste of money.

Mr. HOLMAN: The interest is guaranteed by the racing club!

Mr. WRIGHT: Then there is another item, "Newcastle Dockyard Extension, including Munition Factory." I understand that the making of munitions is a federal matter; the State does not make munitions of war.

Mr. HOLMAN: We have been making munitions!

Mr. WRIGHT: To me that appears to be going outside the province of the State altogether. Then there is an item of £1,700 in connection with the State bakery. This is a scheme which I have always opposed. I have heard a lot about the money it is making, but whatever it has made is simply because we have soldiers who are being supplied with bread by the ton. I do not see that we should spend £1,700 more on this scheme. I do not intend to say anything now about the Fisheries undertaking, because I understand to-morrow night we are to be allowed an opportunity of doing so. With regard to the Norton Griffiths scheme, personally I was against it, but I was instructed by the party to which I then belonged to vote for it, and did so accordingly; so I have nothing to say about it now. It is a very strange thing, however, that, although I have heard hon. members howling about the scheme when they were in opposition, now that they are

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followers of the National Government they do not attempt to stop it. The Liberal party has now seven members in a Cabinet of twelve, so why do they not carry out their ideas, and put an end to the Norton Griffiths arrangement? It is very strange to hear supporters of the Government criticising its financial policy, and after condemning it, turning round and voting for it.

Progress reported.

CRIMES PREVENTION BILL.

SECOND READING.

Mr. HOLMAN (Cootamundra), Premier and Colonial Treasurer, [1.24 a.m.], moved:

That this bill be now read a second time.

He said: The first reading of this bill was moved by the Attorney-General, and as I was not in my place at the time I am not sure as to the measure of the explanation that was given. I may explain that the purpose of the bill is not to create any fresh offence or to add to the number of crimes punishable by law. But looking at the bill as it stands, that intention has been to some extent departed from in the second paragraph of clause 2. I intend to move for the deletion of that paragraph, and I now ask hon. members to allow the discussion at the second-reading stage to proceed as if that paragraph were not in the bill. It was not the intention either to give new and unprecedented powers of arrest to the police or to confer upon the police powers of dispersal of public meetings to be exercised at their discretion, and it was with some surprise that I found that the provision which I propose to delete had crept into the bill. When this provision has been omitted the bill will create no new crime. Whatever the bill prohibits is already prohibited by the common law, but in order to punish offences committed under the common law it is necessary to go through the form of a serious criminal trial. Such offences can only be punished as misdemeanours on trial by jury after committal by a magistrate and after the finding of a true bill by the Attorney-General.

Mr. WRIGHT: Is not the liberty of the subject likely to be seriously infringed?

Mr. HOLMAN: No. There are hundreds of offences for which a man can be tried before a magistrate and sentenced to six months' imprisonment. The bill merely adds to the number of such offences. What we propose to do is to treat the incitement to crime by writing or speaking either as a serious offence—and under certain circumstances I can imagine that it would be a very serious offence—to be tried before a jury, or to treat it as a minor offence before a magistrate in summary jurisdiction, in which case the maximum sentence will be six months. Incitement to crime will of course remain an offence at common law, and the person committing it will be liable to prosecution for a misdemeanour.

Captain TOOMBS: The penalty provided under the present law is seven years, and you propose to reduce the penalty and give a magistrate power to summarily deal with minor cases?

Mr. HOLMAN: That is where the offence is to be treated as of a minor character.

Mr. COCKS: I understand you propose to delete the second paragraph of clause 2?

Mr. HOLMAN: Yes; I think that it would be a dangerous infringement of the liberty of the subject to give any power of the kind contemplated in that paragraph to police officers, and it was certainly not the intention of the framers of the bill that such a provision should be included in it. The bill is intended to serve a specific purpose. I do not want to bring into this discussion the circumstances under which the necessity for the bill became apparent, but we have had experiences which have proved to us the absolute necessity of providing some more effective method of dealing with offences which have grown exceedingly common during the past few months. I do not say it has been serious, but it has been common, and that is the offence of using language at public meetings and in public prints which incites to the commission of crime. That offence which is in itself a crime and liable, where conviction can be obtained, to severe penalties to-day, is to be treated under this bill, not by the elaborate procedure necessary under the common law, but by ordinary prosecution in the police court and the ordinary penalties of the police court.

Mr. STUART-ROBERTSON: For the needless purpose of filling the gaols?

Mr. HOLMAN: Yes; probably some of the gentlemen who will fill the gaols will be happier and more suitable to their environment inside than out. It does not always follow that the man in gaol ought not to be there. Even in these days the right man gets there sometimes—and probably the right man gets out sometimes. However, I do not want to discuss this in any way in connection with the merits or demerits of any individual case, past or future. I only say that the House is well aware of the fact that recently the offence of inciting to crime at public meetings and in public prints has been greatly on the increase, not because there are not ample and severe penalties provided in the law as it stands, but because the procedure by which alone those penalties can be inflicted is altogether out of proportion to the magnitude of the offence as it generally stands.

Mr. WRIGHT: The hon. member would have been in gaol twenty years ago if this measure had been in force!

Mr. HOLMAN: I was in gaol. I have lost nothing through the absence of this measure. I regret that it was not on the statute book earlier, not for any personal reason but in the interests of the State. After that brief explanation, and the statement I have made about clause 2, I think the House might well agree to the second reading.

Mr. STUART-ROBERTSON: Does the hon. member think there is any real necessity for the bill when there is in existence all the power that is wanted?

Mr. SPEAKER: Order! The hon. member was not present. The point has been fully explained, and I shall not permit it to be repeated for the benefit of the hon. member or anyone else!

Mr. HOLMAN: In recommending the bill to the House, I repeat that it creates no new offence, creates no new crime, forbids no action which up to now has been a free action, nor does it expose any man to a penalty for any course of conduct which has been free from penalty. All it does is to substitute one method for another—a merciful and swift method of procedure for an elaborate and severe one. Hon. members will admit that the penalties have their most repressive effect, not

when they are made heavy, but when they are made reasonably certain. It is the possibility of escape at a jury trial, and the extreme difficulty that is always felt in convincing a jury that they should convict a man who three or four months before is reported to have used a few heated words in the course of an excited address, which tends to make the law as it stands a dead letter.

Mr. WRIGHT: Then the hon. member objects to the jury system!

Mr. HOLMAN: I have not said that by any means. A man uses words which are an offence under the law. If a man is wrongly convicted under the law, of course he will have the usual rights of appeal. But appeal is a safeguard; it is no part of the procedure itself. I put this to the House: Under the present method the offence having been discovered and evidence secured the case is taken before the magistrate, trial is made in the police court, and the man is committed. He is committed for trial probably at the next quarter sessions, which may not be for two or three months' time. Witnesses are brought before the jury, and we have an elaborate trial, with possibly a speech from the dock and counsel's addresses. It is easy for counsel to say to the jury "this thing is over and done with. This is an offence of months ago, and it consists of a few hurried words spoken on the impulse of the moment. Are you going to convict a man and expose him to a serious sentence ranging up to many years imprisonment for a few words like that?" And the jury being lenient, as they always are, say "No, we will not convict." Offenders of this type know that they have very little fear of a trial and conviction on those lines. Under this new method we shall take such a man into the police court next day. He will get any delays necessary in the interests of justice; but without undue preliminary delay we can take him direct to the police court and summarily deal with him, and he may be sentenced to three months' imprisonment. When this has happened a few times there will, I think, be a healthy change in the language of a number of gentlemen who have availed themselves of the license which has prevailed. The purpose of the bill is merely to substitute a swift and merci-

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ful procedure for one which is dilatory, but which when it does operate is more severe. It leaves the old system still intact for those rarer and more serious offences which do occasionally occur under this head—I mean where there has been really bloodthirsty incitement. In such a case there is no reason why an indictment at common law should not be entered upon; but in the other class of case to which I have referred this bill merely substitutes an alternative form of procedure for the lighter offence.

Question proposed.

Mr. DOOLEY (Hartley) [1.37 a.m.]: I appeal to the Premier to agree to an adjournment of the debate. Hon. members are prepared to discuss the bill as it was submitted and read a first time, but the Premier now informs the House that he proposes in Committee to eliminate what really is the vital clause of the measure.

Mr. COCKS: He withdraws one paragraph!

Mr. DOOLEY: The Premier himself admitted that it was the vital clause of the bill.

Mr. HOLMAN: What is the good of the hon. member saying that? I said nothing of the kind!

Mr. DOOLEY: I accept the Premier's denial. All the same, I think it only fair that the hon. member should agree to an adjournment of the debate under all the circumstances.

Mr. HOLMAN: We cannot possibly do that. We hope to close Parliament to-morrow!

Mr. DOOLEY: Is it not possible to take other business?

Mr. HOLMAN: We have already postponed the Loan Bill!

Mr. DOOLEY: I oppose this bill for the reason that it is unnecessary. There is nothing to be gained by it, and I object to loading the statute-book with one measure when we are not withdrawing any other but are merely adding a new Crimes Act to deal with I do not know exactly what. The Premier in his explanation afforded no information as to what crimes are prevalent to-day which will be dealt with under this bill, as to where they were committed; as to what section of the community was to be

attacked, and as to what was the reason for the introduction of the bill. If the only reason for introducing the bill is to make some little alteration in the law, I submit there is no urgency for it, and at this stage of the session the time of hon. members should not be taken up in discussing it. We are asked to pass a measure without one specific instance being given by the Premier of the necessity for its introduction. The Premier has made the statement that there are men who are making utterances which must be attended to. Who are the men who are making those utterances? The House is entitled to some information on that point. What is the necessity for this legislation?

Mr. COCKS: The protection of the community!

Mr. DOOLEY: Protection from whom? The Premier did not say who the people are. Who are they?

Mr. HOLMAN: I do not know; they are not friends or associates of mine!

Mr. DOOLEY: What is the object in bringing down a bill of this kind when you cannot specify the particular people with whom you desire to deal? It would appear that this bill is designed to form a drag-net in order to catch people who may do a certain thing.

Mr. HOLMAN: What are penal laws aimed at? Are they aimed at persons or offences?

Mr. DOOLEY: At both.

Mr. HOLMAN: You do not aim a penal law at any person by name or by description.

Mr. DOOLEY: Nearly all penal laws have been aimed at some particular body. The Premier made a statement published in the *Daily Telegraph* a few days ago to the effect that he was going to change the legal procedure, and that he desired to do something to deal with the I.W.W. cases. He further said:

The necessary bill is now being drafted by the Attorney-General, and will probably be given notice of to-morrow.

Evidently the bill is designed to deal with those cases. We want to know what the organisation is and what are its aims and objects. I have been trying to trace some explanation of it, and the best I can get is that given by Mr.

Speaker when he was member for Phillip on the 16th December, 1909. The hon. gentleman then said:

If I had to choose between espousing the doctrines of the Industrial Workers of the World and following those who would abolish trial by jury, freedom of speech, and the sanctity of the home, I would be with the revolutionaries all the time.

Mr. HOLMAN: I rise to order. I am sorry to interrupt the hon. member, but it must be apparent that there is no reference in this bill to the doctrines of the I.W.W. or any political body. It is not a bill directed against the doctrines of any organisation. It is directed to a certain type of offence recognised under the existing law, and it merely alters the procedure attached to dealing with such an offence. The scope of the bill is a dry alteration of the legal procedure in certain penal proceedings. While I do not desire to invite you, Sir, to exercise your authority to unduly limit the scope of the debate, I submit that any discussion of the nature of the persons who may be affected by such a change, the nature of their doctrines, their innocence or their admirable qualities as citizens and matters of that kind must necessarily be foreign to the general scope of the discussion.

Mr. DOOLEY: I submit that on the second reading of a bill, it is unusual to confine hon. members within the narrow limits of the discussion of a clause in Committee. A statement has been made by the Premier as to the objects of the bill, though he did not make reference to it to-night, and I do not think the Premier desires to go back on that statement. If that is not the position, the Premier should say so; but, in any case, I hold that on the second reading of a bill members should be given reasonable latitude.

Mr. SPEAKER: At the second reading stage every latitude is allowed hon. members in dealing with the principles of a bill. This bill is in an exceedingly narrow compass; in fact the compass is so narrow that the elimination of a paragraph in clause 2, on the hon. member's own admission during the Premier's speech, probably robs the bill of anything that was of a debatable character. I may say that my views are heartily in accord with the statement made by the hon. member by way of interjection. This bill creates no new

crime. It really gives magisterial jurisdiction, as far as I can see, in cases of offences at common law which are dealt with by the lengthy process of trial by jury. I must be guided not only by the bill itself but by the method of introducing the bill. As submitted by the Premier it is not a bill dealing with individuals or parties. Therefore, specific reference to the I.W.W., the Australian Socialistic league or any other body has no relevancy to the bill. Were it intended to retain this subclause 2 it may have opened up a discussion on broad principles, but as the bill is to be considered as if that clause were not contained in it, it is of such a colourless character, from the constitutional point of view, and is contained in such a narrow compass, that I must rule the hon. member's references out of order.

Mr. DOOLEY: I have always made it a strict practice to obey the ruling of the Chair. We are in an awkward position, however, because as yet subclause 2 is part of the bill. The statement has been made by the Premier that it will be struck out, but we do not know that the House will agree to that, and at any rate, until it is done the bill is before us as printed. As the Premier has taken the point of order I claim my right to deal with the bill as it is presented.

Mr. HOLMAN: You will surely not discuss something which I tell you will not be included?

Mr. DOOLEY: Although you may say it will not be included—and you are Premier—the House may not accept your amendment. Hon. members opposite may desire to retain that subclause. Had the Premier not taken the point of order when I was discussing what was really the purpose of the bill as submitted, I should not have insisted on dealing at further length with the bill.

Mr. HOLMAN: If you want to talk of your friends I do not object, but do not do it on this bill!

Mr. DOOLEY: As far as that is concerned I am just as law-abiding as the Premier or any other hon. member. I am not in sympathy with anyone who desires to burn premises or do anything of that kind. I have no connection with those people in any way nor has any member of

our party. Yet I am going to do everything in my power to protect the right of free speech as long as it is reasonable, fair, honest, and honorable criticism. I believe we have at present an abundance of laws to deal with any offence that may be committed and I am not going to support any further laws which aim at giving greater powers to certain people to interfere with men who are advocating their political beliefs. The bill has been brought down by the Government after Cabinet decision. As it was introduced by the Attorney-General, it gives power to an ordinary policeman to arrest any man who is, in his unaided judgment, saying something that tends to promote crime.

Mr. HOSKINS: That part is withdrawn!

Mr. DOOLEY: It is not withdrawn. The Premier should give notice of a new bill. This bill evidently embodied the intention of the Government, and it is peculiar for the Premier to say that he did not know it contained this subclause. If the bill was badly considered by the Cabinet it is unfair to ask the House now to carry it through Committee. The Premier on the 29th August, 1916, in reply to a question asked by the hon. member for the Upper Hunter, made a statement in reference to a certain section of the community that would come under this bill.

Mr. SPEAKER: The whole community comes under the bill!

Mr. DOOLEY: That gives me an opportunity of rather more widely discussing the question. I admit that the whole community comes under the bill, but I do not admit that a bill should be introduced which says that the whole community having the right of free speech and discussion shall be prevented from using that right by some officer of the police force dragging speakers away from the public platform. It may be a meeting of a progress association. It may be a literary and debating society. Many of these men and women might make a statement which some police officer would consider as tending to incite to crime. This bill gives power to a police officer to arrest these people, and they would be liable to a penalty not exceeding £50 or imprisonment for six months.

[Mr. Speaker.

Clause 3 of the bill says :

If any person prints or publishes any writing which incites to, urges, aids, or encourages the commission of crimes or the carrying on of any operations for or by the commission of crimes, such person shall be guilty of an offence against this act, and shall be liable to imprisonment for any term not exceeding six months or to a penalty not exceeding fifty pounds.

The question we have to consider is what is a crime under this bill. I suppose in common law there are certain crimes, but there is no intimation as to what is meant by a crime in connection with this bill. The Premier in dealing with the matter of some men in an organisation who were guilty of certain crimes made a statement to the House on the 22nd August, 1916, to the effect that they were particularly few in number. He said :

They are a very small body. Altogether they number about 500 in the metropolis and apparently about 200 in Broken Hill.

Mr. HOLMAN : I submit the hon. member is transgressing your ruling. The numbers of a body are no more relevant to the bill than the tenets of that body.

Mr. SPEAKER : As I have said already, the bill is applicable to every person in the community. It provides no immunity for any section of the people. I cannot permit the hon. member to select any particular section by way of illustration, and to refer to what the Premier has said. I have been in the chair four years, and I do not think I have ever known of a bill in such a small compass.

Mr. DOOLEY : I bow to your ruling, but I again protest against a measure of this description being introduced, on the ground that, unless some additional clause is included, the bill is unnecessary. No cases have been quoted, and no reasons have been given why the bill should be introduced. It is an absolute waste of time to bring in such a bill.

Captain TOOMBS (Hurstville) [2.5 a.m.] : I accept the word of the Premier that he will withdraw the second paragraph of clause 2. The hon. member and his Cabinet must realise that by endeavouring to put such a bill through the House they are committing an outrage on the people. The Government is seeking to impose a greater degree of coercion upon the people than has ever been attempted by any previous Govern-

ment. I am going to ask the Premier, seeing that the Cabinet has reconsidered its decision so far, to go still farther and reconsider the propriety of introducing a bill of this kind at all. There are several objectionable features in it. I need not go farther than the order of leave which says "To make further provision for the prevention of crimes, for that purpose to amend certain acts." Hon. members have a right to know what acts it is sought to amend. I am not sent here to sit blindfold and legislate in the dark. I am here as a responsible representative of the people. I came here knowing that certain laws were on the statute-book. Some of those laws may be necessary, some may not be necessary, some may require amending. But I want to know which ones do require amending.

Mr. SPEAKER : The hon. member will see the difference between a discussion on leave to introduce a bill to amend certain acts and a discussion when the bill is before the House.

Captain TOOMBS : In every order of leave the acts which are to be amended are usually set forth. In this case we do not know what acts it is proposed to amend.

Mr. PRICE : On a point of order I submit that the hon. member is only justified in dealing with the principles of the measure, and not with the order of leave.

Mr. SPEAKER : I think the hon. member will see that the question of the order of leave has no great relevancy to the principles of the bill as set forth in the clauses of the bill. A discussion on the order of leave would have been appropriate when leave was asked to introduce the bill.

Captain TOOMBS : It was only the ambiguity of that I wished to touch upon. The short title of the bill is as follows :

This Act may be cited as the Crimes Prevention Act, 1916.

I take it, therefore, that the bill is intended to amend the Crimes Act. There is only one parallel case where it has been found necessary to introduce a bill for the prevention of crime. That bill was introduced under extraordinary circumstances. The Premier brings in a bill containing provisions almost as drastic as the Prevention of Crimes Act, 1882, referring to Ireland. He withdraws a certain por-

tion of it, and having done that he asks us to put the remainder through. The hon. member says, "I admit that the serious state of affairs I believed existed, and which made this bill necessary, no longer exists, but I want you to consider that a little of it still exists, and I want you to assist me to do something in regard to it." When the Prevention of Crimes Act, 1882, was passed in regard to Ireland a reason given in its favor was :

The operation of the ordinary law has become insufficient for the repression and prevention of crime.

I hold that the operation of the ordinary law has not become insufficient for the repression or prevention of crime in this State. On the Premier's own admission he is asking us to take away from the citizens of this State the right they now have of being tried by a jury of their own countrymen.

Mr. T. S. CRAWFORD : That is not so !

Captain TOOMBS : I followed the outline which the Premier gave of the provisions of the bill, and that was one of the provisions to which he referred. One of the excuses that the hon. member gave was that a certain time had elapsed and heat and feeling had died down. Surely when justice is being dispensed what we want is that heat and feeling shall have died down. In this State we do not want to see heat and feeling enter into the channels of justice. Wise provisions which we have copied have been put into the law elsewhere to prevent heat and feeling from being imparted into the administration of justice, and thereby viciousness being imparted into the sentences imposed on accused persons.

Mr. T. S. CRAWFORD : This is a far simpler method !

Captain TOOMBS : This measure, in effect, says to a man who may be charged with a certain crime, "If I try you to-morrow morning, whilst the thing is hot and the magistrate is warm, and public feeling is running high, you will get six months ; but, if I take you three weeks hence before a jury of your own countrymen, they may let you off."

Mr. T. S. CRAWFORD : There is always an appeal to quarter sessions !

Captain TOOMBS : I am surprised to hear a lawyer arguing against his own

[*Captain Toombs.*]

authority. This is a plea on the part of the Premier and the Cabinet for summary punishment.

Mr. T. S. CRAWFORD : Quite so !

Captain TOOMBS :

Convictions of a certain class are described as "summary" to distinguish them from convictions which follow a regular trial on an indictment or information. The essence of summary proceedings is the absence of the intervention of a jury—

There is no getting away from that—

And the person accused being acquitted or condemned by the decision of the person who is instituted judge. Blackstone viewed with apprehension an extension of this mode of proceeding, which threatened the basis of trial by jury.

I view it with apprehension, too. I have always held that there was no fairer trial for any citizen than trial by a jury of his own countrymen.

Mr. T. S. CRAWFORD : We all say that !

Mr. COHEN : This bill does not take it away !

Captain TOOMBS : Then who is speaking the truth ? The lawyer who sits in the Ministerial chair leading the House or the lawyer who has just come into the Chamber ?

Mr. COHEN : I guarantee that the Premier never said that !

Mr. HOLMAN : No !

Captain TOOMBS : I ask any hon. member who was sitting here whilst the Premier was speaking whether the hon. member did or did not say that. I say he certainly said it. He said that the bill went further than doing away with trial by jury.

Mr. HOLMAN : No !

Captain TOOMBS : The hon. member's memory is short. The hon. member said that the bill went further than abrogating trial by jury. He said that men might be let off by a jury after the thing had somewhat died down, and this was a case where, instead of letting the matter go before a jury, a summary conviction could be obtained. What is the use of the hon. member saying that he did not say that this measure was to do away with trial by jury in certain cases ? The hon. member said that absolutely. As a matter of fact, we know that it is to do away with trial by jury. Let the hon. member look at the Crimes Act of this State and point out where you cannot

punish severely enough under that act, or where you cannot come down suddenly enough with it, and therefore he wants us to pass this bill to-night.

There is another reason why the Premier has introduced this measure. If he will cast his memory back a little while he will remember that one of the reasons given for a fusion of parties in this State was that we were living in unsettled times when people were not in their normal state of mind. As a matter of fact this bill is intended to give some sort of semblance of justification for a fusion and the formation of a National Government. The Premier having agreed to cut out certain provisions in the bill, the remainder of it is absolutely waste paper.

Mr. HOSKINS: Then what is the use of talking about it?

Captain TOOMBS: Because I want to show the hypocrisy of the thing. In regard to summary jurisdiction, we have it now:

The court is held before two or more justices of the peace. When the number of prisoners is large a second court may be formed with the same authority as the first, in which court a chairman presides and acts in general as a judge, consulting the other justices present. If an investigation before a magistrate cannot be completed before a certain time he may from time to time remand the accused.

The offence must be a pretty serious one if the magistrate may from time to time remand the accused.

Under certain circumstances a third course is open to the magistrate. He may dispose of the case and punish the offender himself.

We have that power already under the present Crimes Act, yet the Premier is asking us to repeat it, or amend it, or do something else with it. The Premier does not seem to know exactly what he wants to do with it. He says there are certain crimes that are provided for at present. In the whole category of crime is there any crime which cannot be dealt with under the Crimes Act? Under those circumstances the hon. member has come to the conclusion that the bill is not necessary. He would never have struck out the main provisions if he had not thought they were unnecessary; and having done that, why go on with it? If he proceeds with the bill, wherever I go in the country I will take it with me and say, "This is the attack they meant

to make upon the liberty of the subject, but they were not game to do it." The only reason this bill is brought in is because hon. gentlemen are afraid of the criticism which will be levelled against them. I ask the Premier under those circumstances to pull it out. If the circumstances were such that the common law had broken down, and things were bad enough to warrant the passing of a Suppression of Crime Act, every law-abiding citizen in this Chamber would be giving his assistance; but the hon. member knows that those circumstances do not obtain. If he does not pull this bill out, it will be taken throughout the State and the people will be shown what a brutal attack the Government intended to perpetrate upon the liberty of the subject, but they were afraid to go on with it. Either withdraw the bill altogether, or go on with it in its entirety. I am sure the Premier will admit that there is very little in the bill when you pull this out.

Mr. HOLMAN: I say so!

Mr. SPEAKER: I think that is admitted, without dealing with the bill as though it were at the Committee stage and discussing it clause by clause. The amendment covers a very small ambit.

Captain TOOMBS: If punishment is already provided for, and there is also provision whereby summary punishment can be meted out where necessary, and even special courts to mete it out can be created, what is the use of this bill?

Mr. HOLMAN: If the hon. member really believed that was the existing law, he would not now be on his feet opposing the bill. He knows that the bill makes a change in the procedure!

Captain TOOMBS: Exactly. Under the present law you would have to be very careful how you did deal summarily with a case. At the same time, the prisoner can ask to be summarily dealt with.

Mr. HOLMAN: The hon. member is under a misapprehension. A prisoner cannot ask to be dealt with summarily, unless the crime for which he is being tried is specified in the Crimes Act as one of those to which summary jurisdiction can be applied. This offence is not one of those. The prisoner has no right to be tried by summary jurisdiction at common

law—it is only by statute; and if the crime is not one enumerated in the statute, he has not that right. The hon. member is quite under a misapprehension.

Captain TOOMBS: I have at last got you to admit, then, that this is a bill to deal with a crime which is not punishable by summary jurisdiction, and which at present is subject to trial by jury. You want to substitute trial by jury for summary punishment.

Mr. HOLMAN: No!

Captain TOOMBS: Then what is it? The Premier will never get away from this unless he gives us something explicit. I am going to get the admission from the Premier before I resume my seat.

Mr. SPEAKER: Order! I am afraid the hon. member will not. Under the rules of debate no hon. member can be catechised. If the hon. member persists in catechising, I shall apply the standing order dealing with tedious repetition.

Captain TOOMBS: This is the strangest procedure that has ever taken place in this Chamber during the short time I have been here. I do not think any hon. member can remember a bill being brought before the House upon which less explanation was given, where no cause was shown for its enactment, and absolutely no information of any kind was supplied. First of all, we are told it is to do away with trial by jury.

Mr. HOSKINS: I move:

That the hon. member be not further heard.

Motion negatived.

Captain TOOMBS: We are not told what crime is to be prevented, and nobody seems to know. Is it some mysterious crime that must not be mentioned?

Mr. SPEAKER: Order! I have already told the hon. member that he is not entitled to treat this bill as at the Committee stage, by going through it clause by clause. The ambit of the bill is so restricted that I must ask him to confine himself a little more closely to it. I do not want to curtail discussion, but I have allowed the hon. member considerable latitude; and if he persists in his present line of conduct I shall exercise my authority under the standing orders and refuse to hear him further.

Captain TOOMBS: It is impossible to obtain any information in regard to the

[*Captain Toombs.*]

broad principle of the bill. If one were to endeavour to ascertain what was aimed at and were to study the Crimes Act from cover to cover he would be told that the bill was not intended to provide for this or that. It is unfortunate that we cannot discuss the provisions of the bill because we do not know what they are. We have not been told what they aim at. If we ask whether the bill is intended to enable a magistrate to summarily convict instead of sending an accused person before a jury we are told that that is not the object held in view. If it is not intended to accomplish this purpose what is the object of the bill? I have already pointed to the provision in the present law in regard to inciting to crime.

Mr. HOLMAN: The section the hon. member quoted deals with threatening and that is an entirely different provision.

Captain TOOMBS: There is already provision in the law under which men can be dealt with when they incite to rioting and there seems to me to be nothing new in the provisions which are to be retained in the bill. The bill in the form in which it was introduced was intended to be something after the style of the Irish Crimes Suppression Act but it looked so ugly that Ministers were afraid to go on with it and they have whittled it down to what the Premier has described as a weak and harmless measure. I am of opinion that the Premier means to go much further than he has told us. The provision in clause 5, apparently means that there is no offence that we know of to-day in respect to which this bill cannot be brought into operation. Is that correct?

Mr. HOLMAN: I cannot answer the hon. member's conundrums.

Captain TOOMBS: This is an intolerable state of affairs. Here we have a Minister sitting in the Chamber and endeavouring to place a measure on the statute-book and when we ask for information he tells us that he cannot supply it. I object to being asked to legislate in the dark.

Mr. PRICE: I rise to order. I desire to know whether the hon. member is entitled at this stage to discuss matters beyond the scope of the bill.

Mr. SPEAKER: There is nothing in the point of order. But I would point out to the hon. member who has always shown a loyal regard for the opinions expressed from the Chair that he has repeated certain statements about half-a-dozen times, and that there is a limit to human endurance. In regard to the clause referred to, there is nothing to compel the Minister to impart information, especially when the purpose of the clause is so plain. I have allowed the hon. member to infringe my ruling by dealing with the bill in detail, but I cannot extend to him any further latitude in that direction. Clause 5 is so plain that for anyone to ask for information is equivalent to seeking a demonstration of the obvious. The clause is very simple and the provision is perfectly plain. The clause reads:

Where an offence against this act is also punishable under any other act or at common law it may be prosecuted and punished either under this act or under the other act or at common law. But so that no person be punished twice for the same offence.

The hon. member has addressed his inter-rogations to the Premier two or three times in similar terms and his action can leave no other impression than that there is a desire on his part to take up unnecessary time. Fortunately, the standing orders make provision for such cases and for the last time I call the attention of the hon. member to standing order 157.

Captain TOOMBS: I shall not dispute your ruling. I have a great respect for you, sir, and for the House, and I also have respect for myself. But I have very little respect for the bill and less respect for the manner in which it has been brought in. The Government will receive no assistance from me in passing it. I object to it because I regard it as suspicious. In its original form it was nothing less than an outrage on the citizens of the State. Now it is not an outrage but an insult to the intelligence of the people. It is absolutely unnecessary; there is no justification for it, and having abstracted the kernel from it the Premier should be logical and also discard the shell.

Mr. COCHRAN (Darling Harbour) [2.39 a.m.]: According to the hon. member for Hurstville, instead of this being a measure for the prevention of crime, it should be designated "the fusion justification act." When we consider the title of the bill and its object, and we realise that in this National Ministry we have no less than seven members learned in the law, we cannot be surprised at any attempt they may make for the prevention of crime. I am unable to see where this bill seeks to prevent crime. Instead of preventing crime it seems to me that this is a bill to punish a criminal not only under the act under which he is liable to be punished, but under this measure also.

Mr. HOLMAN: This bill makes the punishment fit the crime!

Mr. COCHRAN: We are endeavouring to make our attack upon the Government to-night fit their crime; but the English language is sometimes too poor to provide the word to adequately describe what one wishes to convey. We are asked to enact this measure. What need is there for it? I have heard no outcry from the community for fresh legislation which will act as a kind of trawling net, through which no person suspected of criminality can escape. The bill is to be called "The Crimes Prevention Act, 1916." The last speaker wanted to know what crimes it is going to prevent. I think the title of the bill is an absolute misnomer. The present law is sufficiently comprehensive to punish any criminals. There is no justification for this measure, nor has there been any demand for it. The platform of the party which the Premier supported for so many years described no measure of this nature. We are now asked to advise that if any person "incites to, urges, aids or encourages the commission of crimes or the carrying on of any operations for or by the commission of crimes" he shall be guilty of an offence under this Act. What does that paragraph mean? A definition clause is very necessary. If a person incites a prisoner to resist arrest he is liable to summary punishment. I suppose he could be tried under this Crimes Prevention Bill? If it were what it really purports to be it would be a very

valuable measure. If it were really a crimes prevention bill we should be able to dispense with the services of numerous highly paid officials. We could do away with our magistrates and our judges. We could lock up our gaols, keep them shut for ever, and send all the warders about their business. We could also close up the Justice Department. There would be no more crime, because under this measure it is not merely repressed, it is prevented. The individual of whom we have heard lately, as going about the city with a bottle of phosphorus in one pocket and some cotton waste in the other, instead of being dragged before the court and given an outrageous sentence of fifteen years imprisonment, would cease to be. The Premier in his brief address to the House said it would be possible to prevent persons accused of crime going before a jury. The hon. member seemed to infer that he believed trial by jury should be abolished. We remember when there was a libel action affecting a number of Ministers of the Crown, and the taxpayers were called upon to subscribe towards the expenses. We were told at that time that trial by jury did not do justice to every member of the community. If any argument could be adduced in support of an assertion of that kind I could understand an attempt being made to abolish the jury system and relegate the functions of the jury to the magistrate. But there is no proof that the juries are not carrying out their duties to the satisfaction of the community. Personally I have no fault to find with the system. If it was urged that this bill was necessary in order to take from the jury the trial of certain individuals owing to the fact that the jury did not represent the public I could understand it. But no reason of that kind has been given. We merely have the flimsy unsupported statement that juries are of a generous warm-hearted disposition. They may be warm-hearted and generous on occasions, but certainly not when the crime is sheeted home to the culprit. This bill will take away from juries the right to try persons guilty of offences under the measure. But trial by magistrate is not so satisfactory to the community that it merits our undiluted commendation. Quite recently

Mr. Cochran.

attention was drawn to the fact that a magistrate had sent to gaol for three months a culprit whose only crime was poverty. The Justice Department was so incensed at the conduct of the magistrate that the old man was liberated.

Mr. SPEAKER: Order! I must ask the hon. member to confine himself to the principles of the bill.

Mr. COCHRAN: I was pointing out that magistrates do not perform their duty in a manner altogether satisfactory to the community. We have been frequently told that one of the methods of abolishing oppressive laws is to enforce them to their fullest extent. Under this bill any person who publishes an article pointing out why a measure which should long ago have been relegated to oblivion should be abolished is liable to a penalty of £50 or six months' imprisonment. I maintain that the penalty for an offence of that kind is excessive. It is proposed also that justices of the peace shall deal with offences under this bill. It is well known that many justices of the peace have no knowledge of the law and are not in a position to deal out fair play. Some of them, instead of trying other men, should be tried themselves. This is a measure which the community has not demanded. There has been no outcry for it. There have been no crimes committed which would justify its introduction. Instead of being kept here till 3 o'clock in the morning to discuss a measure of this kind we would be much more profitably employed in dealing with other measures, such as the Right to Work Bill, which are in the interests of the welfare of the community.

Mr. STUART-ROBERTSON (Camperdown) [2.55 a.m.]: This bill does not appear to confer any new power on the Government which it does not possess at the present time, and I do not see why we should pass a bill under which a man may be adjudged guilty of an offence that can already be dealt with under the existing law. I have not heard of any deputation of intending criminals waiting on the Premier and asking him to introduce a measure which would give them short shrift and humane treatment after they have committed offences. Legislation is usually the result of pledges given at a general election, or of deputations representing that it is of urgent public

necessity. The House is entitled to know what is the necessity for passing this bill. Recently a measure was passed prolonging the life of this Parliament, the main reason for passing it being that the minds of the people were so agitated at the present time that they were not able to fairly judge the merits or demerits of political candidates. Let us compare the treatment which hon. gentlemen opposite meted out to themselves without going before their judges and the treatment they propose to mete out to other persons who go before their judges. This Government is shielding itself from an irritated public, while under this measure a police magistrate is to be empowered to summarily deal with a person who has committed an offence when the public mind is in a state of irritation, and when the magistrate, influenced by that irritated state of the public mind, is unable to arrive at a fair decision. The Premier has pointed out that if a person guilty of an offence referred to in the bill were brought before a jury some time after the committal of the offence his counsel would point out that the thing was over and would ask the jury not to inflict punishment. While the Government has saved itself from the infuriated electors it desires to quickly punish the man who utters a few sentences. I gather from a remark made on the other side that people who talk of strikes are likely to come under the provisions of the bill. Is it the intention to prosecute people under this bill who say that the strike method is better than arbitration for settling industrial disputes?

Mr. COLQUHOUN: Is a strike a crime?

Mr. STUART-ROBERTSON: I do not know what they will call a crime. I know what would be called a crime by a judge, but I do not know what a magistrate would call a crime.

Mr. COLQUHOUN: If it is a crime, you answer your own question!

Mr. STUART-ROBERTSON: This measure is going to take away from the people a right they have possessed for years.

Mr. HOLMAN: What right are we taking away?

Mr. STUART-ROBERTSON: At present a man has a right to go to a jury, but under this bill he will not have that right. He must be summarily dealt with. Is not that taking away a right? Is it fair, in view of the position of this Parliament, in view of the absence of representatives for Redfern, Enmore, Cootamundra, and Phillip to take action of that kind? The people in those electorates have been disfranchised by the act of coalition, and the introduction of this measure is unjust and unjustifiable. No amount of oratory, pleading, and explanation will make the people believe that such action is justifiable. Under the ordinary Crimes Act the police, metaphorically speaking, fish for criminals with a hook and fly, but under this bill they fish with a net. It is a case of catch them easily and punish them quickly. The hon. member says that the second part of clause 2, which is utterly ridiculous and farcical, is to be withdrawn. It does not necessarily follow that it will be, because though he may think it should be, the drivers of the party may think otherwise. But as the Leader of the party has said it will be withdrawn we are deprived, on the second reading debate, to show how utterly ridiculous it would be to put in the hands of an ordinary policeman the right to define the meaning of an Act of Parliament. The penalty of a £50 fine or six months' imprisonment seems extraordinarily heavy for a person who, perhaps, in momentary excitement, utters something which may convey a different meaning to the mind of a listener from that which it is intended to have. We know how difficult it is to define the meaning of the Bible. A man on the public platform may utter a sentence which he believes has one meaning, but a policeman hearing it may attribute to it another meaning. The man will be haled before a police magistrate, who, if he takes the speaker's definition of the words will let him off, but will punish him if he takes the policeman's definition of the words. The Premier should withdraw the measure, and reconsider it, and when the electorates I have mentioned, and also those of St. George and Marrickville, have representatives in this House after the next elections, he may, if he still desires to do so, introduce it again.

To introduce this entirely new legislation is outside the scope of the powers of a Government which has given itself extra life. As an act of decency, as an act of courtesy to the people of New South Wales the Premier should withdraw it. If it is not withdrawn I shall vote against it at every stage. The more laws we bring into existence creating crime, the more surely will crime be committed. The more stringently you draw the cordon round those who desire to address the public, the more surely will you bring about disaster. The history of the world proves that it was measures of this sort which brought about the great revolutions in England and France. We know that a measure passed in this House in December, 1909, brought about what were apparently breaches of the law, but which the people, when they had an opportunity of judging, decided were not. Measures which have a tendency to curtail the rights of public men when addressing themselves to public questions bring in their train disaster and a dislocation of society. Even at this late hour the Premier would be well advised to withdraw the bill till the country has an opportunity of deciding whether he and his Government have a right to introduce any legislation.

Mr. WRIGHT (Willyama) [3.12 a.m.] : There is no use in appealing to the Minister at this late hour not to construct another net intended to bring more people into the meshes of the law. I claim the right to traverse the whole bill because, when it gets into Committee, a majority of hon. members may decide to retain the clause which the Premier has promised to expunge. He is only one in his Cabinet. The majority of the Cabinet are men of a different phase of political thought, and they may overrule him in his desire to deprive the bill of one of its most obnoxious clauses. The honorable course for the Minister to adopt would be to admit that there are objectionable features in the bill, and bring in another bill in its place. [*House counted.*] Before this bill was introduced the following statement was made by the Premier:—

It is now proposed to substitute the ordinary police court procedure, whereby a man may be dealt with and summarily sentenced if the magistrate thinks fit, to a short term of im-

[*Mr. Stuart-Robertson.*

prisonment up to six months, and also, should the magistrate think fit, be bound over to be of good behaviour for a subsequent period.

The Cabinet was of opinion that there was sufficient power under the law as it stood to deal with the question of disbanding illegal associations. The difficulty lay, and would lie under any law, in the necessity for making a clear distinction between associations which are of an illegal character, and associations which are legal in character, but of whose members some pursue illegal objects or employ illegal methods. It is the opinion of my legal colleagues that the problem does not lie in the state of the law, but in the immense difficulty that always exists in proving the intrinsic illegality of the bodies.

It will be seen that the proposed legislation will not create any new offences. It will not limit the right of free speech. It will not alter the actual law—the substantive law—as it exists upon that subject to-day. It will only alter the method of putting it into operation. It is, I understand, an offence to-day to urge the destruction of property, the commission of crime, or the breaking of contracts, but owing to the difficulty of putting the law in motion those who commit these offences generally escape free.

There is absolutely no need, nor is there, I believe, on the part of the general public any desire for anything that might be called panic legislation. The rights of public meeting, of free speech, and of association, can be kept quite intact. What is aimed at is a speeding up and simplifying of the methods of the penal law.

The necessary bill is now being drafted by the Attorney-General, and will probably be given notice of to-morrow.

That statement was made by the Premier in the press, and the result is that we have this bill before us. I suppose there is no country which has so many laws for the punishment of crime as New South Wales. The reason is obvious. When New South Wales received constitutional government it took over all the laws of Great Britain. Since that time Great Britain has made considerable advance in doing away with penal laws that then existed. Many of the States of the Commonwealth which got constitutional government later than New South Wales had the advantage of taking the laws of Great Britain as they came. The result is that there is no State which has so many ancient laws and restrictions on:

human liberty on which the Government can rely as New South Wales. Hon. members should hesitate before passing more restrictive measures limiting the right of free speech. I well remember when a former hon. member of this House, Mr. Richard Sleath, who took a course exactly like that taken recently by many of the old Labour members, made certain statements at a meeting in the Broken Hill Town Hall with which I disagreed, and gave me in charge of the police. When I was taken to the guard-room at the lockup I inquired what offence was charged against me, and the constable who took me there did not know what offence to charge me with. But, if this bill had been law at that time, an offence could easily have been charged against me. I went back to the meeting. Many members, including the Premier himself, have gained a reputation, and obtained a seat in this House, through speaking to the people and explaining to them their rights and privileges, and telling them what they should do to ameliorate their condition. Had this bill been the law of the land at that time, those gentlemen could not have given utterance to the truths they then expressed. Their voices would have been stifled, and this House would not have had the privilege of having them here to legislate. We do not require this measure; we have Acts of Parliament which give every facility to the powers that be to sheet home crime. Surely no hon. member in the wildest moments of his frenzy would wish to have a man imprisoned unless the crime with which he was charged was sheeted home to him. Surely, in this twentieth century, no man would sit in this Chamber to legislate who would deny any man the right to be tried by a jury of his own countrymen.

Mr. LANG: The National Government would!

Mr. WRIGHT: I want to point out to hon. members opposite the enormity of the offence which they will commit against society if they take away the right which people who are charged with crime now have of being tried by a jury of their own countrymen. The strongest reason people have for obeying the law is because they believe the law is just and affords accused persons a fair trial. Take a case

that occurred in Broken Hill recently, where a magistrate who, I suppose, anticipated the passing of this measure, sentenced some men to six months imprisonment, bound others over for twelve months, and fined others £50. Those men appealed, and Judge Bevan quashed most of the convictions. I venture to say that if this bill had been in operation that magistrate's decision would not have been reviewed, with the result that some of those men would now have been suffering imprisonment without having been given the alternative of paying a fine. The whole bill has been conceived in a state of panic. Recently an hon. member asked the Attorney-General if he was going to bring in a bill to deal with the operations of the I.W.W. I do not know whether this measure is the result of that inquiry, or whether it was thought of previously. The "Encyclopedia of the Laws of England" says:

An accessory before the fact is a person who "abets, counsels, incites, moves, procures, hires, or commands, *i.e.*, deliberately instigates, either personally or through a third person, others to commit a felony, which is actually committed in his absence, but as the direct, natural or probable result of his instigation."

That goes further than this bill. I am told that this bill is so narrow in its scope that it only means taking away the right of an accused person to be tried by a jury. At the present time if a man pleads "not guilty" he can be committed for trial and have a jury to try him. This measure provides that an accused person may either be tried by a jury, or that there may be a summary conviction, but it does not say whether an accused person shall be tried under the common law or under this law. [*House counted.*] I claim to be as law-abiding as any other hon. member. I abhor any person who commits crime such as arson or murder. I know it is necessary to have laws to protect society and safeguard our well being. I say that anybody who incites persons to commit crime does something detrimental to the interests of the people, but in Australia we are not dealing with uneducated people. We are dealing with people who read newspapers and various kinds of literature. There are thoughtless people who would destroy property. I have heard a man say "if you put copper nails into a tree it will kill the tree—I do not

tell you to do it." But what he said had no influence with anybody—it was just like pouring water on a duck's back. If any man could have been laid hold of by the heels for inciting people to commit crime he was that man, but in Australia we can afford to give people freedom of speech and the fullest liberty. Look at *Reynolds' Newspaper*, published in England, and see what it says about the royal family week after week. Not the slightest notice is taken of it. Give people freedom of speech and they have an antidote for the poison that some men try to inject into their system by making ribald remarks. I heard the hon. member for King make some of the most fearful statements some years ago in Sydney. He did not do any harm, and he has now become quite tame. We used to have iron railings round the parks, but common-sense has made them open. There used to be railings round windows to keep burglars out, but now they are unprotected. People have become reconciled to obeying the law, so long as it is not made vexatious. My objection to this bill is that it is not wanted; that it is vexatious, and calculated to raise the ire of the people. If the Premier's advice is taken, the second paragraph of clause 2 will be struck out in Committee, and if that is done the bill will be emasculated. The paragraph was doubtless inserted for the purposes of the next election, so that a policeman could suppress a meeting. That is what they do in Germany, but they cannot do it here yet. Policemen may not always be sober; I remember a policeman arresting me in Broken Hill, and I had him fined £2 for doing so. I am not going to be one to allow power to be placed in policemen's hands to suppress a meeting which may have taken a fortnight to organise. The Premier should have brought the bill in at a rational hour, and without this objectionable clause. I am unfit to-night to think freely, and am not able to analyse the bill as I should do in the interests of the public, simply because I have been sitting here all day and all night, when I ought to be in bed. It is characteristic of this Government to force bills through by sitting until all hours. I shall vote against the bill at all its stages.

Mr. KEEGAN (Glebe) [3.35 a.m.]: I hope the Premier will pay heed to what

[*Mr. Wright.*

has been said with reference to this bill and withdraw it. I understand he intends to omit the second paragraph of clause 2. If that is done we must ask ourselves what is the reason for the bill at all. In moving the second reading the Premier gave no information as to why the measure was before the House. I have no sympathy with persons who commit or incite to the commission of crime; but we have no right to destroy the principle of trial by jury, which has been established since the inception of responsible government in Great Britain. It is most unfair to give the power to a magistrate to commit a person on what might be circumstantial evidence, for being guilty in his opinion of some offence under this bill. We had an instance only a few days ago of several men receiving heavy sentences in connection with the destruction of property; but if men are charged with committing the serious crimes with which this bill proposes to deal, ample provision already exists for dealing with the offenders.

We are wasting the time of the House in discussing a bill of this kind, seeing that it is the intention of the Premier to withdraw its most vital provision. I understand he was not aware that the bill included the provision contained in the second paragraph of clause 2, and that he realises that if it were retained in the bill it would set up a most serious position and prove a menace to the general community. It would be an outrageous thing to confer upon police constables the powers set out in the provision referred to, and I am pleased to know that it is to be withdrawn. If the Premier was unaware of the contents of the bill it should not have been placed before us, because it is the duty of the head of the Government to carefully scrutinise every bill before it is presented to Parliament. There can be little doubt that the intention of the bill was to permit police constables to suppress meetings held by persons of a certain political faith. I hope the Premier will see the necessity of withdrawing the bill. Hon. members with whom the Premier happens to be associated to-day brought in the "Coercion" Act for the purpose of giving to the police powers almost identical with those contemplated in clause 2. The Premier on that occasion,

in his capacity as leader of the Opposition, eloquently and trenchantly condemned the attack that was being made upon free speech and the right of public meeting, and if he will only carry his mind back to those days he will see he is making a proposal similar to that which he formerly deprecated. There is no necessity for the bill, because the law, as it stands, contains all the provisions required for the punishment of crime. Even though the bill be shorn of its most objectionable provision, it will still confer drastic powers upon magistrates, and will deprive men who are accused of offences against the law of the right to go before a jury.

Mr. BOSTON (Wagga Wagga) [3.48 a.m.]: In view of the fact that there are seven lawyers in the Ministry—which is probably a record—it is remarkable that it should be discovered, only at this late stage, that there is something wrong with the bill. The Premier tells us that the second paragraph of clause 2 is to be withdrawn, and I would like to know whether it has been discovered that there is no need for this provision, or whether its withdrawal is due to the fear that it would be too drastic. The law, as it stands, is sufficient for all purposes in regard to the suppression of crime. Why the Government want to bring in this particular measure is beyond my understanding, unless it is to please Judge Pring, who made a certain announcement in the Criminal Court, when he was pleased to pass some heavy sentences upon twelve individuals.

Mr. SPEAKER: Order! The hon. member must not reflect on the judiciary!

Mr. BOSTON: I have no desire to reflect on the judge, I am merely quoting his own words. If the judge has power under the existing law to sentence individuals to fifteen years imprisonment, what more is required? Is it that the Government considers that the sentences were too severe, and that if power was conferred upon magistrates to deal with such cases summarily, less severe punishment would be imposed; or is it that the magistrate may be able to send individuals to gaol without a fair inquiry? If the hon. member will only be honest he will admit that this measure has been introduced merely to satisfy Judge Pring, who expressed the hope

that something would be done in this direction. We know that there has been a hue and cry for drastic action. Possibly it is that the bill is introduced to justify the existence of the fusion Government. The National Government has practically done nothing up to the present, and this is to be the coping stone upon its legislation. I would urge upon the Premier to withdraw the bill. There is no justification for it, especially at this stage of the session. There are already in existence a sufficient number of Acts of Parliament to deal with every crime in the calendar and I desire to enter my emphatic protest against the measure.

Mr. J. STOREY (Balmain) [3.56]: I am inclined to agree with the hon. member for Wagga Wagga that this measure has been hurriedly prepared and introduced largely for the purpose of gratifying the wishes of the judge who dealt with some recent notorious cases. Clause 2 of the bill declares that if any person "incites to, urges, or encourages the commission of crimes, or the carrying on of any operations for or by the commission of crimes" he shall be guilty of an offence under the act. I am sure that if the Premier was sitting in opposition, and he was anxious to prolong debate and promote discussion, he would be able to speak at great length upon the utter uselessness of adding such a clause to the statute-book. It is already law that if any person does the things mentioned he is an accessory either before or after the fact, and he cannot escape responsibility by saying that it was the other fellow who committed the crime. That being so, the bill will stand out as a singular piece of legislation, as it seeks to re-enact something already provided for in a score of different directions. To my mind the clause is unnecessary, and it will not gratify the wishes of the judge.

The second portion of this clause is to be deleted, and that fact very considerably modifies the proposal. In clause 3 a similar provision is made, except that reference is made to printing or publishing. If a man incites another to do wrong, it does not necessarily follow that he must adopt a particular way of doing that. He may incite a man to do wrong, either by writing, by talking, or by his mere presence. It appears to me therefore that

clause 2, with the addition of clauses 4 and 5, which prescribe the penalties, would meet the whole purpose. It is evident that the country is to have adequate protection from the classes of crimes which have recently been committed, and which have disturbed the minds of our citizens. I have no fear that the provisions of this bill will do any harm to the average Australian. The law may be made as stringent as it is possible to make it, and it will not affect the average Australian. This bill is being passed to meet the cases of those persons who come from other countries where they think the hand of society is so strong against the worker that anything they do against society is justified. The Government thinks it is necessary to do something to further protect the people by passing a bill of this kind, but my opinion is that the laws already in existence are sufficient to cover the classes of crime with which this bill deals.

Mr. LANG (Granville) [4.6 a.m.] It is stated in the preamble that this measure is to be enacted "by the King's most excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly." Having regard to the hours at which bills are introduced, it seems to me that the Government does not wish to get the advice of the Legislative Assembly upon them. A few nights ago the Attorney General said that the drafting of bills was a matter for Ministers, and that was particularly the case in his department. This bill has been drafted in the Attorney General's Department, but so badly has it been drafted that the Premier has found it necessary to withdraw what appears to be its most essential part. The Government in its desire to carry out a certain policy is going to bring about a good deal of dissatisfaction in industrial circles.

If that dissatisfaction finds expression and the official of any industrial body speaks against the actions of this Government the law will be put in operation and he will be haled before a magistrate and be subjected to the penalties prescribed in the bill. That sort of thing will encourage the commission of crime. Anything might be taken as encouragement to commission of crime. I may now by my remarks here be encouraging it. I

[*Mr. J. Storey.*

would ask the Premier if there will be any appeal from the decision of the magistrate?

Mr. HOLMAN: Yes!

Mr. LANG: That is satisfactory. A great objection to the bill has been removed by the withdrawal of the second part of clause 2. But there still remains the objection that the bill takes away the right cherished by all Britishers of trial by jury. I agree that an offender against the law must be punished, but he has the right to be tried by his peers. Lord John Russell has repeatedly said that directly you take away that right you bid goodbye to freedom. None knows better than the Premier that in time of industrial unrest misguided enthusiasts, to use his own expression, will use words not duly weighed. They do not realise the gravity of the words when they utter them. There may be extenuating circumstances which would appeal to a jury, but not to a magistrate who has to give a decision on the dry law. From that standpoint this apparently harmless piece of legislation should receive no consideration from the Premier. Had anyone ever suggested to me that the Premier would introduce such a bill, I would have scouted the suggestion. Even now there would be no loss of prestige to the party or to the Premier if the Bill were withdrawn.

Mr. HOLMAN (Cootamundra), Premier and Treasurer [4.15], in reply. I desire to make a few brief remarks. I am astonished at the unanimity of the opposition this measure has met amongst hon. members on the Opposition benches. This is a bill not directed against members of the Opposition, nor against their supporters. It is a bill aimed against a certain class of offender, and I have yet to learn that members of the Opposition hold any brief for that particular class. This is not a bill that raises any party question in this House. It is a bill that it is the undoubted and the undisputed duty of the Government to pass to strike at a certain form of offence more easily, and make the punishment more certain. There is no partisan quality in this bill. There is nothing in it that appeals to the right or the left of the Speaker. Hon. gentlemen opposite have chosen to take up the time of Parliament for five hours in a silly repetition of foolish objections to the

measure, under probably an organised effort to prevent the bill from being passed into law. If they have done that under any sense of obligation to people who may have reason to object to the bill, because no hon. member in this House can object to it, they have certainly repaid any obligation.

Captain TOOMBS: The Speaker said that this bill applied to every citizen!

Mr. HOLMAN: And there is not a decent citizen who would not welcome it. It is only those who want to see dangerous abuses exist who will be against it. It only makes the existing law more certain and prompt. That is all it does and yet it has met with a concerted opposition by members on that side of the House. I shall not further take up the time of the House. I realise to the full, Mr. Speaker, the stress under which you have been in conducting this debate. I only express my strong regret that hon. members should so far have forgotten themselves as to become allies of those who for quite other reasons wish to see the bill defeated.

Question—That the bill be read a second time—put. The House divided:

Ayes, 28; noes, 12; majority, 16.

AYES.

Arthur, Dr. R.	Hall, B.
Ashford, W. G.	Hollis, R.
Bagnall, W. R. C.	Holman, W. A.
Ball, R. T.	Hoskins, T. J.
Brown, W.	Hunt, J. C.
Bruntnell, A.	James, A. G. F.
Cocks, A. A. C.	Latimer, W. F.
Cohen, J. J.	McGarry, P.
Colquhoun, P. B.	Millard, W.
Crane, J. T.	Price, R. A.
Crawford, T. S.	Zuill, W. A.
Fallick, J.	
Fitzpatrick, J. C. L.	<i>Tellers,</i>
Graff, A.	Lane, H. W.
Grimm, A. H.	Morrish, J. J.

NOES.

Boston, W. J.	Stuart-Robertson, R. J.
Cochran, J. P.	Toombs, Capt. S.
Dooley, J.	Wright, J.
Kearsley, W.	
Keegan, T.	<i>Tellers,</i>
Lang, J. T.	Fingleton, J.
Osborne, J. P.	Minahan, P. J.

Question so resolved in the affirmative. Bill read a second time.

In Committee (Mr. OSBORNE in the chair):

Clause 1. This Act may be cited as the "Crimes Prevention Act, 1916."

Mr. STUART-ROBERTSON (Camperdown) [4.25 a.m.]. I move:

That the word "prevention" be struck out with a view to insert the word "creation."

As the intention of the measure is covered up, it is only fair that the public should know the real nature of it. The effect of the bill will be to fill some of the gaols, and thus provide means of employment for friends of the Government who are out of work. If the Government can get some of its friends into gaol, it will succeed in securing some good supporters in districts where one or two more votes may be useful to it in future elections. By appointing other friends as warders the Government will be able to create a political asset that may be of value to it in the near future.

The TEMPORARY CHAIRMAN (Mr. OSBORNE): As the amendment is tantamount to a mockery, I cannot accept it. The hon. member may, if he wishes, move that the word "prevention" be struck out.

Mr. STUART-ROBERTSON: I am agreeable to that.

Question—That the word proposed to be struck out stand part of the clause—put. The Committee divided:

Ayes, 26; noes, 11; majority, 15.

AYES.

Arthur, Dr. R.	Holman, W. A.
Ashford, W. G.	Hoskins, T. J.
Bagnall, W. R. C.	Hunt, J. C.
Ball, R. T.	James, A. G. F.
Brown, W.	Lane, H. W.
Cocks, A. A. C.	Latimer, W. F.
Cohen, J. J.	McGarry, P.
Colquhoun, P. B.	Millard, W.
Crawford, T. S.	Price, R. A.
Fitzpatrick, J. C. L.	Zuill, W. A.
Graff, A.	
Grimm, A. H.	<i>Tellers,</i>
Hall, Brinsley	Crane, J. T.
Hollis, R.	Morrish, J. J.

NOES.

Boston, W. J.	Stuart-Robertson, R. J.
Cochran, J. P.	Toombs, Capt. S.
Dooley, J.	Wright, J.
Fingleton, J.	<i>Tellers,</i>
Keegan, T.	Kearsley, W.
Lang, J. T.	Minahan, P. J.

Question so resolved in the affirmative.

Mr. COCHRAN: (Darling Harbour) [4 a.m.]: I move:

That the words "Crimes Prevention Act," be struck out.

The TEMPORARY CHAIRMAN (Mr. OSBORNE): It must be patent that the hon. member cannot move that, because the Committee has already decided that the word "Prevention" shall remain in the clause.

Mr. COCHRAN: I move:

That the clause be amended by inserting after the word "Prevention" the following words: "And Extension of Summary Jurisdiction."

That is what the bill means. This measure is not a Crimes Prevention Act. How could a slipshod thing like this prevent crime? There is nothing in this bill which could prevent burglars from breaking into the private apartments of the Premier, the Minister for Lands, or any other hon. member. The title of the bill is absolutely misleading. What crimes is the bill intended to prevent, and by what means are those crimes to be prevented? Notwithstanding that there are several lawyers in the Ministry, they have been unable to draw up for this bill a title which would properly designate it. It is absurd to ask hon. members to pass this measure, which savours of hypocrisy. We would be recreant to the high trust reposed in us as members of this august assembly, and as opponents of the National coalition party, if we were to agree to the passing of this bill, which purports to aim at preventing crime, but is not calculated to do anything of the kind. We would be recreant to our trust if we allowed a thing like this to go before his Majesty's most excellent representative and told him that the bill was passed with our consent. What kind of reception would we meet with if we waited on his Excellency the Governor and told him that? Some time ago when a deputation waited upon his Excellency those who composed it received a very short shrift. His Excellency bade them good morning before they had had time to warm their seats. It seems to me that the Government and its followers have forgotten all their responsibilities. The remnant of the Labour party which now sits on this side of the House is determined, even at the risk of losing our health, to see that any legislation passed in this Chamber is dealt with deliberately. We intend to bring to bear on every question submitted to us all the intellectual ability we possess. We

[Mr. Cochran.

have a right to voice the opinions of the people who sent us here, and I maintain that in no organisation outside this chamber would the people realise that a bill designated "Crimes Prevention Act" contained only five clauses, the ambit of which was so circumscribed that the hon. members on this side of the House were ruled out of order by Mr. Speaker when we sought to bring to bear upon this measure arguments which we thought were of an appropriate character. Instead of "Crimes Prevention Act," I maintain the title of the bill should be "Extension of Summary Jurisdiction Act." I move:

That after the word "Prevention" the words "and Extension of Summary Jurisdiction" be inserted.

Captain TOOMBS (Hurstville) [4.42 a.m.]: Hon. members on this side hope that, even at this late hour, the Premier will recognise their honest endeavour to improve the bill. It certainly cannot be called a Crimes Prevention Act, because it contains no machinery which would prevent crime, while it certainly does contain provision for the extension of summary jurisdiction to certain crimes instead of the lengthy procedure of trial by jury. The amendment would place the bill in a more logical position; as it stands, it will only excite the ridicule of the public. Of course, it has been hurriedly put together, and the fact that the Premier has found it necessary to strike out a certain portion shows that when he saw the bill he realised how inadequate for its functions it was. It is our duty to try and improve legislation which is hurriedly submitted, and we hope to do so by our intelligent criticism and constructive ability applied to amendments such as the one now proposed, which I hope the Premier will accept.

Mr. WRIGHT (Willyama) [4.46 a.m.]: While the title as proposed to be amended is more acceptable than the title as it stands, the amendment I would propose is that the words "Crimes Prevention" be struck out altogether.

The TEMPORARY CHAIRMAN (Mr. OSBORNE): The hon. member is not in a position to do that, because the Committee has carried a resolution that those words be retained.

Mr. WRIGHT: Then I support the amendment moved by the hon. member for Darling Harbour. I would point out that Mr. Speaker ruled the hon. member for Hartley out of order for discussing portion of clause 2, saying that the bill was very narrow, and really meant an extension of the jurisdiction of the lower courts. Therefore, the action of Mr. Speaker has absolutely put the words in our mouths. It appears to me to be pure "cussedness" on the part of the Premier, with his legal training, not to recognise that the title would be more euphonious with the proposed words inserted.

Mr. T. S. CRAWFORD (Marrickville) [4.49 a.m.]: I think it is quite clear from the remarks of the last speaker that conversation has taken place in the minds of hon. members opposite. They now realise that after all this is a harmless measure. It is not meant to cause fright to anybody, and the really determined criminal would spurn it. It carries no terrors for the man who would go about with a bit of cotton-waste in his pocket, or for the citizen who is in sympathy with gentlemen who are confined elsewhere for the good of their health. It is, according to the speech of the hon. member for Wilyama, who spoke with an earnestness which impressed me greatly, a bill merely to deal in a simple, easy fashion, with petty offences. If that is the change that has come over hon. members opposite why need we spend time in debating the bill? Hon. members now realise that they were mistaken in the first instance, and that the bill is harmless, and therefore I hope they will allow it to go through without further delay.

Mr. MINAHAN (Belmore) [4.51 a.m.]: I agree that the bill will have no terrors for criminals, but it will carry terror into the hearts of innocent citizens, who will realise that they may at any time be arrested and sentenced to six months' imprisonment for an imaginary offence.

Question—That the words proposed to be inserted be so inserted—put. The Committee divided:

Ayes, 11; noes, 28; majority, 17.

AYES.

Cochran, J. P.	Keegan, T.
Dooley, J.	Lang, J. T.
Durack, E.	Minahan, P. J.

Stuart-Robertson, R. J.	Tellers,
Toombs, Capt. S.	Boston, W. J.
Wright, J.	Fingleton, J.

NOES.

Ashford, W. G.	Hollis, R.
Bagnall, W. R. C.	Holman, W. A.
Ball, R. T.	Hoskins, T. J.
Brown, W.	Hunt, J. C.
Cocks, A. A. C.	James, A. G. F.
Cohen, J. J.	McDonald, G. R. W.
Colquhoun, P. B.	McGarry, P.
Crane, J. T.	Millard, W.
Crawford, T. S.	Morrish, J. J.
Fallick, J.	Price, R. A.
Fitzpatrick, J. C. L.	Zuill, W. A.
Graff, A.	
Grahamc, W. C.	Tellers,
Grimm, A. H.	Lane, H. W.
Hall, Brinsley	Latimer, W. F.

Question so resolved in the negative.

Question—That the clause as read stand part of the bill—put. The Committee divided:

Ayes, 30; noes, 11; majority, 19.

AYES.

Arthur, Dr. R.	Hollis, R.
Ashford, W. G.	Holman, W. A.
Bagnall, W. R. C.	Hoskins, T. J.
Ball, R. T.	Hunt, J. C.
Brown, W.	James, A. G. F.
Bruntnell, A.	Laue, H. W.
Cocks, A. A. C.	Latimer, W. F.
Cohen, J. J.	McDonald, G. R. W.
Colquhoun, P. B.	Millard, W.
Crane, J. T.	Morrish, J. J.
Crawford, T. S.	Price, R. A.
Fallick, J.	Zuill, W. A.
Fitzpatrick, J. C. L.	
Grahame, W. C.	Tellers,
Grimm, A. H.	Graff, A.
Hall, Brinsley	McGarry, P.

NOES.

Boston, W. J.	Stuart-Robertson, R. J.
Dooley, J.	Toombs, Capt. S.
Durack, E.	Wright, J.
Keegan, T.	Tellers,
Lang, J. T.	Cochran, J. P.
Minahan, P. J.	Fingleton, J.

Question so resolved in the affirmative. Clause as read agreed to.

Clause 2. If any person incites to, urges, aids, or encourages the commission of crimes or the carrying on of any operations for or by the commission of crimes he shall be guilty of an offence against this act.

If such offence is committed by a speaker at a public meeting, such speaker may be arrested by any member of the police force, and the members of such force may disperse such meeting and for that purpose may use force.

Mr. HOLMAN: I move:

That the second paragraph be struck out.

Captain TOOMBS: I have a prior amendment. I move:

That after the word "crimes," line 2, the words, "not already provided for by existing law," be inserted.

Mr. MINAHAN: I have a prior amendment. I move:

That the words, "incites to," line 1, be struck out.

There is ample provision in the words following to make the position quite clear. My purpose in proposing to strike out these words is —

Mr. HOLMAN: I move:

That the hon. member for Belmore be not further heard.

Question put. The Committee divided:

Ayes, 30; noes, 12; majority, 18.

AYES.

Arthur, Dr. R.	Hollis, R.
Ashford, W. G.	Holman, W. A.
Bagnall, W. R. C.	Hoskins, T. J.
Ball, R. T.	Hunt, J. C.
Brown, W.	James, A. G. F.
Bruntnell, A.	Lane, H. W.
Cocks, A. A. C.	Latimer, W. F.
Cohen, J. J.	McDonald, G. R. W.
Colquhoun, P. B.	McGarry, P.
Crane, J. T.	Millard, W.
Fallick, J.	Price, R. A.
Fitzpatrick, J. C. L.	Zuill, W. A.
Graff, A.	
Grahame, W. C.	<i>Tellers,</i>
Grimm, A. H.	Crawford, T. S.
Hall, Brinsley	Morrish, J. J.

NOES.

Boston, W. J.	Stuart-Robertson,
Cochran, J. P.	R. J.
Dooley, J.	Toombs, Capt. S.
Durack, E.	Wright, J.
Fingleton, J.	<i>Tellers,</i>
Kearsley, W.	Keegan, T.
Minahan, P. J.	Lang, J. T.

Question so resolved in the affirmative.

Mr. J. C. L. FITZPATRICK: I move:

That the question be now put.

The Committee divided:

Ayes, 30; noes, 12; majority, 18.

AYES.

Arthur, Dr. R.	Fallick, J.
Ashford, W. G.	Fitzpatrick, J. C. L.
Bagnall, W. R. C.	Graff, A.
Ball, R. T.	Grahame, W. C.
Brown, W.	Grimm, A. H.
Bruntnell, A.	Hall, Brinsley
Cocks, A. A. C.	Hollis, R.
Cohen, J. J.	Holman, W. A.
Colquhoun, P. B.	Hoskins, T. J.
Crane, J. T.	Hunt, J. C.
Crawford, T. S.	James, A. G. F.

Latimer, W. F.	Price, R. A.
McDonald, G. R. W.	
McGarry, P.	<i>Tellers,</i>
Millard, W.	Lane, H. W.
Morrish, J. J.	Zuill, W. A.

NOES.

Boston, W. J.	Lang, J. T.
Cochran, J. P.	Stuart-Robertson,
Dooley, J.	R. J.
Durack, E.	Wright, J.
Fingleton, J.	<i>Tellers,</i>
Kearsley, W.	Minahan, P. J.
Keegan, T.	Toombs, Capt. S.

Question so resolved in the affirmative.

Mr. MINAHAN: What about the omission of the second paragraph?

Mr. HOLMAN: You prevented me from moving that. We will have it taken out in the Upper House.

Question—That the clause as read stand part of the bill—put. The Committee divided:

Ayes, 28; noes, 12; majority, 16.

AYES.

Ashford, W. G.	Hoskins, T. J.
Bagnall, W. R. C.	Hunt, J. C.
Ball, R. T.	James, A. G. F.
Brown, W.	Lane, H. W.
Bruntnell, A.	Latimer, W. F.
Cocks, A. A. C.	McDonald, G. R. W.
Cohen, J. J.	McGarry, P.
Colquhoun, P. B.	Millard, W.
Crane, J. T.	Morrish, J. J.
Crawford, T. S.	Price, R. A.
Fitzpatrick, J. C. L.	Zuill, W. A.
Grahame, W. C.	
Grimm, A. H.	<i>Tellers,</i>
Hall, Brinsley	Graff, A.
Holman, W. A.	Hollis, R.

NOES.

Boston, W. J.	Stuart-Robertson,
Cochran, J. P.	R. J.
Dooley, J.	Toombs, Capt. S.
Durack, E.	Wright, J.
Keegan, T.	<i>Tellers,</i>
Lang, J. T.	Fingleton, J.
Minahan, P. J.	Kearsley, W.

Question so resolved in the affirmative. Clause as read agreed to.

Clause 3 (Printing or publishing writing inciting to crime).

Mr. HOLMAN: I move:

That the question be now put.

The Committee divided:

Ayes, 30; noes, 12; majority, 18.

AYES.

Arthur, Dr. R.	Bruntnell, A.
Ashford, W. G.	Cocks, A. A. C.
Bagnall, W. R. C.	Cohen, J. J.
Ball, R. T.	Colquhoun, P. B.

Crane, J. T.
Crawford, T. S.
Fallick, J.
Fitzpatrick, J. C. L.
Graff, A.
Grahame, W. C.
Grimm, A. H.
Hollis, R.
Holman, W. A.
Hoskins, T. J.
Hunt, J. C.
James, A. G. F.

Lane, H. W.
Latimer, W. F.
McDonald, G. R. W.
McGarry, P.
Millard, W.
Morrish, J. J.
Price, R. A.
Zuill, W. A.

Tellers,
Brown, W.
Hall, Brinsley

Crane, J. T.
Fallick, J.
Fitzpatrick, J. C. L.
Graff, A.
Grahame, W. C.
Grimm, A. H.
Hall, Brinsley
Hollis, R.
Holman, W. A.
Hoskins, T. J.
Hunt, J. C.

James, A. G. F.
Lane, H. W.
Latimer, W. F.
McDonald, G. R. W.
McGarry, P.
Millard, W.
Price, R. A.
Zuill, W. A.
Tellers,
Crawford, T. S.
Morrish, J. J.

NOES.

Boston, W. J.
Cochran, J. P.
Dooley, J.
Durack, E.
Fingleton, J.
Kearsley, W.
Lang, J. T.

NOES.
Minahan, P. J.
Stuart-Robertson,
R. J.
Toombs, Capt. S.
Tellers,
Keegan, T.
Wright, J.

Boston, W. J.
Cochran, J. P.
Dooley, J.
Durack, E.
Kearsley, W.
Keegan, T.
Lang, J. T.
Minahan, P. J.

Osborne, J. P.
Stuart-Robertson,
R. J.
Toombs, Capt. S.
Tellers,
Fingleton, J.
Wright, J.

Question so resolved in the affirmative.
Question—That the clause as read stand part of the bill—put. The Committee divided :

Ayes, 28 ; noes, 12 ; majority, 16.

AYES.

Ashford, W. G.
Ball, R. T.
Brown, W.
Bruntnell, A.
Cocks, A. A. C.
Cohen, J. J.
Colquhoun, P. B.
Crane, J. T.
Crawford, T. S.
Fitzpatrick, J. C. L.
Graff, A.
Grahame, W. C.
Grimm, A. H.
Hall, Brinsley
Hollis, R.

Holman, W. A.
Hoskins, T. J.
Hunt, J. C.
James, A. G. F.
Lane, H. W.
Latimer, W. F.
McGarry, P.
Millard, W.
Morrish, J. J.
Price, R. A.
Zuill, W. A.

Tellers,
Bagnall, W. R. C.
McDonald, G. R. W.

NOES.

Boston, W. J.
Cochran, J. P.
Dooley, J.
Durack, E.
Fingleton, J.
Kearsley, W.
Keegan, T.

Minahan, P. J.
Stuart-Robertson,
R. J.
Wright, J.
Tellers,
Lang, J. T.
Toombs, Capt. S.

Question so resolved in the affirmative.

Clause as read agreed to.

Clause 4 (Penalty for offences).

Mr. HOLMAN : I move :

That the question be now put.

The Committee divided :

Ayes, 29 ; noes, 13 ; majority, 16.

AYES.

Arthur, Dr. R.
Ashford, W. G.
Ball, R. T.
Brown, W.

Bruntnell, A.
Cocks, A. A. C.
Cohen, J. J.
Colquhoun, P. B.

THE TEMPORARY CHAIRMAN (MR. BAGNALL) : As the requisite number of hon. members, thirty, have not voted on the side of the ayes, the question is resolved in the negative.

Captain TOOMBS (Hurstville) [5.35 a.m.] : I intend to move an amendment in the clause.

Mr. J. C. L. FITZPATRICK : I move :

That the hon. member be not further heard.

The Committee divided :

Ayes, 27 ; noes, 13 ; majority, 14.

AYES.

Ashford, W. G.
Ball, R. T.
Brown, W.
Bruntnell, A.
Cocks, A. A. C.
Cohen, J. J.
Crane, J. T.
Crawford, T. S.
Fallick, J.
Fitzpatrick, J. C. L.
Grahame, W. C.
Grimm, A. H.
Hall, Brinsley
Hollis, R.

Holman, W. A.
Hunt, J. C.
James, A. G. F.
Lane, H. W.
Latimer, W. F.
McDonald, G. R. W.
McGarry, P.
Millard, W.
Morrish, J. J.
Price, R. A.
Zuill, W. A.
Tellers,
Colquhoun, P. B.
Graff, A.

NOES.

Boston, W. J.
Cochran, J. P.
Dooley, J.
Durack, E.
Fingleton, J.
Kearsley, W.
Lang, J. T.
Osborne, J. P.

Stuart-Robertson,
R. J.
Toombs, Capt. S.
Wright, J.
Tellers,
Keegan, T.
Minahan, P. J.

Question so resolved in the affirmative.

[The Chairman left the chair at 5.41 a.m. The Committee resumed at 7.10 a.m.]

Mr. HOLMAN : I move :

That the question be now put.

The Comm ttee divided :

Ayes, 32 ; noes, 11 ; majority, 21.

AYES.

Abbott, M.	Holman, W. A.
Arthur, Dr. R.	Hoskins, T. J.
Ashford, W. G.	Hunt, J. C.
Ball, R. T.	James, A. G. F.
Brown, W.	Lane, H. W.
Bruntnell, A.	Latimer, W. F.
Cohen, J. J.	McDonald, G. R. W.
Colquhoun, P. B.	McGarry, P.
Crane, J. T.	Millard, W.
Crawford, T. S.	Morrish, J. J.
Fallick, J.	Price, R. A.
Fitzpatrick, J. C. L.	Waddell, T.
Graff, A.	Zuill, W. A.
Grahame, W. C.	
Grimm, A. H.	<i>Tellers,</i>
Hall, Brinsley	Cocks, A. A. C.
Hollis, R.	Robson, W. E. V.

NOES.

Boston, W. J.	Stuart-Robertson, R. J.
Cochran, J. P.	Toombs, Capt. S.
Dooley, J.	Wright, J.
Durack, E.	<i>Tellers,</i>
Lang, J. T.	Fingleton, J.
Minahan, P. J.	Kearsley, W.

Question so resolved in the affirmative.

Question—That clause 4 as read stand part of the bill—put. The Committee divided :

Ayes, 32 ; noes, 13 ; majority, 19.

AYES.

Abbott, M.	Hollis, R.
Arthur, Dr. R.	Holman, W. A.
Ashford, W. G.	Hoskins, T. J.
Ball, R. T.	Hunt, J. C.
Brown, W.	James, A. G. F.
Bruntnell, A.	Lane, H. W.
Cocks, A. A. C.	Latimer, W. F.
Cohen, J. J.	McDonald, G. R. W.
Colquhoun, P. B.	Millard, W.
Crane, J. T.	Price, R. A.
Crawford, T. S.	Robson, W. E. V.
Fallick, J.	Waddell, T.
Fitzpatrick, J. C. L.	Zuill, W. A.
Graff, A.	
Grahame, W. C.	<i>Tellers,</i>
Grimm, A. H.	McGarry, P.
Hall, Brinsley	Morrish, J. J.

NOES.

Boston, W. J.	Osborne, J. P.
Cochran, J. P.	Stuart-Robertson,
Dooley, J.	R. J.
Durack, E.	Wright, J.
Fingleton, J.	<i>Tellers,</i>
Kearsley, W.	Lang, J. T.
Keegan, T.	Toombs, Capt. S.
Minahan, P. J.	

Question so resolved in the affirmative.

Clause as read agreed to.

Clause 5 (Where offence punishable otherwise).

Mr. HOLMAN: I move :
That the question be now put.

The Committee divided :

Ayes, 32 ; noes, 13 ; majority, 19.

AYES.

Abbott, M.	Hoskins, T. J.
Arthur, Dr. R.	Hunt, J. C.
Ashford, W. G.	James, A. G. F.
Ball, R. T.	Lane, H. W.
Brown, W.	Latimer, W. F.
Bruntnell, A.	McDonald, G. R. W.
Cocks, A. A. C.	McGarry, P.
Cohen, J. J.	Millard, W.
Crane, J. T.	Morrish, J. J.
Crawford, T. S.	Price, R. A.
Fallick, J.	Robson, W. E. V.
Fitzpatrick, J. C. L.	Waddell, T.
Grahame, W. C.	Zuill, W. A.
Grimm, A. H.	
Hall, Brinsley	<i>Tellers,</i>
Hollis, R.	Colquhoun, P. B.
Holman, W. A.	Graff, A.

NOES.

Boston, W. J.	Stuart-Robertson,
Cochran, J. P.	R. J.
Dooley, J.	Toombs, Capt. S.
Durack, E.	Wright, J.
Fingleton, J.	<i>Tellers,</i>
Kearsley, W.	Keegan, T.
Lang, J. T.	Minahan, P. J.
Osborne, J. P.	

Question so resolved in the affirmative.

Question—That the clause as read stand part of the bill—put. The Committee divided :

Ayes, 31 ; noes, 13 ; majority, 18.

AYES.

Abbott, M.	Holman, W. A.
Ashford, W. G.	Hoskins, T. J.
Ball, R. T.	Hunt, J. C.
Brown, W.	James, A. G. F.
Bruntnell, A.	Lane, H. W.
Cocks, A. A. C.	Latimer, W. F.
Cohen, J. J.	McDonald, G. R. W.
Colquhoun, P. B.	McGarry, P.
Crane, J. T.	Millard, W.
Fallick, J.	Morrish, J. J.
Fitzpatrick, J. C. L.	Price, R. A.
Graff, A.	Robson, W. E. V.
Grahame, W. C.	Waddell, T.
Grimm, A. H.	<i>Tellers,</i>
Hall, Brinsley	Crawford, T. S.
Hollis, R.	Zuill, W. A.

NOES.

Boston, W. J.	Osborne, J. P.
Cochran, J. P.	Stuart-Robertson,
Dooley, J.	R. J.
Durack, E.	Toombs, Capt. S.
Fingleton, J.	<i>Tellers,</i>
Keegan, T.	Kearsley, W.
Lang, J. T.	Wright, J.
Minahan, P. J.	

Question so resolved in the affirmative.

Motion (by Mr. HOLMAN) proposed :
That the Chairman do now leave the chair and report the bill without amendment.

Mr. J. C. L. FITZPATRICK : I move :
That the question be now put.
The Committee divided :
Ayes, 33 ; noes, 13 ; majority, 20.

AYES.

Arthur, Dr. R. Hoskins, T. J.
Ashford, W. G. Hunt, J. C.
Ball, R. T. James, A. G. F.
Brown, W. Lane, H. W.
Cocks, A. A. C. Latimer, W. F.
Cohen, J. J. McDonald, G. R. W.
Colquhoun, P. B. McGarry, P.
Crane, J. T. Millard, W.
Crawford, T. S. Morrish, J. J.
Fallick, J. Price, R. A.
Fitzpatrick, J. C. L. Robson, W. E. V.
Graff, A. Storey, D.
Grahame, W. C. Waddell, T.
Grimm, A. H. Zuill, W. A.
Hall, Brinsley *Tellers,*
Hollis, R. Abbott, M.
Holman, W. A. Bruntnell, A.

NOES.

Boston, W. J. Stuart-Robertson,
Cochran, J. P. R. J.
Dooley, J. Toombs, Capt. S.
Durack, E. Wright, J.
Keegan, T. *Tellers,*
Lang, J. T. Fingleton, J.
Minahan, P. J. Kearsley, W.
Osborne, J. P.

Question so resolved in the affirmative.

Question—That the Chairman leave the chair—put. The Committee divided :

Ayes, 33 ; noes, 13 ; majority, 20.

AYES.

Abbott, M. Holman, W. A.
Arthur, Dr. R. Hoskins, T. J.
Ashford, W. G. Hunt, J. C.
Ball, R. T. James, A. G. F.
Brown, W. Lane, H. W.
Bruntnell, A. Latimer, W. F.
Cocks, A. A. C. McGarry, P.
Cohen, J. J. Millard, W.
Colquhoun, P. B. Morrish, J. J.
Crane, J. T. Price, R. A.
Crawford, T. S. Robson, W. E. V.
Fallick, J. Storey, D.
Fitzpatrick, J. C. L. Waddell, T.
Graff, A. Zuill, W. A.
Grahame, W. C. *Tellers,*
Grimm, A. H. Hollis, R.
Hall, Brinsley McDonald, G. R. W.

NOES.

Boston, W. J. Osborne, J. P.
Cochran, J. P. Stuart-Robertson,
Dooley, J. R. J.
Durack, E. Wright, J.
Fingleton, J. *Tellers,*
Keegan, T. Kearsley, W.
Lang, J. T. Toombs, Capt. S.
Minahan, P. J.

Question so resolved in the affirmative.
Bill reported without amendment.

Motion (by Mr. HOLMAN) proposed :
That the report be now adopted.
Question put. The Committee divided :
Ayes, 34 ; noes, 12 ; majority, 22.

AYES.

Abbott, M. Hollis, R.
Arthur, Dr. R. Holman, W. A.
Ashford, W. G. Hoskins, T. J.
Bagnall, W. R. C. Hunt, J. C.
Ball, R. T. James, A. G. F.
Brown, W. Lane, H. W.
Bruntnell, A. Latimer, W. F.
Cocks, A. A. C. Millard, W.
Cohen, J. J. Morrish, J. J.
Colquhoun, P. B. Price, R. A.
Crane, J. T. Robson, W. E. V.
Crawford, T. S. Storey, D.
Fallick, J. Waddell, T.
Fitzpatrick, J. C. L. Zuill, W. A.
Graff, A. *Tellers,*
Grahame, W. C. McDonald, G. R. W.
Grimm, A. H. McGarry, P.
Hall, Brinsley

NOES.

Boston, W. J. Osborne, J. P.
Cochran, J. P. Stuart-Robertson,
Dooley, J. R. J.
Durack, E. Wright, J.
Fingleton, J. *Tellers,*
Keegan, T. Lang, J. T.
Minahan, P. J. Toombs, Capt. S.

Question so resolved in the affirmative.

Motion (by Mr. HOLMAN) proposed :

That the bill be now read a third time.

Mr. J. C. L. FITZPATRICK : I move :
That the question be now put.

Mr. DOOLEY : I rise to privilege, Mr. Speaker. On the second reading of the bill you ruled me out of order on the ground that I could not discuss the details of the bill because the Premier, as Minister in charge, had given notice that in Committee he intended to delete a certain clause. I want now to draw your attention to the fact—

Mr. HOLMAN : The hon. member is quite wrong. No such assurance was given.

Mr. DOOLEY : I want to draw your attention to the fact, Mr. Speaker, that that clause of the bill was not deleted ; it is still in the bill and the bill has been reported to you without amendment. On the ground that the compact has not been kept with the House I ask your permission to move the recommittal of the bill with the object of eliminating that portion of the clause which the House was promised would be struck out.

Mr. SPEAKER: The hon. member's statement that I prevented him from dealing with the bill is entirely erroneous. As *Hansard* will show, and I am sure hon. members who were present will recollect, I pointed out that the whole matter was in issue, and that the bill as printed was before the House. I can understand that, under the circumstances, the hon. member's recollection is somewhat confused. As I have put the third reading, and the hon. member for Orange has moved that the question be now put, that is the only matter before the House. There is no privilege in what the hon. member has referred to, even if it were based on correct data.

Question—That the question be now put—put. The House divided:

Ayes, 35; noes, 12; majority, 23.

AYES.

Abbott, M.	Hoskins, T. J.
Arthur, Dr. R.	Hoyle, H. C.
Ashford, W. G.	Hunt, J. C.
Bagnall, W. R. C.	James, A. G. F.
Ball, R. T.	Lane, H. W.
Brown, W.	Latimer, W. F.
Cocks, A. A. C.	McDonald, G. R. W.
Cohen, J. J.	McGarry, P.
Colquhoun, P. B.	Millard, W.
Crane, J. T.	Morrish, J. J.
Crawford, T. S.	Price, R. A.
Fallick, J.	Robson, W. E. V.
Fitzpatrick, J. C. L.	Storey, D.
Graff, A.	Waddell, T.
Grahame, W. C.	Zuill, W. A.
Hall, Brinsley	<i>Tellers,</i>
Hollis, R.	Bruntnell, A.
Holman, W. A.	Grimm, A. H.

NOES.

Boston, W. J.	Stuart-Robertson,
Cochran, J. P.	R. J.
Dooley, J.	Toombs, Capt. S.
Durack, E.	Wright, J.
Fingleton, J.	<i>Tellers,</i>
Lang, J. T.	Keegan, T.
Osborne, J. P.	Minahan, P. J.

Question so resolved in the affirmative.

Question—That the bill be now read a third time—put. The House divided.

Ayes, 34; noes, 13; majority, 21.

AYES.

Abbott, M.	Crawford, T. S.
Ashford, W. G.	Fallick, J.
Bagnall, W. R. C.	Fitzpatrick, J. C. L.
Ball, R. T.	Grahame, W. C.
Brown, W.	Grimm, A. H.
Bruntnell, A.	Hall, Brinsley
Cocks, A. A. C.	Hollis, R.
Cohen, J. J.	Holman, W. A.
Colquhoun, P. B.	Hoskins, T. J.

Hoyle, H. C.	Price, R. A.
Hunt, J. C.	Robson, W. E. V.
James, A. G. F.	Storey, D.
Lane, H. W.	Waddell, T.
Latimer, W. F.	Zuill, W. A.
McDonald, G. R. W.	<i>Tellers,</i>
McGarry, P.	Crane, J. T.
Millard, W.	Graff, A.
Morrish, J. J.	

NOES.

Cochran, J. P.	Osborne, J. P.
Dooley, J.	Stuart-Robertson,
Durack, E.	R. J.
Fingleton, J.	Wright, J.
Kearsley, W.	<i>Tellers,</i>
Keegan, T.	Boston, W. J.
Lang, J. T.	Toombs, Capt. S.
Minahan, P. J.	

Question so resolved in the affirmative.
Bill read a third time.

Motion (by Mr. HOLMAN) proposed:
That the bill do now pass..

Question—That the bill do now pass—put. The House divided:

Ayes, 33; noes, 13; majority, 20.

AYES.

Abbott, M.	Hoskins, T. J.
Ashford, W. G.	Hoyle, H. C.
Bagnall, W. R. C.	Hunt, J. C.
Ball, R. T.	James, A. G. F.
Brown, W.	Lane, H. W.
Bruntnell, A.	Latimer, W. F.
Cocks, A. A. C.	McDonald, G. R. W.
Cohen, J. J.	McGarry, P.
Colquhoun, P. B.	Millard, W.
Crane, J. T.	Morrish, J. J.
Fallick, J.	Price, R. A.
Graff, A.	Robson, W. E. V.
Grahame, W. C.	Storey, D.
Grimm, A. H.	Waddell, T.
Hall, Brinsley	<i>Tellers,</i>
Hollis, R.	Crawford, T. S.
Holman, W. A.	Zuill, W. A.

NOES.

Boston, W. J.	Stuart-Robertson,
Cochran, J. P.	R. J.
Dooley, J.	Toombs, Capt. S.
Durack, E.	Wright, J.
Fingleton, J.	<i>Tellers,</i>
Keegan, T.	Kearsley, W.
Lang, J. T.	Osborne, J. P.
Minahan, P. J.	

Question so resolved in the affirmative.

Question—That the title be as read—put. The House divided:

Ayes, 33; noes, 13; majority, 20.

AYES.

Ashford, W. G.	Crawford, T. S.
Bagnall, W. R. C.	Fallick, J.
Ball, R. T.	Fitzpatrick, J. C. L.
Bruntnell, A.	Graff, A.
Cocks, A. A. C.	Grahame, W. C.
Cohen, J. J.	Grimm, A. H.
Crane, J. T.	Hall, Brinsley

Hollis, R.	Millard, W.
Holman, W. A.	Morrish, J. J.
Hoskins, T. J.	Price, R. A.
Hoyle, H. C.	Robson, W. E. V.
Hunt, J. C.	Storey, D.
James, A. G. F.	Waddell, T.
Lane, H. W.	Zuill, W. A.
Latimer, W. F.	<i>Tellers,</i>
McDonald, G. R. W.	Abbott, M.
McGarry, P.	Brown, W.

NOES.

Boston, W. J.	Stuart-Robertson,
Cochran, J. P.	R. J.
Dooley, J.	Toombs, Capt. S.
Durack, E.	Wright, J.
Fingleton, J.	<i>Tellers,</i>
Kearsley, W.	Keegan, T.
Lang, J. T.	Minahan, P. J.
Osborne, J. P.	

Question so resolved in the affirmative.

Motion (by Mr. HOLMAN) proposed :

That the bill be carried to the Legislative Council with the following message :—“ Mr. President,—The Legislative Assembly having this day passed a bill intitled ‘ An Act to make further provision for the prevention of crimes, for that purpose to amend certain Acts, and for purposes incidental thereto ’ presents the same to the Legislative Council for its concurrence.”

Question put. The House divided :

Ayes, 34 ; noes, 13 ; majority, 21.

AYES.

Abbott, M.	Hoskins, T. J.
Ashford, W. G.	Hoyle, H. C.
Bagnall, W. R. C.	Hunt, J. C.
Ball, R. T.	James, A. G. F.
Brown, W.	Lane, H. W.
Bruntnell, A.	Latimer, W. F.
Cocks, A. A. C.	McDonald, G. R. W.
Cohen, J. J.	McGarry, P.
Colquhoun, P. B.	Millard, W.
Crawford, T. S.	Morrish, J. J.
Fallick, J.	Price, R. A.
Fitzpatrick, J. C. L.	Robson, W. E. V.
Graff, A.	Storey, D.
Grahame, W. C.	Waddell, T.
Grimm, A. H.	<i>Tellers,</i>
Hall, Brinsley	Crane, J. T.
Hollis, R.	Zuill, W. A.
Holman, W. A.	

NOES.

Boston, W. J.	Stuart-Robertson,
Cochran, J. P.	R. J.
Dooley, J.	Toombs, Capt. S.
Durack, E.	Wright, J.
Kearsley, W.	<i>Tellers,</i>
Keegan, T.	Fingleton, J.
Minahan, P. J.	Lang, J. T.
Osborne, J. P.	

Question so resolved in the affirmative.

LOCAL GOVERNMENT AMENDING BILL.

In Committee (consideration of Legislative Council's amendments—Mr. COLQUHOUN in the chair) :

Mr. JAMES (Goulburn) Minister for Public Instruction [8.26 a.m.] : The bill as returned from the Council retains the important part of the measure, that is the clause dealing with the regulation of building. The Council has taken out all matters in connection with the electoral franchise, and has inserted a couple of clauses, one of which does away with the necessity for a statutory declaration in the case of an oral tenancy, and the other provides for the postponement of an election, in one case for six months where the election takes place in the year 1917, and for one month in the case of an election in any subsequent year. Consequential on that, the election of mayor or president may be postponed for fourteen days after the election of the council. The clause also allows retiring aldermen to remain in office until the day next preceding the day of the election of the council. This being so close to the end of the session I propose to accept all the amendments made by the Legislative Council. I therefore move :

That the Committee agrees to the Legislative Council's amendments in the Bill.

Mr. GRAHAME: I move :

That the question be now put.

The Committee divided :

Ayes, 31 ; noes, 12 ; majority, 19.

AYES.

Ashford, W. G.	Hoyle, H. C.
Bagnall, W. R. C.	Hunt, J. C.
Ball, R. T.	James, A. G. F.
Brown, W.	Lane, H. W.
Cocks, A. A. C.	Latimer, W. F.
Cohen, J. J.	McDonald, G. R. W.
Crane, J. T.	Millard, W.
Crawford, T. S.	Morrish, J. J.
Fallick, J.	Price, R. A.
Fitzpatrick, J. C. L.	Robson, W. E. V.
Graff, A.	Storey, D.
Grahame, W. C.	Waddell, T.
Grimm, A. H.	Zuill, W. A.
Hall, Brinsley	<i>Tellers,</i>
Hollis, R.	Abbott, M.
Hoskins, T. J.	McGarry, P.

NOES.

Cochran, J. P.	Osborne, J. P.
Dooley, J.	Stuart-Robertson,
Durack, E.	R. J.
Kearsley, W.	Wright, J.
Keegan, T.	<i>Tellers,</i>
Lang, J. T.	Fingleton, J.
Minahan, P. J.	Toombs, Capt. S.

Question so resolved in the affirmative.

Question—That the Legislative Council's amendments be agreed to—put. The Committee divided :

Ayes, 31 ; noes, 13 ; majority, 18.

AYES.

Abbott, M.	Hunt, J. C.
Arthur, Dr. R.	James, A. G. F.
Ashford, W. G.	Lane, H. W.
Ball, R. T.	Latimer, W. F.
Bagnall, W. R. C.	McDonald, G. R. W.
Bruntnell, A.	McGarry, P.
Cocks, A. A. C.	Millard, W.
Cohen, J. J.	Morrish, J. J.
Crane, J. T.	Price, R. A.
Crawford, T. S.	Robson, W. E. V.
Fitzpatrick, J. C. L.	Storey, D.
Grimm, A. H.	Waddell, T.
Hollis, R.	Zuill, W. A.
Holman, W. A.	<i>Tellers,</i>
Hoskins, T. J.	Brown, W.
Hoyle, H. C.	Hall, Brinsley

NOES.

Cochran, J. P.	Stuart-Robertson,
Dooley, J.	R. J.
Durack, E.	Toombs, Capt. S.
Fingleton, J.	Wright, J.
Kearsley, W.	<i>Tellers,</i>
Keegan, T.	Boston, W. J.
Minahan, P. J.	Lang, J. T.
Osborne, J. P.	

Question so resolved in the affirmative.

Motion (by Mr. JAMES) proposed :

That the Chairman do now leave the chair and report that the Committee has agreed to the Legislative Council's amendments.

Question put. The Committee divided :

Ayes, 32 ; noes, 13 ; majority, 19.

AYES.

Abbott, M.	Hoskins, T. J.
Arthur, Dr. R.	Hoyle, H. C.
Ashford, W. G.	Hunt, J. C.
Bagnall, W. R. C.	James, A. G. F.
Ball, R. T.	Lane, H. W.
Brown, W.	McDonald, G. R. W.
Bruntnell, A.	McGarry, P.
Cocks, A. A. C.	Millard, W.
Cohen, J. J.	Morrish, J. J.
Crane, J. T.	Price, R. A.
Crawford, T. S.	Storey, D.
Fitzpatrick, J. C. L.	Waddell, T.
Grahame, W. C.	Zuill, W. A.
Grimm, A. H.	<i>Tellers,</i>
Hall, Brinsley	Latimer, W. F.
Hollis, R.	Robson, W. E. V.
Holman, W. A.	

NOES.

Boston, W. J.	Stuart-Robertson,
Cochran, J. P.	R. J.
Dooley, J.	Toombs, Capt. S.
Durack, E.	Wright, J.
Kearsley, W.	<i>Tellers,</i>
Keegan, T.	Fingleton, J.
Lang, J. T.	Minahan, P. J.
Osborne, J. P.	

Question so resolved in the affirmative.

Reported—That the Committee had agreed to the Legislative Council's amendments.

Motion (by Mr. JAMES) proposed :

That the report be now adopted.

Mr. J. C. L. FITZPATRICK : I move :

That the question be now put.

The House divided :

Ayes, 35 ; noes, 13 ; majority, 22.

AYES.

Abbott, M.	Holman, W. A.
Arthur, Dr. R.	Hoskins, T. J.
Ashford, W. G.	Hoyle, H. C.
Bagnall, W. R. C.	Hunt, J. C.
Ball, R. T.	James, A. G. F.
Brown, W.	Lane, H. W.
Bruntnell, A.	Latimer, W. F.
Cocks, A. A. C.	McDonald, G. R. W.
Cohen, J. J.	McGarry, P.
Colquhoun, P. B.	Millard, W.
Crawford, T. S.	Morrish, J. J.
Fallick, J.	Price, R. A.
Fitzpatrick, J. C. L.	Storey, D.
Fuller, G. W.	Waddell, T.
Grahame, W. C.	Zuill, W. A.
Grimm, A. H.	<i>Tellers,</i>
Hall, Brinsley	Graff, A.
Hollis, R.	Robson, W. E. V.

NOES.

Cochran, J. P.	Stuart-Robertson,
Dooley, J.	R. J.
Durack, E.	Toombs, Capt. S.
Fingleton, J.	Wright, J.
Kearsley, W.	<i>Tellers,</i>
Keegan, T.	Boston, W. J.
Minahan, P. J.	Lang, J. T.
Osborne, J. P.	

Question so resolved in the affirmative.

Question—That the report be now adopted—put. The House divided :

Ayes, 34 ; noes, 13 ; majority, 21.

AYES.

Abbott, M.	Hollis, R.
Ashford, W. G.	Holman, W. A.
Bagnall, W. R. C.	Hoskins, T. J.
Ball, R. T.	Hoyle, H. C.
Brown, W.	Hunt, J. C.
Bruntnell, A.	James, A. G. F.
Cocks, A. A. C.	Lane, H. W.
Cohen, J. J.	McGarry, P.
Colquhoun, P. B.	Millard, W.
Crane, J. T.	Morrish, J. J.
Crawford, T. S.	Price, R. A.
Fallick, J.	Robson, W. E. V.
Fitzpatrick, J. C. L.	Storey, D.
Fuller, G. W.	Zuill, W. A.
Graff, A.	<i>Tellers,</i>
Grahame, W. C.	Latimer, W. F.
Grimm, A. H.	McDonald, G. R. W.
Hall, Brinsley	

NOES.

Boston, W. J.	Osborne, J. P.
Cochran, J. P.	Stuart-Robertson,
Dooley, J.	R. J.
Durack, E.	Wright, J.
Fingleton, J.	
Kearsley, W.	<i>Tellers,</i>
Keegan, T.	Minahan, P. J.
Lang, J. T.	Toombs, Capt. S.

Question so resolved in the affirmative.

Motion (by Mr. JAMES) proposed :

That the following message be carried to the Legislative Council :—

Mr. President,—

The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in a bill intituled "An Act to amend the law with regard to Local Government, including the government of the city of Sydney ; to regulate within the city of Sydney buildings and erections ; to define the qualifications of electors and to regulate the voting in shires and municipalities ; to apply to shires the provisions of the Country Towns Water and Sewerage Acts, 1880-1905 ; to amend certain Acts ; and for purposes consequent thereon or incidental thereto."

Question put. The House divided :

Ayes, 30 ; noes, 13 ; majority, 17.

AYES.

Ashford, W. G.	Holman, W. A.
Bagnall, W. R. C.	Hoskins, T. J.
Ball, R. T.	Hoyle, H. C.
Brown, W.	Hunt, J. C.
Cocks, A. A. C.	Lane, H. W.
Cohen, J. J.	Latimer, W. F.
Colquhoun, P. B.	McGarry, P.
Crane, J. T.	Millard, W.
Crawford, T. S.	Morrish, J. J.
Fallick, J.	Price, R. A.
Fitzpatrick, J. C. L.	Robson, W. E. V.
Fuller, G. W.	Zuill, W. A.
Graff, A.	
Grahame, W. C.	<i>Tellers,</i>
Hall, Brinsley	Abbott, M.
Hollis, R.	Grimm, A. H.

NOES.

Cochran, J. P.	Stuart-Robertson,
Dooley, J.	R. J.
Durack, E.	Toombs, Capt. S.
Fingleton, J.	Wright, J.
Kearsley, W.	
Lang, J. T.	<i>Tellers,</i>
Minahan, P. J.	Boston, W. J.
Osborne, J. P.	Keegan, T.

Question so resolved in the affirmative.

[Mr. Speaker left the chair at 8.56 a.m. The House resumed at 10 a.m.]

SPECIAL DEPOSITS (INDUSTRIAL UNDERTAKINGS) AMENDMENT BILL.

In Committee (consideration of the Legislative Council's message—Mr. BAGNALL in the chair):

Mr. BALL (Corowa), Secretary for Public Works [10.7 a.m.], moved :

That the Committee does not insist upon the Assembly's disagreement to the Council's amendment, and agrees with the Council's further amendment in the bill.

He said : Several amendments were made by the Council in this bill, some of which were accepted and some not accepted by the Assembly. The bill has again been returned from the Council with a further amendment, which I am prepared to accept. That amendment is made in clause 5, which provides that the profits from the various industries shall be placed to a special account, so that they may be used for replacing machinery or increasing the plants used in connection with the particular industries. It is practically giving to the several industries a special account under which each can utilise its own profits. I regard it as a very acceptable amendment.

Mr. DURACK (Bathurst) [10.11 a.m.] : Apart from the objection I have to the Legislative Council amending a bill, this amendment vitally affects what was regarded as the main clause of the bill. When the Treasurer, in the absence of his colleague, introduced the bill, the main reason he gave for it was that the Government itself was in business in connection with certain industrial undertakings. Some of those businesses could not be expected to pay for a while, and must be at the outset losing concerns. The doctrine he laid down was that the State being in business, it should be regarded as a sort of universal provider, carrying on under one ownership several branches of business. The business undertakings of the State should be taken as a whole, and the profits made in one branch should be used as a set-off against the losses incurred in another. This amendment of the Legislative Council quite reverses that principle, for instead of the industries being regarded as a whole each is taken separately, and each one that is a losing concern has to bear its own loss. We are placed in this extraordinary position that the responsible Minister told us only a little while ago that that was entirely a wrong principle, and that the successful undertakings should support those which were not successful. Now the Secretary for Public

Works calmly asks the Committee to accept, without much consideration, a distinct reversal of what was laid down as a basic principle. I am not prepared to do that. The Minister has not submitted sufficiently strong reasons for adopting that course and reversing what was the distinct policy of the Government only a short time ago. I am not prepared to accept any amendment from the Legislative Council unless for the very strongest reasons.

Mr. OSBORNE (Paddington) [10.15 a.m.]: When the project of industrial undertakings was first launched, the Government laid it down that it was absolutely necessary the Minister controlling the various industries should have the right to make interchange of profit and loss. He said that the undertakings could not be carried on if the principle were adopted that the profits of any one concern were to be used only to meet the capital cost of that concern. It was intended by the utilisation of the profits of successful industries to meet the loss upon those that were not successful and to wipe off the capital cost of the whole of the undertakings within a reasonable time. I think members of the Liberal party acknowledged that as a sound principle. I realise that the Legislative Council has to a certain extent climbed down in its attempt to remodel this bill, inasmuch as whereas in the first place it insisted that the whole of the profits should be paid into the consolidated revenue, it now agrees that the profit of each industry may be devoted towards wiping off its capital cost, but I still hold that the whole of the undertakings should be treated as one business. If the Homebush brickworks pay, and the Botany brickworks do not pay, and both are absolutely necessary, what objection can there be to taking the profit from the one and placing it to the credit of the other? Surely it is best to use the profits made in any one industry to meet the necessities of another.

Mr. BALL: If one business is not paying there is no sense in maintaining it!

Mr. OSBORNE: The policy of the Government may be not to make a handsome profit in a given industry; it may decide to carry it on though it does not show a profit. That being so, why should

not the general profits be available to balance accounts and ultimately wipe off the whole of the capital cost.

Mr. LATIMER: It is not sound to maintain an unprofitable business at the expense of a profitable one. We do not want to continue these undertakings unless they are sound businesses!

Mr. OSBORNE: What we are asking for is a sound business proposition. Very often one department in an extensive store may not pay, but it may be necessary because it handles side lines that prove a "draw."

Mr. BALL: Would you pay over the profits of the bakery to meet the losses of the brickworks?

Mr. OSBORNE: I suggest that if you get large profits from the bakery instead of paying them into the consolidated revenue you should earmark them to wipe off the losses on some other undertaking. The Premier himself said only during this sitting that a great deal depends on the class of undertaking whether we should look for an early profit. It would require one year or perhaps two or three to give a fair test in some classes of undertaking, whereas, in another class, you might demonstrate in a few months whether it was going to pay. We ought to have enough confidence in the Minister and the heads of the various industries to allow them to decide whether it would be judicious to allocate the profits from the undertakings as a whole to wipe out the losses, or at any rate the original capital cost, of other undertakings.

Mr. PRICE (Gloucester) [10.22 a.m.]: When the bill was going through the House, I pointed out how undesirable it was to pool the profits of the various industries. The action taken by the Upper House is on the same lines. A business firm, if it had a branch which was not paying, would dismiss the persons who were running it, and close up the branch. Is there a single business concern in the United States or Great Britain, or in the Commonwealth, which would keep one department running at a loss? You might as well allow a rotten branch to remain on a fruit tree. A sensible man would cut away the rotten branch. There is danger when the State enters into a number of financial concerns, and spends

[Mr. Durack.

vast sums of money on them, that because of incompetence and extravagance, great loss may be entailed. Take the Monier pipe concern. The Government paid three times the value of the plant. The result is that if that concern were in competition with others it could not pay as well. How is it made to pay? In order to show a fictitious profit, the Public Works Department and the Water and Sewerage Board have to accept these pipes at prices above their real value. What was done at Uhr's Point in order to make a profit? They contracted before the war to buy Baltic and other timber at 17s. 6d. per 100 feet. They compelled the contractors to supply them at 17s. 6d. although the contractors had to pay 22s. 6d., and then the Government entered into competition with the contractors by selling at 19s. 3d. These works are not paying. The same may be said with regard to the making of furniture. The factory is not run on business lines. When you have a number of men who have never had to finance a concern, and who do not understand the operations of business, there is bound to be loss. These men have been failures all round. The State has to pay the loss. Take the abattoirs for example. The capital cost is unnecessarily loaded because of faulty construction. Yet we are asked to make one industry pay for another. Referring again to the Monier pipes, the Public Works Department and the Water and Sewerage Board have to pay 75 per cent. more than the real value of the pipes. If they were made in competition with other firms the pipes would cost less. I want hon. members to recognise the principle as advocated by myself when the bill was before this House, and adopted by the Upper House, that each industry should depend upon its own management. With regard to the brickworks, Mr. Hutton was an estimable man as a carpenter's labourer when engaged in connection with the construction of houses for a former Premier and his wife, but he knows absolutely nothing about making bricks. The result was that there was endless trouble in connection with the concern, which ought to have been a paying proposition. I would remove all these business undertakings beyond the reach of political influence.

Mr. J. STOREY (Balmain) [10.28 a.m.]: I would remind hon. members of what the Premier said on this question. He made a speech which was unanswerable in defence of the proposition that this House inserted in the bill. It is useless to stop here and discuss whether we should accept the amendments made by the Council. Mr. Cann in introducing the bill said it was a wise proposition that, if the brickworks were paying, and the timber works were not paying, the two concerns ought to be taken together under the one head of business undertakings, to show that they were being run in a way to make them acceptable to the public. Now, the Minister proposes to agree to the deletion of the whole clause. No matter on which side of the House we may sit we should endeavour to do the best we can with the State industrial undertakings as we now have them. How does the Minister think that we will be able to achieve our object if we agree to the deletion of the whole of the clause which makes that possible? On previous occasions the argument has been used that it would be worse than absurd to penalise the people who use one particular line of railway because it did not pay, and give special advantages to the people who use another line of railway because it did pay.

Mr. BALL: But the railway system is a complete system!

Mr. J. STOREY: The railway system is for the purpose of carrying people and goods. The State industrial undertakings are for the purpose of supplying goods to people. Whilst they are distinct in some respects, they are almost identical as far as the Government is concerned.

Mr. LATIMER: Would the hon. member have separate accounts kept for each of these undertakings?

Mr. J. STOREY: We have kept separate accounts in regard to each of them for a considerable time, and it is not proposed to alter that. Since this House agreed to this clause after mature consideration what has happened that we should accept the Legislative Council's amendment to delete the clause? If we are pressed for time, because of being near the end of the session, we might allow the bill to go over until next session. If we are not pressed for time I ask the

Secretary for Public Works to give reasons which would effectually answer the reasons given by the Premier during the financial debate and by Mr. J. H. Cann when he was in charge of this bill, and which were generally agreed to by hon. members. If the Secretary for Public Works can do that I am satisfied that hon. members on this side of the House will accept what he says, but otherwise we cannot reasonably be expected to agree to the deletion of a clause on the discussion of which we spent several hours. What arguments, has the Legislative Council adduced which should cause the Minister to revert to the system that prevailed before this bill was brought in?

Mr. BALL: This House refused to accept the Council's previous amendment under which the money had to be paid into the Consolidated Revenue Fund, and the bill was sent back to the Legislative Council for modification to pretty nearly the original proposal.

Mr. J. STOREY: The position the hon. member puts now was not the position in the first instance, otherwise why did Mr. Cann bring in the bill at all?

Mr. BALL: I do not say that that was the position when Mr. Cann brought in the bill, but the Legislative Council threw that provision out entirely.

Mr. J. STOREY: The point raised by the Minister is not apropos of what we are now considering. The clause as we sent it to the Legislative Council provided:

The profits of an undertaking, after providing for amounts carried to the Reserve Account, as prescribed in section 4 of this act, may be applied in reduction of the capital cost of that or any other undertaking, or in such other way as the Governor may direct from time to time.

I think that some hon. members on the Opposition side opposed that but that was sent to the Legislative Council as approved of by this House and now it is coolly proposed by the Minister to accept the amendment that has been made by the Legislative Council deleting that clause. The Government might well be asked either to adhere to the bill in its original form or to throw it over altogether.

Mr. KEEGAN (Glebe) [10.36 a.m.]: It seems useless on our part to protest against what the Government proposes to do, seeing that the Government is apparently prepared to subordinate the opinions of mem-

bers of this House to the opinions of the Legislative Council. I should like to ask the Minister if this provision is to apply to the State brickworks and the Uhr's Point timber yards. I ask that owing to the fact that the Secretary for Public Works himself, when he was on this side of the House, protested against the carrying on of establishments of this description by the Government. It is a pity that the Government has not shown some backbone and resisted the attitude taken up by the Legislative Council. Instead of giving way to the Council, I think it would be far better to let the bill be dealt with at a conference between the two Houses, and see if it could not be passed in the form in which it was first passed by this House.

Mr. COCHRAN (Darling Harbour) [10.38 a.m.]: This seems to me to be an insidious attempt on the part of the Legislative Council to extend its co-operation to the Government in carrying out its intention to abolish the day labour system and the public utilities which we have to-day. The present Government has been too prone to accept amendments made by the other House in important legislation passed by this House. It was owing to the action of the Legislative Council, in amending the Mining Act some time ago, that we recently had the disastrous coal strike. If the Government is going to act in a spineless manner, and agree to anything the Legislative Council chooses to put in a bill, the best thing we can do is to relegate all our powers to the Legislative Council, which has been recently reinforced by the appointment, by the present Government, of some gentlemen of whom we never heard previously. What I desire to say is that there is not any reason why a public utility in a profitable way should not be called upon to pay part of its profits towards the upkeep of a languishing industry which under proper management might be made to pay in the near future. Take the trawling industry as an illustration. Owing to bad management, lack of proper supervision, and want of capacity on the part of the directors, that industry has shown a huge loss; but the Auditor-General, who went through the reports quite recently, pointed out that under a proper system there would be a lucrative future before it.

[Mr. J. Storey.]

Mr. J. C. L. FITZPATRICK: And yet you want some of the payable propositions to give from their surplus towards the trawling industry, which is not being carried out on a proper basis!

Mr. COCHRAN: Yes; quite right. What would become of the Railway Department if something cost £20,000 on last year's turnover, and you were going to close the railways because they did not temporarily pay, while the tramways were a paying concern?

I maintain this is an altogether unwise proposition; and I protest against the Government being so weak-kneed as to accept the first thing the Legislative Council returns to it. I have been told that the Council has not power to interfere with a money bill, but we find that they have power to interfere with the allocation of moneys directly accruing from the profits of State industries. I enter my protest against this nominee Chamber bulldozing the Government into the tacit acceptance of any proposal it brings forward.

Mr. KEARSLEY (Cessnock) [10.43 a.m.]: I understand that any profits made by these undertakings are now being paid into the Consolidated Revenue Fund, but Clause 4a of the bill as amended says:—

After providing for expenditure in respect of any industrial undertaking such amounts as may be determined by the Minister shall from time to time be carried to a reserve account to be opened in the Treasury under the heading of the undertaking.

Moneys at credit of such account may be withdrawn by the manager for the purpose of meeting the cost of renewals, replacements, assurance, and liabilities for accidents, and such other liabilities properly incurred in relation to the undertaking as may be determined by the Minister, but for no other purpose, and thereupon the required amount may be issued under the authority of the said Treasurer.

It seems to me that this clause gives the Minister a power of discrimination in regard to these amounts, and it of course gives the manager power to withdraw certain amounts from the profits. The question then is, what shall become of the surplus profits? Under the 1912 Act those profits are conveyed to the consolidated revenue. If these undertakings show a loss I do not know whether the revenue could be drawn upon to save them from that loss. If they lose one year and gain the next, I suppose there is no

giving credit for any gains obtained in the undertaking, but the loss is always on record against them. The question to me is whether the money shall go through the consolidated revenue or whether there shall be created a special account. Section 5, which has been struck out by the Legislative Council, amended the principal Act to provide:

The profits of an undertaking, after providing for amounts carried to the reserve account, as prescribed in section four of this Act, may be applied in reduction of the capital cost of that or any other undertaking or in such other way as the Governor may direct from time to time.

I think it is only businesslike that the industrial undertakings should be looked upon as one interest, while the accounts are distinct. I understand the accounts of the brickworks and the joinery works are kept by themselves. In finance these undertakings are distinct; but should there be a loss in one undertaking, that loss may be covered temporarily by the profits from another undertaking. I think it is only businesslike for these to be generalised, and for there to be one account, kept distinct in regard to each. I think the Minister in charge of the bill should allow clause 5 to be retained, and I intend to vote in that direction.

Mr. MINAHAN (Belmore) [10.48 a.m.]: I approve of the alteration made by the Upper House. I do not agree with taking the surplus from undertakings which are showing profits, and using them to bolster up other less profitable concerns, which should be closed up. In the early stages of a business, allowance is made by those who make calculations from a proper standpoint for losses, to see if within a reasonable time—certainly not more than twelve months—the business will pay. If it does not pay, a business man would cut it right out, and close it up. I quite agree with the principle of making every business stand upon its own basis. The Treasurer will be required to pay a reasonable rate of interest on the profits standing to the credit of the special deposit accounts, and so far so good, but I object to the restriction which is proposed to be placed upon the purposes to which these profits may be devoted. We may have a business showing accumulated profits amounting to £100,000, and the whole of this money will be lying idle. Pro-

vision is made that the manager may, with ministerial approval withdraw from the fund belonging to the particular business such small amounts as may be necessary for replacement, upkeep, and general detailed expenditure. But no provision is made for the withdrawal of money that may be necessary for the development of the business. I think that the profits of a business should be made available for expenditure in developing it.

Question resolved in the affirmative.

Resolution reported ; report adopted.

INDUSTRIAL ARBITRATION (AMENDMENT) BILL.

In Committee (consideration of Legislative Council's amendments — Mr. BAGNALL in the chair) :

Mr. HOLMAN (Cootamundra) Premier and Colonial Treasurer [11.3 a.m.] : The Legislative Council has made a large series of amendments in the bill sent up from this Assembly of a character which we do not feel competent to discuss at this advanced stage of the session. The amendments that would have been made there, had a certain course not been taken, would have been of such a nature that the bill would have to be regarded as abandoned. In order, therefore, to get some profit out of the labours of this Assembly and of the Minister, Mr. Estell, who was responsible for the introduction of the measure, we have arranged that those clauses which provide for the establishment of four judges in place of the present unsatisfactory system of wages boards, and the alteration of the machinery of the Arbitration Act, so as to secure a speedy and effectual settlement of cases referred to the arbitration tribunal, should be preserved ; and we propose to ask the Committee to now agree *in globo* to the Legislative Council's amendments. As hon. members will see, that is equivalent to the temporary abandonment of the whole of the rest of the provisions of the bill. I can only say that we do not propose to abandon the remaining provisions of the bill, but we are not in a position at this stage of the session to enter upon the difficult and complex problems which would arise from a reconsideration of the arbitration law from its very

foundations in the light of the Legislative Council's amendments, and in the light of the reconstruction of the Ministry and its new policy. The clauses that we have agreed to retain represent not only the views of the hon. member, Mr. Estell, and hon. members of the Opposition, but the views of this Government in its entirety, and we propose to reintroduce an entire industrial arbitration law upon new lines early in the next session, when hon. members will have a full opportunity to deal with the matter.

AN HON. MEMBER : Why not allow the whole bill to stand over ?

Mr. HOLMAN : If we had allowed the whole bill to stand over, then the present highly unsatisfactory machinery, which has been crying to heaven for redress, would continue for at least six months longer before a new bill could be introduced and completed. We are not prepared to undertake that responsibility. We do recognise that the delays in getting cases before the Arbitration Court are the most fruitful causes of strikes. We want to remove that cause. This is a matter upon which we are all agreed, and we can secure that measure of benefit at once. Hon. members will understand exactly what the situation is, and in inviting the Committee to accept the Legislative Council's amendment, I am securing this one important change—this one important principle—which otherwise we should lose, and of which we shall get the benefit from now on, instead of waiting for a general reform of the whole law. I move :

That the Committee agrees to the Legislative Council's amendments in this bill.

Mr. DURACK (Bathurst) [11.7 a.m.] : I do not propose to deal with the Legislative Council's amendments, but I do wish to say one word by way of protest, and it is this : When a bill leaves this Chamber, goes before a second Chamber, and is treated in the manner in which this bill has been treated, it is entirely against the best parliamentary practice that the Government should accept the measure and propose to proceed with it. It is the recognised practice in the British Parliament, and it has been the practice here, where a bill has been mutilated, as this bill has been mutilated,—and hon. members have only to look at the measure to satisfy themselves as to the treatment

[*Mr. Minahan.*

meted out to it by the Legislative Council—not to proceed with it in the form in which this bill is now being dealt with. But the Government, if it proposes to deal with the question at all, immediately introduces a new bill containing the desired provisions.

Mr. HOLMAN: That does not apply where the amendments are made in the other place with the consent of the Government!

Mr. DURACK: Only this session we had an instance where it did apply. The bill was the Military and Naval Hospital Home Bill. I am dealing with the question more from a constitutional point of view than any other, and because I do not wish it to be regarded as a precedent. Owing to outside influences—I believe the Commonwealth Government stepped in and interfered—many of the provisions of that bill were really not required. The bill went before the Legislative Council, and the bulk of it was struck out. The measure came back to this House. The Government was in accord with the Legislative Council's amendments, but Mr. Speaker ruled, and there is no question rightly ruled, that the bill had been so mutilated by the Council that it was the duty of the Government to come down with a new measure. I submit that it is a bad precedent for the Government to establish that it should accept a bill in the mutilated condition this bill is in, and then coolly ask the Committee to accept the Legislative Council's amendments *in globo*.

Mr. HOLMAN: As a matter of fact the Government is confronted with the choice of losing the bill altogether, or of saving one highly valuable set of provisions about which we are all unanimous. We decided not to drop the whole bill, but to agree to wipe out all the clauses that would prove controversial.

Mr. DURACK: That does not affect my argument. My contention is that in view of the manner in which this bill has been mutilated, a new bill should have been introduced.

Mr. ESTELL (Wallsend) [11.12 a.m.]: I agree with the statement of the leader of the Opposition that this bill can hardly be recognised as the measure which we sent to the Upper House. There are only two principles now left in it—

the provisions with regard to the appointment of judges, and the abolition of the schedules. In order to give a short history of the work of compilation of this bill, I may state that I had the very valuable assistance of the late Mr. Wise and others who had a large experience in industrial legislation. We framed a bill which contained the most extensive provisions that had ever been placed in an arbitration bill in this country. The Federal Labour Government, having been returned to power, decided to ask the people by way of a referendum to give them increased powers with regard to dealing with industrial matters. On account of the war that referendum was not taken and our Premier promised the Federal Government that he would lay the matter before this Parliament and ask it, along with the other State Parliaments, to give the Federal Government certain powers in that respect without having a referendum. As a result of that the bill which had been drafted and which made most elaborate provision for dealing with industrial matters was abandoned altogether. The measure, as it was originally introduced here, was carefully considered by the Government and by a committee appointed to deal with it. The Premier was one of the most active members of that committee, and took a keen interest in the drafting of the bill. The bill, as it has been returned from the other Chamber, bears no resemblance to the measure which we passed.

As far as the appointment of judges is concerned, it is well known that I favoured expedition in carrying on the business of the Arbitration Court, and I thought that expedition would be gained by the appointment of additional judges. On account of the severe criticism that was levelled against the procedure in the Arbitration Court in this House from time to time, the delays which caused so much uneasiness in the industrial world were to a very great extent done away with. At the present time the judges, in selecting chairmen of wages boards, have regard to those men who are able to devote the necessary time to dealing with disputes arising between employers and employees. There is no hurry at the present time, because the uneasiness that was formerly

felt does not now exist to the same extent. I suppose that after the war the Federal Government will decide upon taking over the whole of the matters connected with industrial legislation, and the Arbitration Court in New South Wales will practically be abolished. There is, therefore, no necessity for us to accept this bill, which has been emasculated by the other Chamber. I do not think it is fair that after the representatives of the people have approved of the vital principles contained in the measure, we should have returned to us the mere skeleton of a bill. All that we now have is the frame ; the inside has been taken away altogether. I endeavoured to get hold of the principal Act in order to compare it with the amendments made by the Upper House, but I was unable to obtain a copy. Is it fair to ask this House to blindly deal with amendments which have been made by the Legislative Council, excising provisions which were considered at length in this Chamber? Men who call themselves representatives of the people are going to record their votes without the slightest knowledge of what they are voting for. If they stand behind the Government and record a vote in favour of the elimination of some of the most important principles ever contained in an arbitration measure, they will do an absolutely wrong thing. Talk about hasty legislation! It is said that it is the function of the Upper House to do away with hasty legislation ; but what can this be called if members will record a vote without having had the opportunity of comparing the amendments with the existing Act? If they do such a thing all I can say is that they are prepared to do anything. On account of the fact that the uneasiness which formerly existed on account of parties not being able to get their cases before the court having disappeared to a large extent through chairmen of wages boards being appointed who are prepared to devote their time to the business of the boards, the same reasons do not exist to-day for appointing additional judges as existed at the time when I brought in the bill. It is proposed to appoint additional judges who, I presume, will be friends of the present Minister for Labour and Industry and that is the only reason

[*Mr. Estell.*

advanced for passing this mutilated bill. In view of the keen interest which the Premier took in the drafting of the bill, I do not see how he can accept the amendments made by the Council. Why should we not wait until we have the opportunity of dealing with a comprehensive bill? The present Minister for Labour and Industry is quite capable of drafting a bill which would give general satisfaction to the industrial community. If the Upper House had the courage it would say to the Assembly, "We shall do away altogether with arbitration." It is trying to take a step in that direction by the emasculation of this bill. I intend to oppose the Council's amendments.

MR. DOOLEY (Hartley) [11.21 a.m.] : Like the late Minister for Labour and Industry, I cannot accept the amendments of the Council. [*Committee counted.*] We are asked to accept practically two clauses—one giving the Government power to appoint more judges, and the other abolishing the schedule. In the last Industrial Disputes Act there are 73 clauses, and this Committee is asked to accept a bill of two clauses. The Act was drafted after months of study on the part of the Minister, who had the ablest assistance he could secure. It was reduced in bulk in this House, sent to the Upper House and somewhat further reduced, and now we are asked to accept two clauses. I am not opposed to the clause abolishing the schedule, but to that which gives the Government power to appoint two more judges, for that is all it does, I am opposed most strongly. I do not think that this Government, which is not representative of the people, should have power to make any appointments. It appears to have nothing else to do but to make appointments. There are the appointment of the Railway Commissioners, the appointment of the chairman of the appeal board and other appointments. From my experience of the Arbitration Court, I say that the whole system of arbitration will stand or fall according to the class of men we have to administer it.

MR. HOLMAN : It would be interesting to know what experience you have had of the Arbitration Court!

MR. DOOLEY : I have attended it fairly regularly and have appeared before it on more than one occasion. The Minister

for Labour and Industry recently publicly stated that there would be an election in a couple of months—probably before Easter. If that statement be true—and surely a Minister of the Crown does not make a public statement without the authority of Cabinet—the Government can well wait with this bill.

Mr. J. C. L. FITZPATRICK: If the hon. member desires to be re-assured on the point he can rest content that there will be no election within that time!

Mr. DOOLEY: If there is to be no election, what right has this Government to appoint more judges to the Arbitration Court? Those appointments will last for many years. Another complaint I have is that only one copy of the principal Act is available to hon. members, so that they have not a fair opportunity of comparing the amendments with it. There is no urgency in the matter. The congestion that did exist does not now exist. The Government appears to me to be going to unnecessary trouble to secure this one clause which is to enable them to appoint extra judges.

Mr. FINGLETON (Waverley) [11.28 a.m.]: I enter my emphatic protest against the manner in which this bill comes back to us. When it left this Chamber it was shaped by the elected representatives of the people in the manner which they considered best calculated to serve the necessities of the situation. It was not perfect, but it was the best we could do. Now in the dying hours of Parliament the Council makes drastic amendments in it, and the Government proposes to accept them. The other Chamber has no right to treat in such a way measures that we, the representatives of the people, send up to them. It is a direct challenge to this Chamber. It is a charge that we do not represent the people. The Upper House is taking the business of the country out of our hands. There is practically only one clause in the bill which the Government proposes to accept, that is the clause relating to the appointment of judges. This great fusion Government seems to have a mania for appointing barristers to particular positions, so as to enable them to get in out of the wet. We have had several instances of that since the advent of this Government. One lawyer has been

appointed to the Upper House as Minister for Labour and Industry, and two others have been appointed to positions in the Cabinet without the consent of the people. I have heard the hon. member for Orange, when he was on this side of the House, make reference to a spineless Government that had a lot of dumb driven cattle behind it. The hon. member is in that position now. Hon. members opposite are prepared to vote for anything rather than give us on this side of the House an opportunity to bring in legislation which the people at the last election sent us here to introduce. This Government has no mandate from the people to appoint four barristers to these positions. No doubt the amendments will be accepted, because the Government has a majority behind it, but the Opposition has a right to enter its protest. There is no political decency in the Government in appointing these barristers.

Mr. MILLER: The law is a trade union.

Mr. FINGLETON: I believe in unionism, and evidently, as there is such a large number of barristers in the Cabinet, the Government also believes in it, and is quite ready to give brother unionists every opportunity to fill positions such as these.

Mr. J. C. L. FITZPATRICK: I move: That the question be now put.

The Committee divided:

Ayes, 32; noes, 17; majority, 15.

AYES.

Abbott, M.	Hoyle, H. C.
Arthur, Dr. R.	Hunt, J. C.
Ashford, W. G.	Lane, H. W.
Briner, G. S.	McGarry, P.
Brown, W.	Millard, W.
Bruntnell, A.	Nesbitt, G.
Cocks, A. A. C.	Nicholson, J. B.
Colquhoun, P. B.	Perry, J.
Crane J. T.	Price, R. A.
Fallick, J.	Robson, W. E. V.
Fitzpatrick, J. C. L.	Thompson, W.
Fuller, G. W.	Waddell, T. W.
Grahame, W. C.	Zuill, W. A.
Grimm, A. H.	
Hall, Brinsley.	
Holman, W. H.	
Hoskins, T. J.	

Tellers,

Graff, A.
Morrish, J. J.

NOES.

Boston, W. J.	Kearsley, W.
Brown, T.	Keegan, T.
Cochran, J. P.	Lang, J. T.
Dooley, J.	Miller, G. T. C.
Durack, E.	Minahan, P. J.
Fingleton, J.	Osborne, J. P.

Storey, J. *Tellers,*
 Stuart-Robertson, R. J Cusack, J. J
 Wright, J. Gardiner, A. R.

Question so resolved in the affirmative.

Question—That the Committee agrees to the Council's amendments—put. The Committee divided :

Ayes, 34 ; noes, 17 ; majority, 17.

AYES.

Abbott, M. Holman, W. A.
 Arthur, Dr. R. Hoskins, T. J.
 Ashford, W. G. Hoyle, H. C.
 Ball, R. T. Hunt, J. C.
 Briner, G. S. Lane, H. W.
 Brown, W. McGarry, P.
 Bruntnell, A. Millard, W.
 Burgess, G. A. Morrish, J. J.
 Cocks, A. A. C. Nicholson, J. B.
 Colquhoun, P. B. Perry, J.
 Crane, J. T. Price, R. A.
 Fallick, J. Thompson, W.
 Fitzpatrick, J. C. L. Waddell, T.
 Fuller, G. W. Zuill, W. A.
 Graff, A. *Tellers,*
 Grahame, W. C. Nesbitt, G.
 Grimm, A. H. Robson, W. E. V.
 Hall, Brinsley

NOES.

Boston, W. J. Miller, G. T. C.
 Brown, T. Minahan, P. J.
 Cochran, J. P. Osborne, J. P.
 Dooley, J. Storey, J.
 Durack, E. Stuart-Robertson, R. J.
 Fingleton, J. Wright, J.
 Kearsley, W. *Tellers,*
 Keegan, T. Cusack, J. J.
 Lang, J. T. Gardiner, A. R.

Question so resolved in the affirmative.

Motion (by Mr. HOLMAN) proposed :

That the Chairman do now leave the chair, and report that the Committee agrees to the Council's amendments, including an amendment in the title.

Question—That the Chairman leave the chair—put. The Committee divided :

Ayes, 33 ; noes, 16 ; majority, 17.

AYES.

Abbott, M. Hoyle, H. C.
 Arthur, Dr. R. Hunt, J. C.
 Ashford, W. G. Lane, H. W.
 Ball, R. T. McGarry, P.
 Briner, G. S. Millard, W.
 Brown, W. Morrish, J. J.
 Cocks, A. A. C. Nesbitt, G.
 Colquhoun, P. B. Nicholson, J. B.
 Crane, J. T. Perry, J.
 Fallick, J. Price, R. A.
 Fitzpatrick, J. C. L. Robson, W. E. V.
 Fuller, G. W. Thompson, W.
 Grahame, W. C. Waddell, T.
 Grimm, A. H. Zuill, W. A.
 Hall, Brinsley *Tellers,*
 Holman, W. A. Bruntnell, A.
 Hoskins, T. J. Graff, A.

NOES.

Brown, T. Minahan, P. J.
 Cochran, J. P. Osborne, J. P.
 Cusack, J. J. Storey, J.
 Dooley, J. Stuart-Robertson, R. J.
 Durack, E. Wright, J.

Tellers,

Keegan, T. Boston, W. J.
 Miller, G. T. C. Lang, J. T.

Question so resolved in the affirmative.

Resolution reported.

Motion (by Mr. FULLER) proposed :

That the report be now adopted.

Question put. The House divided :

Ayes, 34 ; noes, 18 ; majority, 16.

AYES.

Abbott, M. Hall, B.
 Arthur, Dr. R. Holman, W. A.
 Ashford, W. G. Hoskins, T. J.
 Ball, R. T. Hoyle, H. C.
 Briner, G. S. Hunt, J. C.
 Brown, W. Lane, H. W.
 Bruntnell, A. McGarry, P.
 Burgess, G. A. Millard, W.
 Cocks, A. A. C. Perry, J.
 Cohen, J. J. Price, R. A.
 Colquhoun, P. B. Robson, W. E. V.
 Crane, J. T. Thompson, W.
 Fallick, J. Waddell, T.
 Fitzpatrick, J. C. L. Zuill, W. A.
 Fuller, G. W. *Tellers,*
 Graff, A. Morrish, J. J.
 Grahame, W. C. Nesbitt, G.
 Grimm, A. H.

NOES.

Boston, W. J. Lang, J. T.
 Cochran, J. P. Miller, G. T. C.
 Cusack, J. J. Minahan, P. J.
 Dooley, J. Storey, J.
 Durack, E. Stuart-Robertson, R. J.
 Estell, J. Wright, J.

Tellers,

Hickey, Simon Brown, T.
 Kearsley, W. Osborne, J. P.
 Keegan, T.

Question so resolved in the affirmative.

Motion (by Mr. HOLMAN) proposed :

That the following message be carried to the Legislative Council:—"The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in the bill intituled 'an Act to amend the law with regard to the conditions of industries and industrial arbitration ; to amend the Industrial Arbitration Act, 1912 ; the Acts relating to Stamp Duties ; the Coal Mines Regulation Act, 1912 ; and certain other Acts ; to amend the Industrial Arbitration Act, 1912 ; and for purposes consequent thereon or incidental thereto, including the amendment in the title.'"

Question put. The House divided :

Ayes, 35 ; noes, 18 ; majority, 17.

AYES.

Abbott, M.	Holman, W. A.
Arthur, Dr. R.	Hoskins, T. J.
Ashford, W. G.	Hoyle, H. C.
Bagnall, W. R. C.	Hunt, J. C.
Ball, R. T.	Levy, D.
Briner, G. S.	McGarry, P.
Brown, W.	Millard, W.
Bruntnell, A.	Morrish, J. J.
Burgess, G. A.	Morton, H. D.
Cocks, A. A. C.	Nesbitt, G.
Colquhoun, P. B.	Perry, J.
Crane, J. T.	Price, R. A.
Fallick, J.	Robson, W. E. V.
Fitzpatrick, J. C. L.	Waddell, T.
Fuller, G. W.	Zuill, W. A.
Graff, A.	<i>Tellers,</i>
Grahame, W. C.	Hall, Brinsley
Grimm, A. H.	Thompson, W.

NOES.

Boston, W. J.	Miller, G. T. C.
Brown, T.	Minahan, P. J.
Cochran, J. P.	Osborne, J. P.
Dooley, J.	Storey, J.
Durack, E.	Stuart-Robertson, R. J.
Estell, J.	Wright, J.
Fingleton, J.	<i>Tellers,</i>
Hickey, Simon	Cusack, J. J.
Keegan, T.	Kearsley, W.
Lang, J. T.	

Question so resolved in the affirmative.

LOAN ESTIMATES.

TRAWLING INDUSTRY.

In Committee of Supply (Mr. COLQUHOUN in the chair):

Debate resumed (from page 3652), on motion by Mr. Holman :

That there be granted to his Majesty for the year 1916-17, to be raised by loan, a sum not exceeding £5,851,480, for public works and other services.

Mr. LANG (Granville) [12.6 p.m.] : The Premier promised that he would postpone the consideration of the proposed vote for the Government trawlers, and that in the meantime he would have placed in the hands of hon. members the special report of the Auditor-General upon the trawling industry. That report has not yet reached our hands, and therefore we are not in a position to go on with the discussion.

Mr. HOLMAN (Cootamundra), Premier and Colonial Treasurer [12.8 p.m.] : Of course, we are all somewhat at a disadvantage. The leader of the Opposition was prepared to go on with the discussion yesterday, and it was at my request that

he refrained from doing so, because I then had no knowledge of the document from which he was quoting. Since then I have obtained a copy of the document, and my hon. colleague, the Colonial Secretary, has also perused it, and is in a position to reply to most of the points raised. I was in hopes that the leader of the Opposition would have been prepared to go on now with the speech which he was prepared to deliver yesterday ; but, of course, if he is not yet ready, we shall have to postpone the matter until a later hour, although such a course would be extremely undesirable. If the hon. member will now put before the Committee the facts that appeal to him, I or my hon. colleague, the Colonial Secretary, will make a short reply, and we shall be able to dispose of the business.

Mr. DURACK (Bathurst) [12.10 p.m.] : Yesterday, when I came down here, I had just received the Auditor-General's report, from what source I do not know. I had practically concluded what I desired to say when the Premier asked me to allow that section of the debate to remain over until to-day. When the Premier made that suggestion I said I was quite agreeable, in the pious hope that we were going to have a night in bed, and an opportunity to read the report. As a matter of fact, I have not since seen the report. There are many items which could be discussed. Generally speaking, I have done what I set out to do in drawing attention to the Auditor-General's report on the trawling industry, and in stating that whilst we, as an Opposition, believe in this and similar industries, we are of opinion that any gross mismanagement should be remedied before further large expenditure is contemplated. Having done that I had practically concluded, although there were other portions of the report I had intended touching upon. I appealed for delay as much on behalf of the Committee and of hon. members generally as for myself.

Mr. HOLMAN [12.11 p.m.] : I recognise the position in which the hon. member finds himself, and I hope he will acquit me of any idea of seeking to force him into speaking again when he is not ready. As we have now taken up this vote solely with the idea of throwing some light on the operations of the trawling industry, I

propose to say a few words upon the matter, and to deal with it so far as my knowledge enables me; and then my colleague, the Colonial Secretary, will say a few further words in the course of the debate should it be necessary. The report of the Auditor-General covers the first year's operations of the industry. During that year's operations the industry has been under Mr. Stead. He began when the hon. member, Mr. Cann, was Colonial Secretary, and he carried on his work whilst the hon. member, Mr. Black, was Colonial Secretary, and he is now carrying on under the administration of my colleague Mr. Fuller. It is a fact, as hon. members are aware, that in the early days of Mr. Black's relationship with Mr. Stead he formed an exceedingly unfavourable opinion of Mr. Stead's administrative and business capacity. I have since seen the document which appears in the Auditor-General's report. I find that I had seen it at the time it was written, some six or eight months ago, and that I had had several conversations with Mr. Black about that time. That document, no doubt, quite accurately represented Mr. Black's opinion at that time; but I am in a position to assure the Committee that Mr. Black has in the meantime, if not entirely, certainly most substantially changed his opinion about Mr. Stead and his capacity. That represented Mr. Black's early impressions, and was based on a comparatively few weeks' experience of this officer.

I am bound to say, in justification of Mr. Stead, that I myself was possibly responsible for a certain slight measure of the friction which existed. It was brought about in this way: Mr. Stead commenced operations as manager of the fisheries under Mr. Cann, and when Mr. Cann relinquished the position, and Mr. Black assumed office as Colonial Secretary, I saw both Mr. Cann, Mr. Black, and Mr. Stead, and I asked Mr. Cann for the first few weeks to help with matters in order to bridge over a possible change of policy which a change of Ministers might involve. It may be that Mr. Black imagined he was being unduly interfered with in the administration of his department either by Mr. Cann or by myself. And in one or two matters that arose possibly Mr. Stead found that he had one

view from us and another from his own Minister. Thus he found himself in some difficulty, and as a result certain friction arose. That was in the early days, but as I have already told the Committee, Mr. Black's later view of the situation was entirely different. I do not say that he thought Mr. Stead met all the improvements or met all the blame, but he certainly entirely withdrew those rather sweeping condemnations he had made in the minute which appears in the Auditor-General's report. That is a phase of the question upon which I can throw some light as the outcome of my own personal knowledge of the facts. The document was not intended for publication. It was sent to Ministers as an explanation of the difficulty which Mr. Black believed he was experiencing. It was a confidential statement, and was thus drawn up in less guarded terms than a document which it was known would be published.

The real difficulty with the Auditor-General has been that he and his officers could not get Mr. Stead's accounts. It will be seen by anyone who reads the report that the Auditor-General again and again refers to the chaos in which the accounts and the departmental affairs were. I can quite understand that it is a most difficult thing for any manager to tell how his department is going unless his accounts are audited. He cannot tell what losses are incurred, what profits are made, or where the leakages are. But the explanation of that position is that during that opening year Mr. Stead had to work with no less than five successive accountants. His accountants had been changed four times. Three of the men who were appointed volunteered for the front one after the other, and the man who actually drew up the balance-sheet finally, was not appointed accountant until after the close of the financial year. The man who actually did the work upon which the Auditor-General reports had seen nothing of the operations of the other officials. He had to take up the work of his predecessors, who were not available for consultation, but who had gone away to the front. Under those circumstances it will be understood that Mr. Stead was always more or less in arrears with his accounts. He had no less than four changes and five separate men in one

[Mr. Holman.

year. I put it to the Committee that such an experience must be excessively trying to any officer in an administrative position. I have experienced something of the kind myself. In my own office, quite recently, a blunder was detected which might have involved serious consequences. When I traced the matter out, I found that the blunder was due to the fact that an experienced despatch clerk, whose business it was to look after the sending out of documents, had left only a few days before on military service, and in his place we had some inexperienced beginner, the best man we could get, but a man quite incapable of doing the work. Fortunately the blunder was discovered, but if it had not been discovered it would have been unfair to blame my secretary for a matter of that kind, arising out of a change of personnel which he could not possibly watch. This explains the whole of the difficulties about the accounts of the Fisheries Department.

Then, during this year—my colleague, the Colonial Secretary, can give fuller information on this matter than I can—I know that Mr. Stead has been engaged on an enormous group of organising work. He has practically twice traversed the whole of the coast of New South Wales. He has interviewed and organised the fishermen in each fishing centre. He has arranged cold-storage depôts in accordance with a scheme of transport. And not only has he done this work in addition to the trawling, but he has been arranging for distributing the fish in Sydney, in Newcastle, and a number of other places where distribution is contemplated. That in itself has been a very large work, which has had to be carried out entirely by Mr. Stead, because there is no officer under him to whom he could delegate his duties. He has had to do that work, and at the same time do what he could with the accounts. Further than that, Mr. Stead has had no less than three separate strikes to deal with. I know it may be said that that must indicate some lack of tactful care in the management of the men.

Without inquiry I am not going to say that Mr. Stead is blameless. I do not wish to suggest that I have inquired into the matter and that I know he is blameless, but whether he was in some degree responsible for those strikes occurring or

not, hon. members will see that the manager of an important industry of this kind, who has his employees on strike, is in a very embarrassed position, and cannot be blamed if there is a certain lack of that ordinary finish which the Auditor-General is accustomed to get in Government departments.

If all these things are considered, it can be fairly said that there is the possibility of a good case being put forward on behalf of the manager. These things show that the manager may not be to blame. If we take a further matter, I think, hon. members will see that there is every reason for thinking that the manager has not been to blame. In the middle of these affairs, as the result of certain difficulties which cropped up, the Public Service Board were invited by either Mr. Black or myself to make inquiry into the working of this State Department. They made inquiry and Mr. Gribben, an inspector of the Auditor-General's Department, who has made these reports complaining of Mr. Stead, and who had at that stage made an earlier report than the one quoted by the leader of the Opposition, attended the Public Service Board inquiry and gave evidence, and also to some extent conducted the inquiry.

AN HON. MEMBER: He examined some witnesses.

MR. HOLMAN: Yes. He conducted a case before the inquiry and the Public Service Board, after carrying that inquiry to a certain stage, were evidently so satisfied that Mr. Stead was in the right in the charges made and was not blame-worthy for such hitches as had occurred up to that date, that they gave Mr. Stead a continuation of his post, recommended that he be appointed Commissioner of Fisheries, and raised his salary from £460 to £600.

MR. OSBORNE: Who made the charges?

MR. HOLMAN: I will not say that there were definite charges, but there was a certain measure of dissatisfaction on the part of Mr. Black, and a further measure of dissatisfaction on the part of the Auditor-General with the state of things which then prevailed in the Department.

MR. OSBORNE: Did Cabinet authorise the inquiry?

Mr. HOLMAN: Yes; it was made either at my request or at Mr. Black's direct request. I am informed that it was at Mr. Black's direct request. It was afterwards stated by me, when another report was issued by the Auditor-General, that that report had been issued as the result of a request made by Cabinet, but as a matter of fact the request by Cabinet for an inquiry was made not to the Auditor-General, but to the Public Service Board, and the Auditor-General's officers appeared before the board. In a letter which appears in the printed document, it will be seen that I write as if I had asked for an inquiry by the Auditor-General. That was an error. I have never asked the Auditor-General to make an inquiry, but the Cabinet did ask the Public Service Board to make this inquiry. The inquiry resulted in the Public Service Board re-establishing Mr. Stead in his post, recommending that he be appointed general manager of the industry, and that his salary be increased to £600 a year in recognition of the greatly increased responsibilities which he had. There is the definite finding of an independent body expressing confidence in Mr. Stead. As against that, there are the facts, which I readily acknowledge are unfortunate facts, of the disorder in the department—that is, disorder in the accounts, and, what I have no doubt is a direct consequence of the disorder in the accounts, disorder in the management, leakages and losses, and inadequate control over various portions of the work. But that is accounted for by the difficulties under which Mr. Stead has been working. We—that is, Mr. Black, Mr. Fuller and myself, in a lesser degree—know what an enormous strain there was upon Mr. Stead's time and personal exertions. He has had to do practically everything himself, and I have no doubt that in the opening year many things fell into arrear. But I should like to say that my own personal view of Mr. Stead is that he is a public officer of overwhelming zeal and energy—possibly, as the hon. member for Hurstville has suggested, a little lacking in knowledge of practical seafaring matters, and possibly a little overweighted with the many details of the business which he has been striving to manage under so many difficul-

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ties. The impression formed upon myself—and I am glad to say, the impression in later months formed upon Mr. Black—of Mr. Stead's capacities was highly favourable.

Captain TOOMBS: How do you get over the report that instead of getting the best men he could for positions, he appointed men who were relatives of his friends? How do you think you are going to get things right if you have a department full of incompetents?

Mr. HOLMAN: That was a statement made by Mr. Black in this early Cabinet minute as representing his early impressions. After that minute was written, this inquiry by the board was made. I do not suppose for a moment that the minute was written without some foundation. No doubt Mr. Stead had appointed somebody who was the relative of a friend.

Captain TOOMBS: He has since appointed a most incompetent man as ship's husband!

Mr. HOLMAN: I have not had a moment since yesterday to look into that particular point, but very possibly someone was appointed by Mr. Stead as ship's husband who answered the description in Mr. Black's minute—that is, the relative of a friend. I am informed by the Colonial Secretary that there were two persons who answered that description; but as a matter of fact, both of them were appointed in view of the experience which they had had. After all, our friends' relatives are as good as anybody else's relatives if they have the experience; and Mr. Stead was able, I presume, to show to the Public Service Board that these appointments were satisfactory.

Captain TOOMBS: When I asked a question on the subject, I was told that it was not necessary for a ship's husband to possess special qualifications!

Mr. HOLMAN: I must confess that I am ignorant of the qualifications which a ship's husband should possess. The hon. member will see that whilst it is right for a shoemaker to judge a shoe, the hon. member judges Mr. Stead on a matter of which he has special expert knowledge, and it is not fair to judge a man of all-round administrative capacity like Mr. Stead on a mistake which he may have made in one particular matter. From my experience of the public service during the

last six years, I say that one feels fortunate to find an officer of genuine zeal and untiring energy in any department. It is not the administrative officer who makes no mistake who is the valuable officer; it is the officer who has the courage and initiative enough to occasionally risk a mistake, and the energy afterwards, if he has made a mistake, to put it right.

I believe Mr. Stead has all those qualities in a very unusual measure. All I ask is that hon. members will keep an open mind on this matter for some time further. My colleague, Mr. Fuller, will make himself fully acquainted with the whole question. He has already begun to do so and if there are any defects of administration or otherwise, hon. members may rely upon their being remedied.

With regard to the loss referred to by the Auditor-General, it is no doubt substantial and there is reason to believe it is larger than was at first estimated. I estimated that the loss would be £10,000; the Auditor-General says it has been £11,000; and no doubt if it were calculated from another point of view, it would appear even more than that.

Captain Toombs: To be fair to Mr. Stead I believe that the rate of depreciation of the hull was fixed too high.

Mr. HOLMAN: Quite so. We never expected that this undertaking would pay its way the first year, and we do not expect it will ever pay on the basis of three trawlers. The expenses of administration are too heavy. I do not say the expenses would not increase if we had thirty trawlers, but they would not increase thirtyfold; perhaps they would not increase more than twofold.

An Hon. Member: Is the turnover sufficient to warrant a fleet of thirty trawlers?

Mr. HOLMAN: I have no doubt whatever that it is, but owing to the difficulty of procuring steel and iron we have not been able to get the vessels. You could not buy a trawler for love or money when the war began. We have been constantly making inquiries. We have made them even in Japan.

Mr. OSBORNE: The criticism has not been against the trawlers. They have done excellent work. It has been against the system of distribution

Mr. HOLMAN: Undoubtedly; I have not obtained Mr. Stead's views on the subject, but I will not say that the system of distribution is perfect, nor do I think Mr. Stead believes it is. But Mr. Stead has had many difficulties to face in the initiation of this system, and amongst them is that of distribution. These difficulties have not been overcome yet. The unfortunate feature in connection with ventures of the kind is that people are too exacting in the early stages of what is really a social development. I think Mr. Stead has done remarkably well under peculiar difficulties. I think this rough outline will calm any fears in the minds of hon. members, and again I would say I only ask them to keep a suspended judgment for some further time, during which my colleague will go fully into the matter.

Mr. WRIGHT (Willyama) [12:34 p.m.]: I have listened with a great deal of interest to the Premier while he made his apology. A statement has been made with regard to the want of knowledge on the part of Mr. Stead, and it has been said that that matter has been adjusted. I can quite understand that the matter has been adjusted if Mr. Stead has appointed his relations and Mr. Black has appointed his. No doubt they can shake hands all round.

Mr. MARK F. MORTON: Mr. Black appointed himself!

Mr. WRIGHT: Yes; there was a pompous display on the part of Mr. Black. I do not know Mr. Stead, but I do know Mr. Black. (With regard to Mr. Black's charges against Mr. Stead) the latter, if he had been a wise manager, would, on being ordered to do something of which he disapproved, have said: "Very well; I shall do it if you put it in writing, but I do not think it will turn out satisfactorily." A manager does not need to run all over the country attending to minute details. If a concern is sufficiently large, and the manager has to go away sometimes, he always has a competent person to watch affairs during his absence. The Premier made the lamest excuse about accounts that I have ever heard. He is a clever man at making black look white. In the old days he would have been called a sophist. He has a suave and insinuating way of putting his case that would deceive

those who do not know him. His excuse for the accounts not being up to date does not weigh with me. Any manager of another man's business who values his reputation will give particular attention to the regular daily posting of the books. The Premier said that Mr. Stead was unfortunate in that two of his men went to the front. But no man runs away to the front at a day's notice. Those men must have given at least a week's notice, which was long enough to provide for the appointment of their successors. There must have been a haphazard way of managing the business. Mr. Stead must have said to himself, "Never mind about the books, Mr. Black will give me instructions." Mr. Stead would not have asked for those instructions in writing, and consequently Mr. Black may or may not have repudiated them. The initial mistake was that a man absolutely without special knowledge and experience of books was entrusted with the great responsibility of taking a trip to England to buy ships. Mr. Stead had had no experience. One would think that if the head of the department wanted to buy ships he would instruct the Agent-General to employ a practical man for the purpose. The Agent-General is there to look after the things that we want done in England. The Minister appointed this man, and gave him £750 to pay his expenses, but he knew nothing at all about ships. He did not buy up-to-date trawlers, the kind of boat which uses up all the waste products and refuse on board. The Premier must bear a large share of the blame. Furthermore, in all these industrial undertakings there ought to be auditors who should be able to go into the workshop or the office at any time and demand to see the amount of cash in hand. If that had been done in this case the books would never have got into their present state. I am not disposed to agree to the spending of £75,000 on more trawlers. Evidently Mr. Stead and Mr. Black had very wasteful ideas. I should like to know what the item of £11,000 is for. The rent of the buildings would not come to that amount. There must be an enormous loss in some other direction.

Mr. MARK F. MORTON: In supplying the people with cheap fish!

Mr. WRIGHT: People could have been supplied with cheap fish if there

Mr. Wright.

had been a proper mode of distribution, instead of renting shops—such as the one in Oxford-street—for which they paid £300 a year. I do not know whether they paid taxes also. There were about five persons employed in the shop, and it was open for fewer hours than other shops that sell fish. The whole business has been fearfully managed, and I do not envy the Colonial Secretary his task in unravelling the tangle. The relatives of managers should have to get employment elsewhere.

The Public Service Board held a certain inquiry at Broken Hill, but I was not satisfied with it. Mr. Cann saw the waste that was going on, and that it was desirable to shift the person in question from there. I believe that Mr. Cann would have discharged him if he had had the power. The report of the Public Service Board treated the whole matter in a very airy manner. They said it was just a little indiscretion. I place little value on any inquiry the Public Service Board makes.

Coming back to the question of the trawlers, I do not agree that we should build more trawlers. We should first of all establish the small concern on a firm business basis. Some time ago I foreshadowed a system to the Colonial Secretary by which fish could be cheaply and expeditiously distributed.

Mr. FULLER: I am having a report made on the hon. member's suggestion!

Mr. J. STOREY (Balmain) [12.46 p.m.]: I do not share the pessimistic views of the hon. member for Willyama. The fishing industry is not going to be carried out at the beginning with the precision of a municipal council. The hon. member's ideas of what Mr. Stead's duties are do not coincide with mine. Mr. Stead has to visit all the towns on the coast, has to come back into the city and attend to the distribution of the fish, and has to deal with innumerable strikes. Then when he goes home he is supposed to look after the books.

Mr. WRIGHT: The accountant is there for that purpose.

Mr. J. STOREY: I understood the hon. member to say that Mr. Stead had not paid sufficient attention to the books. I wish to point out that we are the people who instituted this fishing industry, and

who told our friends who are administering it that it ought to be a success. I hold that it can be made a success. I am not going to say that the accountancy is bad, that the management is bad, that the system under which the trawlers were purchased is bad. If I did, I would condemn the whole scheme. It is really in an embryo stage, and it is unfair that incompetent politicians should express an opinion as to whether the management is good or bad. I know that the hon. member for Willyama is sincere, but who does he think ought to be sent to England to buy ships that would be suitable for Australian waters?

Mr. WRIGHT: A man who understood ships!

Mr. J. STOREY: The hon. member would probably want to send a captain, but that would not be the proper person. What is required is a man who knows our local conditions, and who knows the Minister's ideas. Such a man could go to England and secure the best services available. Mr. Stead could not do that. To say that Mr. Stead has not had any experience in the fishing industry in Australia, is to say something which is not true, and is unfair, and is an insult which would not be offered by anyone who knows what Mr. Stead's duties have been in connection with the fisheries of New South Wales. I sympathise with the hon. member for Willyama in his desire to have the right thing done. We are all anxious that the fishing industry should be placed on a sound basis. I am sure that the Colonial Secretary is as anxious as we are that that should be done. He comes from the South Coast, knows what good fish is, and what the possibilities of the fishing industry of New South Wales and of Australia generally are, and, although in the past, he has said that he believed that the State fishing industry was an encroachment on the rights and privileges of private enterprise, still this industry having been established, and a large sum of money having been invested in it, I am satisfied that the Minister will not destroy it, but will do his best to make it a success. The statements made by the Auditor-General about the methods of book-keeping in connection with this industry may be all right, and we have to accept them, but I think he exceeds his duties when he sets

himself up as an authority as to whether the manager of this industry does or does not know his duty. The duty of an auditor is to deal with matters of fact; he may express strong views in regard to what he regards as irregularities in book-keeping, but for him to say that the manager is incompetent for his position is, in my judgment, going too far, and is using a boomerang which perhaps may some day rebound against himself. I believe that if the head of the Fisheries Department were free from the tomfoolery and idiosyncrasies of Ministers, and were allowed a proper measure of freedom in conducting his department, such as has been allowed in connection with the State brickworks and timberworks, he would soon show results like those which have been shown by Mr. Hutton in relation to the State brickworks.

Mr. STUART-ROBERTSON: Mr. Hutton could not help making that undertaking a success!

Mr. J. STOREY: It must be admitted that Mr. Hutton has made it a great success. It may be that the trade and the machinery are so good that Mr. Hutton could not help making the undertaking a success. Give the same advantages to the head of the Fisheries Department, and I believe he will show equally good results. But if he is fooled about, first of all with attacks from a member of the Government, then by the Public Service Board's interference, and then by the Auditor-General's interference, I say it is impossible for him to carry out his administrative work.

Mr. MARK F. MORTON: If he were given a free hand, could he settle the strike?

Mr. J. STOREY: He might be able to do so. If he had a little more freedom, and if a good deal of his time were not taken up in giving interviews to pressmen and replying to statements made in the press by a Minister, he could better devote himself to his administrative duties. Representatives of the press are of course out to get information, and if a Minister who happens also to be a journalist is always ready to supply them with all kinds of information about the department he controls, he no doubt would

bring trouble upon himself and the department as well. The Colonial Secretary will be well advised if he tells gentlemen of the press that he will give them information that is interesting and valuable to the public, but not information calculated to create discord in the department he controls.

Mr. OSBORNE (Paddington) [12.56 p.m.]: I subscribe pretty liberally to the views expressed by the hon. member for Balmain. I do not hold a brief either for Mr. Stead or anybody else, but I think that in matters of this kind we ought to be given all the facts and take everything into consideration before forming a judgment on the matter. I believe this industry to be one of the finest enterprises in New South Wales, and that it can be made one of the most popular and successful. It is only in its infancy. In the early stage of such an industry, mistakes will occur, and a certain amount of chaos is likely to creep in; the introduction of a new kind of business is inseparable from the making of some mistakes. I do not subscribe to the view held by some hon. members that all the trouble in connection with this industry is to be laid at the door of the manager. With the hon. member for Balmain, I think that the man who has been managing this department for the last twelve months has been asked to do too much. When you ask a man to take in hand the organisation of an entirely new department, to see to the purchase of trawlers, to supervise the employment of men and the formation of an office staff, to make visits to the North Coast and the South Coast in order to arrange with fishermen for a supply of fish, and, in the midst of all these duties, to receive visits from dozens of persons, politicians and others, who want to see him on matters connected with the industry, and also ask him to look after the cold storage arrangements and the opening of fish shops, and the thousand and one things inseparable from a business of this kind; it is not reasonable to expect him in a few short months to make a success of such an undertaking as this without making some mistakes. I think that some of the trouble has arisen from certain people having their fingers in the pie, and because the man

[Mr. J. Storey.

in charge of the industry has not been given the free hand he should have had.

I presume the manager of this department, if he wants assistance, has to make application for it to the Public Service Board.

AN HON. MEMBER: I do not think it is so!

Mr. OSBORNE: It may not have been so in the early stages, when the first two or three assistants were supplied, but I am informed that in the case of later assistants it is so. If the manager is not able to obtain the assistance he requires just when it is necessary, it may upset all his arrangements and necessitate his taking a different course of action. I think there is a magnificent future for this industry. I believe we have already done well in demonstrating to the world and to the people of New South Wales in particular that the waters on our coast are teeming with edible fish which can be supplied to the people at reasonable prices.

Mr. MARK F. MORTON: You have only demonstrated that to the people of Sydney!

Mr. OSBORNE: That is true, but the hon. member will recognise that we cannot do everything at once. We have only three trawlers engaged so far, and those cannot supply nearly enough fish for the requirements of the people in the metropolitan area alone, even if they worked regularly.

AN HON. MEMBER: They are not working at all at present!

Mr. OSBORNE: That is so, but it is a misfortune which the management has to put up with. When they do work regularly they will, no doubt, obtain large quantities of edible fish, which will be placed at the disposal of dwellers in the metropolitan area. There is, I understand, a scheme for the co-ordination of the whole of the fisheries industry—for taking over from the fishermen on the North and South Coast the products of their labour for the benefit of citizens in the country as well.

Then there is a proposal on foot for the establishment of canning operations. At present we have to import everything in the shape of canned fish from Alaska, or other remote parts of the world. As every one is aware, freights have gone up immeasurably since the outbreak of the

war, and it has been intimated that there is a possibility of establishing that industry here for the benefit of people in this State. It seems to me that the more one looks at it the more one must recognise the possibilities of such a splendid industry, which will reflect credit on people who are prepared to take it up energetically, and will confer a benefit on the people of New South Wales.

Mr. MARK F. MORTON: If you control the price of fish, how are you going to vend it to country fish sellers?

Mr. OSBORNE: The hon. member ought to know from his knowledge of the industry that it is not the country fisherman who get the benefit of the high price of fish. In the metropolitan area, up to quite recently, fishermen went out and if they brought in a vast haul of fish, which was more than they could entirely dispose of at a reasonable price, they simply dumped it back into the sea, so that they could get a good price for the remainder of their haul. I believe the producer will be very much better off, not if he is left entirely to the tender mercies of the agents of to-day, but if he is given assistance by the Government, and a market is provided for his fish at a reasonable price.

I think we ought to go very slowly, before we condemn individuals in connection with this industry. Mistakes have been made, but these are inseparable from the introduction of a new business like this, and I think that as time goes on, by alterations in our methods of distribution, in the powers conferred upon the manager, and by a re-allotment of the duties of those engaged in administering this industry, we shall be able to place it on the basis we hoped it would achieve when it was introduced—that it will be of considerable success to the State as an undertaking, and of great benefit to the community as a whole.

Mr. STUART ROBERTSON (Camperdown) [1.7 p.m.]: The main object of establishing the trawling industry was to, if possible, give to the public the full benefit of the hauls of fish which were caught. If fish proved very plentiful it was reasonable to assume that under the Government scheme the people would receive the benefit of that plenty, and it was desired to do away with this dumping of fish into the sea and the storing of fish

so as to force the public to pay a higher price. I have gone to Redfern markets to purchase bait, and some time ago I drew the attention of the House to the fact of baskets of gurnard being sold there at 1d. per pound, whilst we were charging the public 3½d. I am speaking subject to correction, but there was a great difference between the price at which trawled fish was sold in the public market and the price at which it was being retailed. That was just subsequent to the period when the price of fish was raised at the fish shops.

I have not had an opportunity of going right through the Auditor-General's report, but I think there are two things we should know. First we should know exactly what it costs to land the fish at the wharf and convey it to the shops. Then we should know what outlay is involved in the upkeep of the shops—the cost of management, wages, and rent. We should be able to find out where the deficiency occurs. The shop system of distribution is expensive, and I believe we could make far better arrangements if we were to deliver the fish by motor lorries in special areas and were to sell it at so much a piece instead of by weight. The main object should be to supply the people as cheaply as possible and at the same time to make the business pay. I do not think that when the trawlers were first set to work it was intended that the fish brought in should be stored. If the trawlers make big catches the people should be able to get their fish at low prices. If, on the other hand, there are small catches the prices should be increased accordingly. If cold storage is resorted to the fish will not be as fresh as it should be when it reaches the consumers, and the trade must suffer. I can testify to the fact that the fish supplied at the State fish shops is superior to that obtained at other establishments, but the cost of keeping up the shops is far in excess of the expense that would be involved if the fish were delivered in the manner I have indicated.

Now we come to the question of dealing with the men employed on the trawlers. We pay fair wages, but in the best interests of the business I think it would be well to offer the men a special inducement in the form of a small percentage

on the catches they make. They should be paid so much in respect to every basket of fish, and I would not pay any higher percentage to the officers than to the members of the crew.

Mr. FULLER: I understand that some thing of that kind has been offered, and has not been accepted!

Mr. STUART-ROBERTSON: I confess I am not quite clear as to the cause of the trouble, but it should not be impossible to carry on this business without frequently recurring strikes. It is of no use for people engaged in business of this kind to set up a hard-and-fast rule or to take up an uncompromising attitude. There must be give and take on both sides. In regard to the distribution of the fish it seems to me that the shops are not opened sufficiently early, and I think it would be found profitable to open at say 7 o'clock in the morning, so that persons desirous of doing so might be able to obtain fish in time for breakfast. Then again, one of the disadvantages at present is that customers can never be sure of obtaining a good supply of fish. I do not understand how it is that the management cannot arrive at an agreement with the men. In other departments agreements are arrived at and observed, and there must be some explanation for the special trouble associated with this industry. I do not believe that Mr. Stead has had any real commercial training. No man is better fitted to inform us in regard to the varieties of edible fish available, and the best means of utilising them. But, apart from that, a general commercial and business knowledge is necessary to the successful conduct of a business of this kind, and it would appear that this has never been applied. [*Committee counted.*] I trust that arrangements will be made for furnishing us with the fullest information in regard to the financial side of the industry in the future.

Vote agreed to.

[*The Chairman left the chair at 1.24 p.m. The Committee resumed at 2.15 p.m.*]

Resolution reported and agreed to.

Bill founded on resolution of Ways and Means presented and passed through all its stages.

[*Mr. Stuart-Robertson.*]

INSTITUTION FOR DEFECTIVE CHILDREN BILL.

In Committee (consideration of Legislative Council's amendments—Mr. BAGNALL in the chair):

Mr. J. C. L. FITZPATRICK (Orange), Secretary for Mines and Assistant Treasurer, [2.30 p.m.]: I move:

That the Committee agrees to the Council's amendments in the bill.

A rather lengthy bill, dealing with several aspects of the question, was passed by this Chamber some months ago. Conditions have altered materially since then, inasmuch as those clauses which proposed to deal with the management of an institution for defective children have been rendered unnecessary, as the children have been handed over to existing organisations for care and treatment. The only thing that remained to be done after that action had been taken was to provide for the vesting of certain properties that were in the possession of the trustees and to indemnify the directors of the society in respect of any claim that might hereafter be made against them. The Legislative Council, in view of the altered condition of things, has obliterated the clauses that dealt with the treatment of children, and has left in the three clauses to which I referred vesting certain things in the Crown and providing that an indemnity shall be secured to the directors of the society.

Mr. FINGLETON:

Mr. J. C. L. FITZPATRICK: There is a difference between this measure and other measures in regard to which the Legislative Council has used the pruning-knife. There is no use for the clauses which have been struck out, and the only clause for which there is any necessity has been left intact.

Question proposed.

Mr. LANG (Granville) [2.32 p.m.]: I notice in the title of the bill the words "an Institution for Defective Children," has been altered to "Destitute Children's Society." Is any provision made for defective children? The institution has been established largely as a result of charitable bequests for the relief of defective children, that is, children not mentally strong enough to look after themselves. There are children who may

be defective, but not destitute. With regard to paragraph (b) of the new clause 4, I should like to know whether the Minister has any particular system in view? The amendment of the Legislative Council abolishes the institution for assisting these children, and substitutes homes. Has the Minister considered what system or organisation he is going to adopt—whether he is going to have homes clustered together or in different places near the large centres of population where defective or destitute children would be nearer their relatives?

Mr. T. BROWN (Lachlan) [2.34 p.m.] : I should like to know why the title of the bill has been altered. When the bill passed through this House the words, "Institution for Defective Children" were in the title. That has been altered to "Destitute Children's Society." That seems to have changed the whole character of the measure. An institution for defective children might not embrace destitute children, and *vice versa*. The Minister ought to explain what would be the effect of the change.

Mr. DURACK (Bathurst) [2.36 p.m.] : I should like to know why when the bill affecting the Randwick Asylum was mutilated in a similar manner to this a different course was followed. Why is the Minister prepared to swallow the amendments in this bill? I desire to place on record my disapproval of any Ministry accepting a bill from the Council which has been mutilated as this one has. The proper method would be to introduce a new bill, and not ask this Chamber to accept a bill page after page of which has been struck out by the Council.

Mr. J. C. L. FITZPATRICK (Orange) [2.39 p.m.] : I can readily understand the position taken up by the leader of the Opposition in relation to a measure which was dealt with earlier in the day. But while there may have been some justification for his objection in regard to the action of the Council in mutilating that bill, the same objection cannot lie with regard to this measure. In connection with this measure the position is vastly different inasmuch as the necessity for the clauses which the Council has struck out ceased to exist. Originally it was intended that provision should be made for the housing, control, and care of

all children who were to be brought under the operation of this measure. Later on the Legislative Council referred the bill to a select committee, and that committee dealt with the bill under the altered conditions. Provision has been made for these children apart from the provision which was contemplated when the bill was originally introduced.

Mr. DURACK : That applies also to the Military and Naval Hospital Bill, which was ruled out of order!

Mr. J. C. L. FITZPATRICK : Whatever the views of hon. members were as to the necessity for that bill some provision had to be made for the proper housing of the children taken from the Randwick Asylum with the view of utilising the institution as a hospital for returned soldiers. The only clauses necessary in this bill are those which remain intact. I may remark for the information of the hon. member for Granville that a scheme has been formulated whereby homes are to be constructed as nearly as possible upon the same basis as the homes at "Burnside." The old barrack system is being abolished as far as possible, and the same generous and homely method is being introduced as at "Burnside." I admit there is some difficulty in explaining why the title has been altered.

Mr. LANG : The bill, as it left this Chamber, provided for mentally defective children, but that provision has been struck out!

Mr. J. C. L. FITZPATRICK : There is no suggestion that mentally defective children should be dealt with under this bill.

Mr. LANG : They are not provided for at all under this bill!

Mr. J. C. L. FITZPATRICK : Possibly the reason why they are not provided for under this bill is because they are provided for under existing statutes, and this measure contemplates providing merely for the treatment of destitute children.

Mr. T. BROWN : This bill was solely based on the idea of dealing with defective children.

Mr. J. C. L. FITZPATRICK : This bill contemplated a score of other things which are not now included in it. I ask hon. members to agree to the amendments made by the Council.

Question resolved in the affirmative.

Resolution reported; report adopted.

Motion (by Mr. J. C. L. FITZPATRICK) agreed to:

That the following message be carried to the Legislative Council:—

Mr. President,—

The Legislative Assembly has this day agreed to the amendments made by the Legislative Council in the bill, intitled "An Act to transfer to and vest in the Crown all lands and buildings now held by or on behalf of or vested in the Society for the Relief of Destitute Children; to constitute and to provide for governing and managing an institution for defective children; to vest in a board to be constituted for such institution all moneys and securities for moneys held by or on behalf of or vested in the said society; to repeal the Destitute Children's Society Act, 1901; and for purposes consequent thereon or incidental thereto,"—including amendments in the title.

Legislative Assembly Chamber,
Sydney, 14th December, 1916.

FORESTRY (TEMPORARY COMMISSIONERS) BILL.

URGENCY.

Motion (by Mr. ASHFORD) agreed to:

That it is a matter of urgent necessity that a Bill, intitled "A bill to constitute the Forestry Commission under the Forestry Act, 1916, by the appointment of temporary and honorary assistant commissioners, and to amend the said Act, be brought in and passed through all its stages in one day.

SUSPENSION OF STANDING ORDERS.

Mr. ASHFORD (Liverpool Plains), Minister for Lands [2.43 p.m.], moved:

That so much of the standing orders be suspended as would preclude a bill intitled "A bill to constitute the Forestry Commission under the Forestry Act, 1916, by the appointment of temporary and honorary assistant commissioners, and to amend the said Act,"—being brought in and passed through all its stages in one day.

He said: In moving the suspension of the standing orders, I desire to say that I regret that on a previous evening I delayed the House a few minutes in moving the suspension of the standing orders through a mistake in the printing of the bill. In moving the suspension of the standing orders now, I do so with a desire to save the time of those members who will realise that if we went through the ordinary procedure they would be kept here several days to pass this measure. Judging by their actions I take it that hon. members have no desire to waste their time. I may point out that

the measure contains no new principles. The Forestry Bill, when first introduced in the House, allowed for the appointment of a Forestry Commission, with the later appointment of two Commissioners to assist in carrying out the duties of a commission. That bill was amended by the Legislative Council, and at a conference which sat later, when the bill was discussed, it was unfortunately drafted in such a way as to make it obligatory to appoint three permanent Commissioners—three salaried officers—for a term of seven years, and that all of them should be appointed at the same time. It is very essential that the regulations which are now framed should come into force without delay, to permit operations under the Act, as far as the initial stages are concerned, to have effect. This will make a great deal of difference to the administration of the department. The Commissioner is given power in regard to the leasing or subleasing of forests, the granting of certain tenures under the Act, and also as regards the charging of license fees or royalties. Mr. Hay has already been appointed Chief Commissioner, but he is not drawing the salary attached to that office at the present time. It is necessary to have a highly qualified scientific man as one of the other members of the commission.

Mr. DOOLEY: How many Commissioners are you going to have?

Mr. ASHFORD: There will eventually be three Commissioners. When the other bill was passed the idea of having three Commissioners was accepted. I can give good reasons why I think three Commissioners are necessary, and I believe hon. members will realise that in connection with forestry it is necessary to have a highly trained scientific man on the commission. Without reflecting upon any individual in Australia, I may say I believe that to-day there are only two men in Australia capable of holding that position. One of them is not available for it, at present, the other may be available at the end of the year, but this is not certain. If he is not available we shall have to advertise for a person who has the necessary qualifications for a Commissioner. I asked the House to agree to the suspension of the standing orders to allow this measure to go through all

its stages without delay so that the department may reap the benefit of this slight amendment of the law which is not an amendment of the provisions of the Act generally, but only in regard to the Commissioners. This bill will enable us to appoint two honorary assistant Commissioners at once to hold office until the two salaried assistant Commissioners are appointed, and thus enable the Act to be brought into operation without further delay. In the meantime the department will, of course, save the salaries of two Commissioners.

Mr. LANG (Granville) [2.49 p.m.]: I enter my protest against the present suspension of the standing orders by the coalition Government—their almost continuous suspension since this Government's accession to power. It is a deliberate attempt to burk the proper course of parliamentary proceedings. The forms of the House are being utilised to burk criticism and to prevent the Opposition from performing its proper functions. We are unable to take our proper part in framing legislation and in giving the best possible assistance to Ministers. It is impossible for us to give proper consideration to measures which are placed in our hands only two or three minutes before we are called upon to discuss them. I enter my strong protest against these repeated suspensions of the standing orders. Surely the Minister must have known some weeks ago that a bill of this kind would be necessary, and if the session had been closed as soon as anticipated there would have been no opportunity to introduce the bill.

Question resolved in the affirmative.

Motion, by Mr. ASHFORD, agreed to:

That leave be given to bring in a bill to constitute the Forestry Commission under the Forestry Act, 1916; by the appointment of temporary and honorary assistant Commissioners and to amend the said Act.

Bill presented and read a first time.

Motion (by Mr. ASHFORD) proposed:

That the bill be now read a second time.

Mr. DURACK (Bathurst) [3.5 p.m.]: We have not had an opportunity of perusing the bill, and we are bound to accept the explanation given by the Minister: I would like to know what is to be done in regard to the appointment of the permanent Commissioners. The Minister has

informed us that one Commissioner has already been appointed, and that the second Commissioner will require to be a highly qualified scientific man. Can the Minister say what is proposed to be done in regard to the third Commissioner?

Mr. ASHFORD: The third Commissioner will be a man possessing wide commercial knowledge, but no appointment will be made to that position until the second Commissioner has been appointed!

Mr. DURACK: Can the Minister give us his assurance that the position will not be filled by a political appointment?

Mr. ASHFORD: Yes!

Question resolved in the affirmative.

Bill read a second time, and passed through its remaining stages.

PUBLIC WORKS COMMITTEE.

Mr. MILLER, chairman of the Parliamentary Standing Committee on Public Works, brought up the reports of the Committee on the proposed sewerage system for the Canterbury, Campsie, Belmore, and Bankstown districts, and the proposed railway from The Rock to Pulletop.

UNIVERSITY AMENDMENT BILL.

SECOND READING.

Bill (on motion of Mr. JAMES) read a second time.

In Committee (Mr. G. R. W. McDONALD in the chair):

Clause 2. (Increase of endowments.)

Mr. LANG (Granville) [3.10 p.m.]: I desire to know what amount of endowment has already been given?

Mr. JAMES: £20,000.

Mr. LANG: That will make £30,000 altogether.

Mr. JAMES: No; it will bring the total up to £32,000, because £2,000 is provided for establishing and maintaining a chair of architecture.

Mr. LANG: Cannot the chair of architecture be dispensed with?

Mr. JAMES: No, because although a course of architecture is provided for in connection with the Technical College, it does not go far enough!

Bill reported without amendment, and read a third time.

WOMEN'S COLLEGE ENDOWMENT BILL.

SECOND READING.

Mr. JAMES (Goulburn), Minister for Public Instruction [3.20 p.m.], moved :

That this bill be now read a second time.

He said: I explained the purport of the bill the other night. The Women's College has been carried on in the Sydney University grounds, and it was thought that it was on the same footing as other affiliated colleges under the University Act. There is, however, doubt as to whether it is entitled to the endowment, and this bill is for the purpose of placing the college in the same position in that respect as the other affiliated colleges.

Question resolved in the affirmative.

Bill read a second time, and passed through its remaining stages.

[*Mr. Speaker left the chair at 3.25 p.m. The House resumed at 8.50 p.m., Thursday.*]

TOTALISATOR BILL.

In Committee (consideration of Legislative Council's amendments):

Mr. JAMES (Goulburn), Minister of Public Instruction [8.55 p.m.]: I move:

That the Committee agrees to the Council's amendments in this bill.

The amendments are not of any importance as regards the object of the bill, and do not in any way lessen the value of the measure. The first amendment is made at the end of clause 3, and consists in the omission of the words, "and the license of such club shall be liable to cancellation," that is if the club does not install the totalisator. In the original clause the words were misleading, because it is the racecourse which is licensed, and not the club. We could not cancel the license of a club, because a club has no license. The next amendment consists of a new clause to follow clause 9. It says:

It shall be lawful for any club or licensed racecourse to apply to the Minister for permission to establish or use the totalisator under the provisions of this Act.

Mr. LEVY: Will the Minister tell me how a licensed racecourse can apply for permission to use the totalisator?

Mr. JAMES: We are not responsible for the drafting of the Upper House. I suppose it would be taken to mean those responsible for conducting the racecourse.

Mr. HAYNES: Is not the club, in this sense, a gloved hand?

Mr. JAMES: I do not think so. The clubs would already have the right to apply to the Minister without any permission of this kind, and he could gazette the club as one of those that ought to install the totalisator. Apparently some member of the Upper House had this put in as an extra precaution. The next part of the new clause shows the value of the bill. It says:

And further, it shall be lawful for any two or more clubs or licensed racecourses to apply to the Minister for permission to amalgamate and use only one licensed racecourse for the meetings which they each have the right to hold, and upon such permission being given all the rights and privileges of the clubs or racecourses so amalgamating shall apply to the racecourse and club approved in the said permit.

Apparently the amendment will have this effect: certain racecourses in Sydney will amalgamate with others, and that will reduce the number of racecourses.

Mr. J. STOREY: Is it racecourses that do the harm or race-meetings?

Mr. JAMES: If you have the race-meetings on the one course that is a good thing to start with.

An HON. MEMBER: In what way?

Mr. JAMES: Each racecourse has its own particular followers, in different districts, and if the racing is confined to one district there will be less reason to complain. None of the amendments will have a bad effect on the bill. The object of the bill will still be achieved, and under the circumstances I am willing to accept the Council's amendments.

Mr. KEARSLEY: What about reopening racecourses?

Mr. JAMES: Racecourses may be reopened subject to license. The limitation of races is entirely under the control of the Colonial Secretary, and will not be affected by this bill.

Mr. PAGE: There will be no new courses?

Mr. JAMES: No.

Mr. MINAHAN:

Mr. JAMES: Suppose there are three clubs that amalgamate and they have four days each. If two courses are shut up that will mean that there may be twelve meetings on the one course. There would be a less area and the same number of meetings. Of course the

result might be more profits to the clubs, because of the lesser expense in running the machine on one course. All this, however, is subject to the permission of the Minister. Everything depends upon his permission being granted.

Question proposed.

Mr. DOOLEY (Hartley) [9.2 p.m.]: As the Minister takes the responsibility of accepting the amendments, I am not going to discuss the matter. The hon. member for Darlinghurst has pointed out what is apparently bad wording. It seems ridiculous to say that a licensed racecourse must apply to the Minister for permission to use the totalisator.

Mr. JAMES: In construing the Act, the term would be held to mean those who were responsible!

Mr. HAYNES (Willoughby) [9.5 p.m.]: What is manifest to me in connection with this bill is that the public interest is less considered than is the interest of clubs. The provision in regard to amalgamation of clubs is clearly in the interest of clubs and against the public interest. I should like to know what is meant by the words, "it shall be lawful for any two or more clubs or licensed racecourses to apply to the Minister for permission to amalgamate." What is the meaning of "club."

Mr. JAMES: It is defined in the bill!

Mr. HAYNES: There are serious omissions in some parts of the bill; the expression used in some places is "racing club," and in other places "club." I should like to have a totalisator running in the city. It would be more convenient for me than to have to go to Mascot and other places.

Mr. JAMES: The bill provides that a totalisator cannot be used other than on a racecourse!

Mr. J. STOREY (Balmain) [9.7 p.m.]: It appears to me from the wording of the clause that it would be possible for a club to have a totalisator other than on a racecourse.

Mr. JAMES: No!

Mr. J. STOREY: What is the meaning of the word "club" in this connection? No one would construe it as meaning a racing club.

Mr. LEVY: A racing club is defined in the bill but not a club!

Mr. J. STOREY: I had the benefit of listening to the hon. gentleman who moved the amendment in another place. Having got the Council to agree to it he finished up by saying, "I warn this House and the other Chamber too that it will be possible to evade this law if one desires to do so." He proceeded to show how the law could be evaded, and he said, "There can and will be totalisator clubs conducted in the city. There is nothing in this or any other law to prevent it." Mr. Garland who was in charge of the House, was unable to controvert that statement, and permitted the further consideration of the bill to be postponed, and they adjusted their differences afterwards—came to an honorable understanding I suppose. I say that the gentleman who moved that amendment knew what he was talking about. Some hon. members in this House were opposed to the bill fearing that betting might take place in the city such as used to take place here when there was no totalisator.

Mr. HAYNES: I guarantee that that amendment was submitted for that purpose!

Mr. J. STOREY: I am not so suspicious as to say that, but the language of the hon. gentleman who moved the amendment clearly indicated that the possibility of betting taking place in the city was uppermost in his mind. The Minister of Public Instruction will admit that the gentleman to whom I have referred is recognised as second to none in this country for subtlety and ability.

Mr. JAMES: But he is often wrong!

Mr. J. STOREY: He is highly interested in this matter.

Mr. JAMES: If he tries it on I will get at him under clause 5 or 6!

Mr. GRAHAME: Would it not be altogether against his interests if a tote were established in the city instead of on a racecourse?

Mr. J. STOREY: But he got that amendment inserted and also the new clause about amalgamation, and to show that he knew more than the "other fellow" he said that he was satisfied that there would be evasions of the law as regards the use of the totalisator and that nothing in the Gaming and Betting Act nor in this bill can prevent it. I do not say

that there is nothing in the bill to prevent it, but I invite the attention of the Minister of Public Instruction to the matter. In regard to the amalgamation of clubs why should we permit the amalgamation of three or four racing clubs? If an hotel-keeper fails in his business he has difficulty in getting a transfer of his license to another person or in obtaining a license for himself somewhere else. If things are all right he may get a transfer, but if by any means he should fail financially, and try to amalgamate two hotels, and to make the two businesses one, the law will not allow that. But in this instance it is proposed that we should permit people interested in racecourses to amalgamate them, and by having on one racecourse the same number of races as was formerly held on two racecourses, enable them to double the number of days of racing on the one racecourse, and use one tote instead of two. In that way they might defeat the intention of Parliament.

Mr. GRAHAME: Do you want to "bar-rack" for men who wish to sell a lot of machines?

Mr. J. STOREY: No, I do not. The hon. member knows more about this game than I do.

Mr. GRAHAME: That is what your argument really means!

Mr. J. STOREY: The amendment inserted by the Council says:

And further, it shall be lawful for any two or more clubs or licensed racecourses to apply to the Minister for permission to amalgamate and use only one licensed racecourse for the meetings which they each have the right to hold, and upon such permission being given all the rights and privileges of the clubs or racecourses so amalgamating shall apply to the racecourse and club approved in the said permit.

And the provisions of this Act in respect of the totalisator relating to each such club or licensed racecourse shall apply to such last-mentioned club or racecourse.

Moorefield or Canterbury and Warwick Farm racing clubs might amalgamate. Warwick Farm is a difficult racecourse for Sydney people to reach. The owners of Warwick Farm hold a license and have the right to hold race meetings on so many days a year. They could transfer the whole of their racing from Warwick Farm to Canterbury and there use one instrument and double the racing there, and not as the Minister for Public In-

struction suggests; have less betting but have double the amount of betting on the totalisator.

Mr. JAMES: It is all subject to the permission of the Minister. Do you think that he would permit such a thing as that?

Mr. J. STOREY: I do not know.

Mr. PAGE: Rosehill would be handier still!

Mr. J. STOREY: Is there not an unlimited danger in giving even a Minister of the Crown a right to use his discretion as to whether two sets of people shall be permitted to come together, economise from the standpoint of the owners of two racecourses, dispose of one of them and on the other have double the number of racing days, and double the amount of money passing through one tote, and thus defeat the object of the bill. I suppose it would be possible for four proprietary clubs to close up three racecourses and transfer the whole of their business to the Rosehill Racecourse and carry on racing there every day in the week. We have built a railway line to Warwick Farm. We have provided facilities enabling people to reach other racecourses. We have built a railway line to Menangle, 40 miles out of Sydney, and we are building a railway line to a racecourse near Gosford. We have spent large sums of money from the consolidated revenue or from the loan account in building railway lines to different places where there are racecourses.

Mr. BURGESS: We have got a guarantee in regard to the Gosford line anyhow!

Mr. J. STOREY: The only guarantee we have is a guarantee against loss on the working of the line, but the capital cost would be a dead loss, and the guarantee we have would not be worth twopence if the club were to close. I say without hesitation that the insertion of amendments in this bill when it was in the Upper House was a cute move on the part of Sir Joseph Carruthers.

Mr. HAYNES: Do not mention his name!

Mr. J. STOREY: Well I will say a distinguished and learned member who occupies a seat in the Legislative Council. He moved this amendment and it was so craftily put that members of the other

Mr. J. Storey.

House had to have an adjournment of the debate to see how far the amendment went. I want to know why the Minister for Public Instruction is so ready to accept an amendment of that sort and calmly says, "I will be the Minister in charge and I will see to it."

Mr. GRAHAME: He will not be the Minister in charge!

Mr. J. STOREY: Who will be the Minister in charge?

Mr. GRAHAME: Mr. Fuller!

Mr. J. STOREY: Mr. Fuller does not know anything about horse-racing. I do not believe in this amendment, and if it were not for the fact that we have been sitting for a long time I think I would ask hon. members on this side to offer some resistance to this proposition because I think it is not in the interests of the community but in the interests of people who want to save about £10,000 or £15,000 in connection with the installation of the totalisator, and secondly, to amalgamate different racecourses and make one racecourse a very successful one.

Mr. KEARSLEY (Cessnock) [9.20 p.m.]: I should like to know the relation of the new clause which has been inserted by the Council to the provision in section 51 of the Gaming and Betting Act. The new clause provides that it shall be lawful for any two or more clubs or licensed racecourses to apply for permission to amalgamate and use only one licensed racecourse for the meetings which they each have the right to hold. I do not know whether this provision is intended to be substituted for section 51, which limits the number of race-meetings to be held in one year. It is therein provided that where the racecourse is situated within 40 miles of the General Post Office, Sydney, the number of race-meetings shall be twenty-four, or the number of days on which meetings were held during the twelve months ended 31st day of July, 1906. Where the racecourse is situated within 40 miles of the post office of Newcastle, the number of meetings to be held is limited to fifteen, or the number of days on which meetings were held during the twelve months ended 31st July, 1906. These provisions distinctly limit the number of race meetings to be

held, and I question the validity of the proposed new clause which is not intended on the face of it to repeal section 51.

Mr. JAMES: We are entitled under the order of leave to amend the Gaming and Betting Act!

Mr. KEARSLEY: The Minister has no power to increase the number of meetings which is strictly limited by the Act.

Mr. JAMES: No but Parliament has the power!

Mr. KEARSLEY: I question whether the proposed new clause is valid because no provision is made for the repeal of section 51. I would ask the Minister whether he considers this clause is valid?

Mr. JAMES: Yes. We have the power to amend the Gaming and Betting Act and there is no necessity for any more specific provision than is contained in the clause!

Mr. KEARSLEY: I apprehend that two clubs might amalgamate and on one course hold all the meetings they were entitled to hold previously on the two courses. One of the courses might be closed and afterwards another body of persons might apply for a license for another course in the neighbourhood of that which had been closed. If the new license were granted it would result in an increase in the total number of race meetings.

Mr. JAMES: That could not be done under the Act, within the 40 miles radius. Only a certain number of meetings can be held during the year on any racecourses within the limit!

Mr. WRIGHT (Willyama) [9.28 p.m.]: I support the view of the hon. member for Balmain, and I think this proposed new provision has been framed by a cunning man for a cunning purpose. There is only one interpretation to be placed upon it and that is, that it will permit of the establishment of the totalisator in clubs carried on in ordinary business premises in the city.

Mr. JAMES: That could not be done under clause 6!

Mr. WRIGHT: According to my view it would be possible to carry on a betting club by establishing a totalisator in city premises.

Mr. LEVY (Darlinghurst) [9.30 p.m.]: The Minister made one of the most

extraordinary statements I have heard in this House. Here we have an amendment made by the Legislative Council and the Minister has the cool assurance to tell us that this amendment already proves that the bill is a success. I ventured to make an interjection that I could not see how it would be possible for a licensed racecourse to make an application for permission to establish or use the totalisator. I do not see that now. The provision may mean something else, but I only know what it says. There is an awkward and clumsy ambiguity in the provision which should be at once removed.

Mr. JAMES: It cannot do any harm!

Mr. LEVY: That is a nice view to take. If it is provided that the board of management of a racecourse may apply for permission there will be no objection; but I do not think we should allow the bill to pass with a manifest absurdity that may lead to serious complications. It is provided that it shall be lawful for any "club" to establish the totalisator. The bill contains a proper definition of "racing club" as follows:—

"Racing club" means club, association, or other body of persons (whether incorporated or unincorporated, proprietary, syndicate, company, or individual ownership) established for the purpose of promoting, conducting, or controlling the sport of horse-racing, trotting-racing, or pony-racing.

That is perfectly intelligible, and we find that in clause after clause the term used is "racing club." The word used here is "club," and I think the Minister should remove this ambiguity which is staring us in the face. This bill will be handled by some subtle and cunning gentlemen who will take advantage of every opportunity to distort the meaning of the bill. The second paragraph of the proposed new clause is one to which I cannot give my consent. I do not know anything about the inner history of the clause and I do not want to know; but it seems very strange that we should have placed before us in this bill a proposal which does not deal with the totalisator at all, although it may include the totalisator. It is provided that it shall be lawful for any two or more clubs or licensed racecourses to apply to the Minister for permission to amalgamate and use only one licensed racecourse for the meetings which they have the right to hold. How is it

[Mr. Levy.

that a provision of this kind came to be inserted here? What is the meaning of this provision which the Minister has put before us as proving already that the totalisator is going to be a success. I do not like this provision at all. If this amendment had been moved in this Chamber I am perfectly sure that it would have been ruled out of order, because it introduces an amendment of the Gambling and Betting Act which has nothing to do with the totalisator. Why should I, without knowing the full meaning of the clause, and without knowing what it is intended to embrace, assent to a very radical alteration in the Gaming and Betting Act? For instance there may be three licensed clubs; two of those clubs may close and transfer all their rights to one club.

Mr. JAMES: If they are permitted by the Minister!

Mr. LEVY: I do not want to give the Minister unlimited power of this kind.

Mr. JAMES: The Minister has power now to license clubs!

Mr. LEVY: Why not merely provide in the bill that everything is to be left to the Minister? I have every confidence in the Colonial Secretary and the Minister for Public Instruction. I know that they would not do anything wrong, but I am certain the Minister for Public Instruction would be the last one in the world to say that a Minister under any bill ought to be given unlimited powers simply because it would be idle to suggest that a Minister at some time or other might abuse those powers. We want, within reasonable limits, to protect the public and to limit the powers of the Minister. Under this provision, if three racecourses are licensed, two may close up, and then by some peculiar arrangement the rights given to those two may be transferred to the remaining one, and all the restrictions we introduced in the Gaming and Betting Act of 1912 go by the board. We passed an Act under which we were very careful to impose certain restrictions and limitations on racecourses, and now by a side-wind under a Totalisator Bill, we seek to abolish those restrictions and limitations.

Mr. JAMES: We do not seek to abolish them. They will all apply to the one course!

Mr. LEVY: It is not the restrictions that I am speaking about; it is the rights and privileges. If the Minister thinks it right to make a material alteration in the Gaming and Betting Act, let him do so specifically by a bill, and let us have the full meaning of such a provision as this. But I could never agree to the insertion of a provision like this which abrogates an important provision in the law under the guise of a bill dealing with another subject altogether.

Mr. JAMES [9.42 p.m.]: Hon. members seem to me to be deliberately trying to misrepresent the meaning of this clause. It has not been introduced in this House, and I am not responsible for it, but I can interpret it just the same as any other hon. member. Take the technical objection that has been raised that licensed racecourses cannot apply. I am satisfied that if the term were interpreted by the court it would be held that those who owned the racecourses were the parties to apply. But if what the hon. member for Darlinghurst said is correct, it cannot do any harm, because there would be no application by a racecourse, and those evils which he has foreshadowed could not occur.

Mr. T. BROWN: Would the hon. member mind clearing up the ambiguity about what constitutes a club?

Mr. JAMES: A club will be held to mean that which is described in the definition. Any court construing this provision would hold that the club referred to must be a racing club. The court takes the ordinary English meaning of a word. It must be bound by the spirit of the Act, and after looking through the Act it would say that the only club referred to was a racing club, and it must refer to that.

It is clear to me that this amendment has been specially designed for one purpose, and that is to prevent the proprietors of totalisators putting up the prices of machines.

Mr. LEVY: It goes further than that!

Mr. JAMES: It does not. If the proprietors of these machines attempt to extort too high a price for them the different clubs can go to the Minister, who can then give them permission to amalgamate. There is an absolute safeguard, because the permission of the

Minister must be obtained. Parliament has already given the Colonial Secretary, under the Gaming and Betting Act, the power to license racecourses. It is absolutely within his power to say whether a racecourse shall have a license or not, and giving him authority to allow the amalgamation of clubs which are already in existence is a very much smaller power.

Mr. KEARSLEY: It increases the number of racing days!

Mr. JAMES: It does not.

Mr. OSBORNE: What does it matter whether the Warwick Farm Club holds its meetings at Warwick Farm or Moorefield?

Mr. JAMES: That is so. This provision does not, in any way, increase the number of days of racing; it does not prevent racing from being carried on just as at present, and it leaves it in the discretion of the Minister to say whether an amalgamation of clubs shall take place or not. I am not going to imperil this bill for reasons which do not carry any weight with me. If racing clubs are amalgamated, race meetings, instead of being scattered, will be confined to a less number of racecourses, and I do not know that that would not be a good thing.

Mr. MINAHAN (Belmore) [9.50 p.m.]: I have already pointed out that in all probability there would be an infringement of the Gaming and Betting Act because of more than the specified number of meetings being held on the one course.

Mr. JAMES: We have taken leave to amend that Act under this bill. We confine the right of the other racecourses to the one course!

Mr. MINAHAN: If Rosehill and Canterbury amalgamated I understand they would have forty meetings in the year.

Mr. JAMES: Yes; they should have forty-four!

Mr. LANG (Granville) [9.53 p.m.]: If the proprietary clubs join together they will have only one totalisator to maintain, so they will have the rest of the money to spend in prizes. Will not the effect of that be to give a monopoly to two or three proprietary clubs as against the A.J.C.?

Mr. JAMES: The profits would have been distributed amongst the three, but now they will be confined to the one!

Mr. LANG: The profits will be greater because the upkeep will be less. There will be only one racecourse, and it will earn more profit. The proprietary clubs will be placed in a stronger position. Is it proposed to hand over the chief racing events in New South Wales to a set of proprietary clubs which exist for the purpose of making profits? If two or three clubs combined there would be bigger profits. The control of the sport would drift into the hands of the monopolist. There would be a monopoly of racing in New South Wales handed over to private individuals working for their own profit. If the sport is to be kept clean I would rather see the control of it in the hands of a non-proprietary club.

Mr. JAMES: There, again, you will have to depend on the Minister. He may not grant permission!

Mr. LANG: The main object is to prevent people from putting pressure on the Minister. The A.J.C. is the leading body. Trainers and jockeys get their status from it. If I were to vote against the acceptance of the Council's amendments it would be because I think that if sport is to be kept clean it will be safer in the hands of non-proprietary clubs like the A.J.C. If Moorefield, Rosehill, and Canterbury were to join and sell two of the courses, keeping the most successful one for racing, they would reduce their capital, have only the expenses of the totalisator and a smaller staff; and that would reduce the expenses.

Mr. MINAHAN: I desire to take your ruling, Mr. Chairman, whether or not the proposed amendment is in order, in view of the fact that because of the amalgamation the number of meetings to be held will be increased. I draw your attention to the wording of the order of leave.

Mr. HAYNES: No reference is made in the order of leave to the proposed new addition to the bill. The Gaming and Betting Act sets forth the holding of races on different courses. It was decided there should be an allocation of days to different courses. On what grounds can this proposal be justified? Was there any reference in the whole debate to the new concession made to these clubs? The Gaming and Betting Act was designed for the purpose of controlling to some extent the evils of sport, and they were

allocated different places. My object is to get an early decision; because I shall refer the matter to the Speaker later on.

The CHAIRMAN: The business before the Committee is the consideration of the Legislative Council's amendments. Whether the Committee will agree to these amendments or not remains to be seen. The question as to whether they are in order or not cannot be considered by the Committee. I have been so ruled on several occasions. The Committee has been instructed by the House to consider the amendments inserted by the Legislative Council in the bill. If a point of order could have been taken it should have been taken before the House went into Committee. The House having instructed us to proceed to deal with the amendments there is nothing for the Committee to do but to either accept or reject them. I will quote a ruling given by the hon. member for Petersham as Chairman of Committees in 1909:

Fire Brigades Bill (Consideration of Legislative Council's amendments):

An hon. member submitted that the amendment was an amendment of the Constitution Act and no mention of that Act was made in the title, and therefore the amendment was out of order:

The Chairman: If the point of order had been taken when the bill was being considered in Committee I would have been prepared to rule upon it, but at the present stage it is not competent for me to deal with it. The Committee can only deal with matters referred to it by the House. These amendments have been referred by the House to the Committee for consideration, and it is not competent to take a point of order upon them. The House could have refused to consider the amendments; but having declared that the Committee shall consider them, the Committee must consider them. I therefore cannot uphold the point of order.

In 1906 the Chairman of Committees (Mr. Wood) gave a ruling in reference to the Borough of Balmain Electric Lighting Bill.

An hon. member submitted that the amendment was a departure from what was contemplated in the bill as it left the Assembly.

The Chairman: There can be no point of order on such a question. It is a mere matter of judgment on the part of this Committee as to whether it agrees or disagrees with an amendment inserted in the bill by the Legislative Council.

The hon. member's argument might be used for or against the proposal. The Committee can reject the amendment if they consider it undesirable to accept it.

I rule against the point of order:

[Mr. Lang.]

Mr. OSBORNE (Paddington) [10.8 p.m.]: As to what constitutes a club: I noticed in looking through the bill yesterday that the word "club" occurred in various portions of the bill, and where it is now proposed to add certain words after clause 9: we are following the practice carried out in an earlier portion of the bill in using only the word "club." The objection that has been taken to our using this word does not seem to me an objection that can be sustained. What does it matter to the Government if it can get revenue under a Totalisator Bill whether race meetings are held on one racecourse or another? The Gaming and Betting Act prohibits the holding of more than a certain number of race meetings in a year within a radius of 40 miles of the metropolitan area; but the Minister has power to transfer race meetings from one racecourse to another if he thinks fit. The same number of race meetings will be held, and the same amount of revenue will accrue to the State, irrespective of where the race meetings are held. What does it matter to us whether they are held at Rosehill or at Moorefield. It is not an unusual thing for a race meeting to be transferred from one racecourse to another. During the last two years, since the outbreak of war, we have often seen a race meeting transferred from one racecourse to another. Last week a race meeting was transferred from Rosebery Park to Victoria Park. The argument used by some hon. member was that we were allocating to one racecourse more racing days than was allowed by the Act. The hon. member for Cessnock said that the Act provided that a certain number of racing days should be allowed on certain racecourses, and that the proposal now under consideration would probably have the effect of allowing more racing days to take place on a racecourse than was allocated to it under the Act. I say that that occurs at the present time.

Mr. KEARSLEY: Then it is in contravention of the Act!

Mr. OSBORNE: Under the Gaming and Betting Act the Minister has power to give permission for that to be done and it has been done. What this House has been principally concerned about was the production of a certain amount of revenue for the State. This measure was regarded

as a revenue-producing bill pure and simple as far as we were concerned. If the same number of race meetings are held and the same amount of speculation takes place, and the same amount of revenue accrues to the State from the operations of the totalisator without any evil being inflicted on the community, what is the object of raising opposition to this proposal?

Mr. PAGE (Botany) [10.12 p.m.]: The hon. member who has just resumed his seat said it would not make any difference if a certain number of races were run on one course instead of on four. I think it will make a great deal of difference to the boys who have the mounts on the horses. There are seventy-two meetings held now on proprietary racecourses. If these seventy-two race meetings take place on one course, either by permission of the Minister or without his knowledge, I say that that racecourse will not be so safe as would be a racecourse where only eighteen race meetings now take place.

Mr. JAMES: That is a matter that will weigh with the Minister!

Mr. PAGE: I do not think we have any right to leave that matter to be decided by the Minister.

Mr. JAMES: The Minister now has power to decide whether there shall be any races held or not!

Mr. PAGE: I am aware of that, but the Act provides that no more than four racecourses shall be operated within a certain area, and if you had £1,000,000 and a large area of land to-morrow, you could not establish another racecourse within that area.

Mr. JAMES: That is a good answer to the hon. member for Willoughby!

Mr. PAGE: There is no doubt that this amendment has been well thought out. The gentleman who drafted it knew what he was doing. I am here to see that those who take the risk shall have a fair show. There is Rosehill, Canterbury, Moorefield, and Warwick Farm—if three of these fall out and the racing takes place on one only, a certain number of officials will have to be dispensed with and there will be only one machine operating instead of four machines. To-day bookmakers who want to ply their calling

upon those racecourses have to take out four licenses. I shall vote against the adoption of the amendment.

Mr. T. BROWN (Lachlan) [10.18 p.m.]: There seems to be a wide difference of opinion between the Minister in charge of the bill and the hon. member for Darlinghurst on this question. Both are learned in the law and qualified by their training and experience to express an opinion on a question of law, and they seem to be at opposite poles as to what this amendment means. That indicates to me that this provision is not only ambiguous but also may lend itself to the providing of fees for lawyers in the courts. I think that in view of the differences of opinion and the ambiguity of the clause the Committee would be well advised to disagree with the amendment *in toto*, or, if hon. members do not wish to do that, make certain amendments which will make the meaning of the clause clear and remove from it the present ambiguity which leaves an opening for a wide diversity of opinion. It appears to me that the provision is drafted with the object of affording the maximum number of openings for legal disagreements, and as I do not think we should pass legislation of this character, I will vote against the proposed new clause.

Question—That the Committee agrees to the Legislative Council's amendments in the bill—put. The Committee divided:

Ayes, 33; noes, 15; majority, 18.

AYES.

Abbott, M.	Hoyle, H. C.
Ball, R. T.	James, A. G. F.
Briner, G. S.	Lane, H. W.
Brown, W.	McDonald, G. R. W.
Bruntnell, A.	McGarry, P.
Cocks, A. A. C.	Morrish, J. J.
Fallick, J.	Morton, Harry
Fitzpatrick, J. C. L.	Morton, Mark F.
Fuller, G. W.	Osborne, J. P.
Graff, A.	Robson, W. E. V.
Grahame, W. C.	Storey, D.
Grimm, A. H.	Thompson, W.
Hall, Brinsley	Waddell, T.
Hickey, Simon	Zuill, W.
Hollis, R.	<i>Tellers,</i>
Holman, W. A.	Baginall, W. R. C.
Hoskins, T. J.	Minahan, P. J.

NOES.

Boston, W. J.	Fingleton, J.
Brown, T.	Haynes, J.
Cochran, J. P.	Kearsley, W.
Dooley, J.	Miller, G. T. C.
Durack, E.	Page, F. J.

[Mr. Page.

Stuart Robertson, R. J.	<i>Tellers,</i>
Toombs, Capt. S.	Lang, J. T.
Wright, J.	Storey, J.

Question so resolved in the affirmative.

Motion (by Mr. JAMES) proposed:

That the Chairman do now leave the chair and report that the Committee has come to a resolution.

Mr. STUART-ROBERTSON: Will the Minister give us his word that no totalisator machine in which any members of the Legislative Council are interested will be purchased by the Government or used on the racecourses?

Mr. JAMES: I cannot give a guarantee of that description, because the Government will have nothing whatever to do with the purchasing of the machines. We shall merely have the power to approve of the machines to be used by the clubs, and so long as they are good and efficient we shall approve of them. We shall have no power to interfere in any other way. I do not know of any member of the Legislative Council who is interested in a totalisator machine.

Question resolved in the affirmative.

Resolution reported.

Motion (by Mr. JAMES) proposed:

That the report be now adopted.

Mr. HAYNES: I should like to know whether I would be in order in bringing under your notice, Mr. Speaker, an important point which we were not able to submit to you before the House went into Committee, because we were in entire ignorance of the amendments which the other Chamber had made in the bill. It was only after you had left the chair that hon. members were placed in possession of the printed amendments made by the Council. Then a question was raised as to whether some of the amendments were not entirely outside the order of leave, and I beg now to ask for your ruling on the question.

Mr. SPEAKER: I am afraid I cannot entertain the question raised by the hon. member. In connection with a similar point raised when the Testators' Family Maintenance and Guardianship of Infants Bill was before us, the entry in the *Votes and Proceedings* reads as follows:—

The order of the day having been read,—on motion of Mr. D. R. Hall, Mr. Speaker left the chair, and the House resolved itself

into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in this bill.

Mr. Speaker resumed the chair; and Mr. Durack, Acting Chairman, reported that the Committee had disagreed to one, amended another, and agreed to the remainder of the Council's amendments.

Mr. Hall moved, That the report be now adopted.

Mr. Cohen drew attention to clause 21 inserted by the Legislative Council, which he submitted was not in the order of leave, nor within the scope of the bill. He asked whether it was permissible to take a point of order at this stage.

Mr. Speaker ruled that it was too late to take an objection.

In view of my own ruling in that particular case I am afraid I cannot entertain the hon. member's question, on the ground that it has been raised too late.

Mr. HAYNES: I would point out that in the case referred to the House was in possession of the bill, whereas we were not.

Mr. SPEAKER: The question before us now is the adoption of the report and I cannot entertain the hon. member's question.

Question resolved in the affirmative.

CRIMES PREVENTION BILL.

Bill returned from the Legislative Council, with an amendment.

In Committee (consideration of Legislative Council's amendment—Mr. G. R. W. McDONALD in the chair):

Mr. JAMES (Goulburn), Minister of Public Instruction, [10.38 p.m.], moved:

That the Committee agrees with the amendment made by the Council in this bill.

He said: This is merely carrying out a promise made by the Premier last night that the second paragraph of clause 2 would be struck out.

Mr. HAYNES (Willoughby) [10.39 p.m.]: I merely desire to put on record the fact that I am opposed to the principle of this bill as being a feature of panic legislation which will recoil on the Government. I have no objection to the amendment because it minimises the very dangerous and aggravating nature of the bill.

Mr. STUART-ROBERTSON (Camperdown) [10.40 p.m.]: I am pleased to see that the Council has seen fit to keep the pledge given by the Premier which the Premier himself did not keep. It is quite obvious that any sensible person would

strike out this ridiculous provision, and for once in my life I agree with the Upper House. It reads:

If such offence is committed by a speaker at a public meeting, such speaker may be arrested by any member of the police force, and the members of such force may disperse such meeting and for that purpose may use force.

That provision would give the police power to interpret the Crimes Act which is usually interpreted by a judge of the court and to use whatever force they might deem necessary to enforce that interpretation. How the provision came to be inserted in the bill is beyond my comprehension. It is extraordinary that a Cabinet of sensible men should have inserted this provision. It proves that this is what the hon. member for Willoughby describes as a piece of panic legislation. The action of the Government in this respect is only in keeping with its feverish desire to do something. It does not care whether it is doing right or wrong so long as it is doing something. The Cabinet ought to be grateful to the Upper House for sheltering it to some extent from that just retribution which it will undoubtedly receive in the near future. In another case the Government allowed the Upper Chamber with one stroke of the pen to destroy important legislation which had been carried in this Chamber. The Upper House practically said, "Although you are elected by the people, you have not enough sense to draft your own measures. We have done it for you, and now you must do as we tell you."

Question resolved in the affirmative.

Resolution reported; report adopted.

PAPERS.

Mr. HOLMAN laid upon the table the undermentioned papers, which were ordered to be printed:

Information respecting the increased price of coal.

Information relative to the importation of goods from enemy countries.

ARRIVAL OF MALTESE.

Mr. HOLMAN: Some weeks ago the hon. member for Middle Harbour asked me a question respecting a number of Maltese who, upon their arrival by a vessel in the harbour, were not allowed to land, although they were former

residents of Sydney who had been on a visit to their native land and had returned here. I have been in communication with the Prime Minister of the Commonwealth, and have received a reply from him stating that steps had been taken to allow any such passengers formerly resident in the Commonwealth to land.

SPECIAL ADJOURNMENT.

Motion (by Mr. HOLMAN) agreed to :

That this House at its rising this day, do adjourn until Friday, 22nd December.

ADJOURNMENT.

CLOSE OF THE SESSION.

Mr. HOLMAN: I might explain to hon. members that the motion I have just proposed is in accordance with the established practice to allow the assent of the Governor to be obtained for certain measures before the House is prorogued. I think I may assure hon. members that the House will be prorogued before the day mentioned for adjournment comes round. It will be understood generally that, although we disperse nominally until the 22nd December, actually we do not anticipate calling hon. members together again this side of the recess. That being so, our meeting at this time constitutes the last reunion of hon. members upon the floor of this Chamber after the very long, laborious, and fruitful session we are now bringing to a close. We have been sitting, with short interruptions, since July last year, one of the longest sessions in the history of this Parliament, one of the most eventful, and I may say, without having my impressions unduly coloured by the last few days, that certainly it has not been one of the least exhausting we have experienced. I am bound to add that I fear the exhausting character of the last few days has been felt more by yourself, sir, than by any other single member of the House, owing to the heavy strain which has been imposed upon you in the chair.

We are approaching the end of the session, and it is our hope that some months may elapse before we have to call hon. members together again to resume their legislative labours. Breaking up as we are now, near the festive season, I venture, on behalf of the newly re-

[Mr. Holman.

organised Ministry, to wish hon. members on both sides of the House the compliments of the season. I hope they will experience a very happy and prosperous New Year. I take this opportunity also of expressing my fervent personal hope, which I am sure is shared by every hon. member, that the new year may see the end of the devastating war which has run for so long a period, and that it may augur the period of peace we are now so eagerly looking forward to. I am sure there is no hon. member who is prepared to see that peace come one day earlier than can be gained by an absolute insistence upon the justice and security which were aimed at when the Allied Powers went into the war. Let us have peace, but let it be a peace preceded by a full and lasting victory.

If I am not out of order in going beyond the rules of established precedent on an occasion like this, I should be glad, on behalf of the Government and hon. members on this side, to take advantage of this opportunity to offer you, sir, our respectful and most hearty congratulations on your well-deserved re-election to the chair of the City Council. Those of us who have watched your actions in the chair of this House, and have seen the firmness, justice, impartiality, extraordinary knowledge, and skill with which you have discharged the duties of that post, can understand the readiness with which your colleagues in the Municipal Council decided to avail themselves for the second time of your services. It has been a matter of universal satisfaction to your fellow-members in this House that, in another sphere, so like our own in some respects, and so different in others, the talents you have displayed here should have gained an equal measure of recognition there. On behalf of hon. members I beg you to accept our sincere congratulations.

I, for one, shall welcome with a depth of feeling I can hardly express the respite which is now approaching from the continuous pressure of our parliamentary labours. Hon. members generally will, I am sure, share that feeling. I hope that when we do meet again we may meet re-energized by a rest justly earned, that we may meet for the general good of New South Wales, and to renew our efforts

under the happier surroundings due to the near approach of a victorious and lasting peace.

Mr. THROWER: On behalf of the Opposition I have to thank the Premier for his kind remarks. I also desire to take this opportunity to add our testimony to the work done by the officers of the House during this unprecedented session. We hope that the recess will restore members on all sides to a better state of health. I trust the war will have been brought to a conclusion satisfactory to the Allies, and satisfactory particularly to those persons in Australia who have sons fighting at the front, or who have lost sons.

Motion (by Mr. HOLMAN) proposed:

That this House do now adjourn.

Mr. SPEAKER: In putting the question I ask hon. members to accept my very deep appreciation of the generous manner in which the Premier has referred to an event in connection with another sphere of my public duties. Hon. members on both sides of the House were good enough to endorse what the Premier has said. I must say that I feel under a great obligation to Mr. Mowle and the whole of his staff, who have been working under conditions which members may not fully appreciate. There are a number of our staff away at the front, and Mr. Mowle, by readjustment, has endeavoured, as far as possible, to economise his forces, and he has so distributed the work that with the colossal efforts which have been put forth, his staff have been able to carry out their duties during the recent sitting of over eighty hours. The assistance I have received from Mr. Mowle and all the staff has been most ungrudgingly given, and there has been no complaint, either night or day, from anyone. I feel that hon. members on all sides of the House will fully endorse my appreciation.

I think I might, on behalf of the Sydney Corporation, thank the Premier and the Government, and members of the House generally, for the generous way they have passed certain Acts of Parliament, which have been of enormous assistance in saving money to the ratepayers, and have, to a large extent, facilitated the functions of civic government.

As far as I am personally concerned, in connection with the matter to which the

Premier has alluded, I can only say that fortune has some peculiar vagaries, in view of the fact that the gentlemen who so strongly opposed me a few months ago loudly proclaimed me as the most democratic and progressive Lord Mayor who ever sat in the chair. Unfortunately, an event occurred some weeks ago which, by some process of mental alchemy, has entirely changed my disposition in their eyes. The moral to be drawn from the event is that heresy-hunting is not at all times a profitable or exhilarating task, especially when the anticipated victim puts his back against the wall and tests the fighting qualities of his pursuers.

As far as the members of the City Corporation are concerned, I am sure we all hold the views outlined by the Premier in regard to the terms of peace—that is, every one of us desires that this magnificent city of Sydney, of which any man should be proud to be the civic head, may for all time remain under a Lord Mayor and British rule, and never under a burgomaster and German rule.

Question resolved in the affirmative.

House adjourned at 11 p.m.

Legislative Council.

Thursday, 14 December, 1916.

[In continuation of Wednesday, 13 December, vide page 3591.]

Totalisator Bill (second reading)—Public Works Committee—Women's College Endowment Bill—University (Amendment) Bill—Forestry (Temporary Commissioners) Bill—Crimes Prevention Bill—Loan Bill—Appropriation Bill (second reading)—Special Adjournment—Adjournment (Close of the Session).

[The House resumed at 2.30 p.m.]

TOTALISATOR BILL.

SECOND READING.

Debate resumed (from 12th December, vide page 3591), on motion by the Hon. J. Garland:

That this bill be now read a second time.

The Hon. W. ROBSON: I am sorry that I cannot congratulate the Government upon the introduction of this bill at this late hour of the session. A bill which contains so much that is not only