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1901-10-11

Senate.

The President took the chair at 10.30 a.m., and read prayers.

#### MOTIONS OF WANT OF CONFIDENCE

Adjournments of the Senate

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Senator HIGGS

- I move -

That the Senate, at its rising, do adjourn until 25 minutes past 2 o'clock p.m., on Wednesday.

I am led to take this course because I have observed in the daily press that a motion of want of confidence is to be moved in the other House after certain business is transacted. I am given to understand that it is proposed to bring forward a Supply Bill in the Senate, and that after it has been passed through all its stages the Vice-President of the Executive Council will move that the Senate do adjourn. Only being empowered under the standing orders to object to that motion, which has to go to a division right away, I have to take this course in order to express my opinion on 'certain matters which I consider of urgent definite public importance. I understand that if a certain motion is given notice of in the other House the Senate is to adjourn until its fate is decided. Honorable senators may claim, as I have no doubt they will, that in accordance with all precedents the Senate should adjourn when a motion of that kind is before the other House. I do not take that view. If honorable senators were of opinion that a motion of want of confidence in the Government when, moved in the Senate, would be taken as a motion of censure by the Government if carried, I should not be so disposed to claim that we should go on with our business on this occasion. But, inasmuch as from expressions which have been used an attack on the Ministry in the Senate would not be regarded as a serious matter. I fail to see why we should be guided by precedents and adjourn our proceedings while a motion of want of confidence is debated in another place'. The Senate, in my opinion, is a House unique in the history of the British Empire. I do not know of any other Chamber which is elected on the same principle. There is no other House in the world that has the same right to claim that it truly represents the opinions of a majority of the people of the country. When honorable senators claim that we should act according to precedents, we must not forget that those precedents have been established by nominee Chambers, which have not the same responsibility I take it that the Senate has. We are told that under the Constitution we have equal power with the other House in regard to all proposed laws, excepting, of course, the origination of Money Bills. If that is so, why should the Senate suspend its deliberations while the other Chamber decides a question brought forward by the leader of the Opposition there. If a similar motion were moved in the Senate by the leader of the Opposition, would the other House adjourn? Is it at all likely that it would? I think it would refuse to make any break in its proceedings, but would go right on. And that is what the Senate should do if a motion is brought forward in the other House next week. We have an immense amount of business to transact, and I do not regard a motion of want of confidence in the Government as the act of a man who has the true interests of the Commonwealth at heart, -and that is -another reason why the Senate should not adjourn. There is no possible hope -of the motion being carried. The only thing which can happen is that a long debate will hang up the business of the Commonwealth for a considerable time, and lead to legislation of a very necessary character being delayed, perhaps for years. I object to subordinate the business of the country to mere propaganda work - an endeavour 'to educate the public of Australia up to certain principles which are said to be held by honorable members ; the spread of ideas concerning a certain fiscal policy: That is all that the motion -means, and its mover must know it. We see from what has taken place during the past few months, that honorable gentlemen who have professed to have the interests of the Commonwealth at heart have been delaying the passage of measures, I suppose intentionally, and awaiting an opportunity to strike a blow at the Government, with a view to discredit them, and to educate the general public up to their own fiscal beliefs. I cannot think that the Senate should treat the motion seriously. We can point as precedents to cases in which Legislative Assemblies have declined to take such motions seriously, and have gone right on with the business of the country. I submit that the representative of the Government should endeavour to have that course taken in the other House, so that we can proceed with business. Why should we hang up the discussion of the Public

Service Bill for another fortnight? I submit that it can be nothing but the act of an enemy of the Commonwealth to block the business at this stage. There is legislation before Parliament which is of just as much importance to the people of the country as the Tariff is, and, in the opinion of some of us, of a great deal more importance. When the honorable gentleman, as stated in the Argus this morning, says that he proposes to move this motion because the Tariff is against the interests of the poor, let me tell him that two Bills before Parliament directly affect most vitally the interests of the poor, and those are the Immigration Restriction Bill and the Pacific Islanders Bill.

The PRESIDENT

- I do not think the honorable senator will be in -order in discussing either of those Bills except very generally. One of them is down for discussion next Friday, and we must not anticipate the debate on its second reading.

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Senator HIGGS

- I shall not enter into the details of the measures. The only result which can follow from the Senate adjourning during the -debate in another place is that the .passage of those measures will be delayed, .perhaps indefinitely. We are now within a few weeks of -Christmas, when, the summer season being upon us, honorable senators will want to get away to their homes. I venture to say that we might finish the consideration of the Public Service Bill in about a fortnight, and the way would then be cleared for dealing with other measures. If .the -motion were one which I thought for a moment its mover had a chance of carrying, we might not take the same serious objections to adjourning the Senate. But he knows well enough that he has no chance of succeeding. He knows too that he has not put forward any policy that should commend itself to the friends of the Commonwealth. I remember Ms speeches during the federal election campaign.

Senator Sir Josiah Symon

- What speeches is the honorable senator referring to?

Senator HIGGS

- The speeches of the honorable gentleman who is about to move this want of confidence motion.

Senator Sir JOSIAH SYMON

- I rise to order. This is really travelling too far.

Senator Sir JOHN DOWNER

-er. - If the honorable and learned senator objects, there is an end to it.

Senator Sir Josiah Symon

- I am not objecting; but I object to the honorable senator debating the speeches and attacking some honorable gentleman to whom he refers as proposing to move a motion in another place.

The PRESIDENT

- I think Senator Symon is right. The motion is that the Senate at its rising adjourn until a certain hour on Wednesday, and the matter which Senator Higgs has brought forward is whether or not, pending a vote of want of confidence which may or . may not be moved, the Senate should adjourn. I do not think he ought, except in very general terms, to allude to what may possibly take place in that debate, or to the politics of the leader of the Opposition or of the Ministry. To a certain extent this is-an. abstract proposition . as to what should be the attitude and the action of the Senate on a vote of want of confidence being moved, because undoubtedly, what we do at this time, will probably be done hereafter. I ask him not to debate the suggested speech of an honorable member of another place which has . not yet been made.

Senator HIGGS

- Feeling, as I do, with regard to certain legislation, no matter what Government was in power, I should object to the Senate adjourning. I hold protectionist views, but, at the same time, if the leader of the Opposition held office, and had before the country two Bills, 'such as the Immigration Restriction Bill and the Pacific Islanders 'Bill, I should refuse to be a party to turning him out of office ; and I hope that honorable senators will believe me when I say so. It is because I fear that the delay which apparently is about to take place will act injuriously to the best interests of the people of Australia, that I think the Senate should go right on with its work. The delay which some senators think ought to take place will give a longer time for those persons who favour black and coloured labour to introduce Japanese and similar races into the Commonwealth.

Senator PLAYFORD

- We are well abreast of our work. It is the delay which will take place in the other House on the want of confidence motion which will block the Bill.

Senator HIGGS

- Yes ; but the honorable senator will recognise that if the Senate adjourns for a fortnight - and it may take a fortnight to conclude the debate - we shall be a fortnight behind with our work.

Senator PLAYFORD

- - But not behind the other House. We are more than abreast of it now.

Senator HIGGS

- There are certain Bills which are ready to come up now.

Senator PLAYFORD

- These arguments might do very well in the other House ; they will not do here.

Senator Best

- What are we to do during the Tariff discussion ?

Senator HIGGS

- We are not as well abreast of our work as -we should be.

Senator Pearce

- There is nothing on the notice-paper here.

Senator HIGGS

- Honorable senators know that as soon as we get the Public Service Bill out of the way, we shall have a number of other Bills to go on with.

Senator PLAYFORD

- Where are they to come from 1

Senator HIGGS

- There are a number of other Bills which are simply waiting to be put on the notice-paper.

Senator PLAYFORD

- But the Pacific Islanders Bill cannot; come here at once.

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Senator HIGGS

- It cannot come here at once, because this debate in the other place is going to delay it. We should not join the other Chamber in delaying the business of the country. We should go right on with our work and clear the business paper, and when that is done it will be time enough to cry out that we have nothing to go on with. I look at this -matter principally from the stand-.point-of a white Australia, and I hope that because I am enthusiastic in my white Australian ideas, honorable senators generally will not take up the same attitude as did a prominent senator, who when we showed a little extra enthusiasm the other day referred to us in a contemptuous fashion.

The PRESIDENT

- Does the honorable member think that that has anything to do with the question he has brought forward as to whether the Senate should adjourn or not?

Senator HIGGS

- I hope the Senate will not blindly follow the actions of the Legislative Councils which have considered it necessary to adjourn whenever a motion of want of confidence has been brought forward in another place. I ask honorable senators to consider whether the Senate is to be at the beck and call of the other House.

Senator Playford

- It cannot help it so far as the Pacific Islanders Bill is concerned.

Senator HIGGS

- That all depends upon the attitude of honorable senators regarding their own position. I have heard honorable senators say that we should not give way to the other Chamber.

Senator Sir John Downer

- The two Houses are at each other's beck and call, for that matter.

Senator HIGGS

- They are, very largely; but with regard to the conduct of our own business we are separate and

independent. There is no reflection upon the other Chamber in the proposition that we should go right on with our own work.

Senator Sir John Downer

- Not a bit.

Senator HIGGS

- I am glad to hear that the proposition that we should not adjourn is supported by other honorable senators.

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Vice-President of the Executive Council

Senator O'CONNOR

. - I regret that Senator Higgs should have thought it to be his duty - as no doubt he does - to take this form of bringing the question which he has raised before the Senate ; because it appears to me that any discussion upon the question can be of no service, whilst it will take up a certain amount of the time of the Senate. I would appeal to honorable senators, now that the discussion has been initiated, to take up no more time than is absolutely essential. The Senate has before it to-day the Public Service Bill, and we had hoped to make some progress with that measure. In addition to that, a very important Bill providing for three months' Supply will shortly come before the Senate, and that will have to be discussed, and I hope disposed of before we adjourn. I really might have answered the honorable senator by saying that what he has been dealing with is merely a matter of supposition, but I do not intend to take that course, because there is no doubt that he has raised a very important question, which will have to be dealt with practically. I do not wish to say more about the effects and objects of the contemplated motion of censure than is absolutely necessary. I do not wish to say anything about the chances of it, or to enter upon any discussion which may have a party character. In what I propose to say I merely wish to advert to the constitutional question which Senator Higgs has raised. I have no doubt whatever that the only course which can be taken by this Senate when the existence of the Government is challenged in another place is to adjourn. That is not because we are following slavishly any ancient principle or old time precedent without any meaning in it, but because we are following a rule which is inherent in the very principle of responsible government. The Government is one Government. It is represented in the House of Representatives by certain Ministers, and it is represented in the Senate by other Ministers. The business of Parliament is conducted by Ministers in this Senate exactly in the same way as in the other House, and when the existence of the Government and its right to rule is challenged in one House, how can it possibly continue to carry on its business in the other House 1 That is a rule which has obtained where-ever responsible government exists. Senator Higgs has raised the point that that rule should not apply to our proceedings, and that we are in a different position from other second Chambers in countries where responsible government prevails. I can see no difference whatever in our position in that respect. We differ from other second Chambers in many other respects. We have infinitely more power. The source of our strength and authority is altogether different. We have very large powers of independent legislation. But with regard to this matter, we are simply one of two Chambers which constitute the Legislature in which the business of the country must be initiated and carried on by the Government. The control of the procedure of the Houses must be left in the hands of the Government, subject to the opinion and approval of the Houses in which they conduct such business. I see no reason whatever for supposing that, by taking the course we shall take in the event of the contingency mentioned by Senator Higgs, we shall be in any way derogating from the power or dignity or importance of this Chamber. We are simply carrying on responsible government. The Ministry are responsible to Parliament in both Houses, and they cannot carry on their business in one House when their existence is challenged in the other House. Honorable senators can see at once that if, while the existence of a Government was being challenged in one House, that Government were to carry on business in the other House, the result might be that legislation might be effected, which as the result of the division on the motion of want of confidence might be pronounced to be absolutely contrary to the opinion of Parliament.

Senator BEST

- The Government would be carrying out their policy in one Chamber, though they were checked in the other Chamber.

Senator O'CONNOR

- Yes.

Senator Sir Josiah Symon

-We shall have a bifurcated system.

Senator O'CONNOR

- Exactly. If there is one thing more than another on which British people pride themselves, it is that, whatever the form of the Legislature may be, they manage to work it so that it is a practical machine of government and legislation. We cannot have such a machine unless we follow the principle that there is one Government carrying on its operations in both Houses, that that Government is responsible to Parliament, and that its responsibility in both Houses is for the same policy. Under these circumstances, although the question raised is in one sense abstract, I have stated my view and have expressed what the intentions of the Government are. I have no doubt whatever that this is the only course that can be followed in carrying on the business of the country under our system of government and under our Constitution, that is when the existence of the Government in one House is challenged, the Government must adjourn its business in the other House.

Senator DOBSON

- When I first heard it rumoured that the Senate would be asked to adjourn on account of a contemplated motion of want of confidence in another place, I felt opposed to any motion of adjournment, because my desire, and I am sure the desire of all my fellow senators, is to get on with the business of the country. Seeing that this is the first session of the Federal Parliament, when we are laying the foundations of our Commonwealth, it is well worthy the consideration of the Senate whether we are bound to follow the practice which has hitherto obtained in other Legislatures. There is a very broad line of distinction which may be drawn between merely machinery Bills and policy Bills; and I think that if this Chamber has machinery work to do, which is absolutely necessary at the start of the Commonwealth, there is no reason whatever for an adjournment. I should consider an adjournment to be a waste of time, and should be of opinion that no matter what vote of no confidence was moved elsewhere we should be carrying out our duties to the electors if we proceeded to deal with purely machinery work.

Senator Higgs

- The Public Service Bill is a machinery Bill, is it not?

Senator DOBSON

- To a great extent it is a machinery Bill. I was alluding to that measure. Certainly, matters of policy are involved in it, but they can have no party significance at all. The Bill has been treated from that point of view, and I think we may well call it a machinery Bill. I see no reason why the Senate should not proceed with it.

Senator O'Connor

- Is it not a matter of Government policy?

Senator DOBSON

- It is a part of their policy, in a way, but it is more a machinery Bill than a policy Bill. Let me say a word or two about the far more important question which Senator Higgs has raised. I do not quite know that he is light in alluding to a supposititious case. It may be that the leader of the Opposition in another place may change his mind, and that there may be no want of confidence motion at all. So that it appears to me that the whole of this discussion may not be in order.

The PRESIDENT

- The motion is undoubtedly in order.

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Senator DOBSON

- I hardly see how a question which may never be raised at all can be said to be an urgent matter of public business, simply because we have seen some statements in newspapers.

The PRESIDENT

- It is for the Senate to say whether the matter is urgent or not.

Senator DOBSON

- I do not quite follow the argument of the Vice-President of the Executive Council in regard to the subject. He seems to me to have given away the position which this Senate may desire to take up, and which in the interests of the Commonwealth it should take up. We all know that you, Mr. President, have taken a

great interest in the question of whether federation is going to kill responsible government. You have spoken some wise words upon the point whether the Government, under our Federal Constitution, will have to be responsible to one House or to both Houses. That is a very important matter, which may possibly take years to develop. But my honorable and learned friend, the Vice-President of the Executive Council, has practically settled it, if I understand his views aright. But, perhaps, it is hardly fair to take his words as settling the matter. I recognise that he is placed in a rather awkward position in consequence of Senator Higgs having moved in this matter.

Senator O'Connor

- It is a perfectly clear position.

Senator DOBSON

- My honorable and learned friend has to some extent been taken by surprise, and probably he has said more than he intended to say. I do not admit that, because we have a Ministry represented in both Houses, if they are attacked in one House the other House must, as a matter of constitutional practice, adjourn. I cannot admit that the Senate should cave in and decline to go on with its business simply on account of the fact that Ministers are fighting for their life in another Chamber. Let me suppose for a moment that a want of confidence motion was moved in -another place, not by a gentleman of the status of Mr. Reid, but by some member who could not possibly succeed. Would my honorable and learned friend, Senator O'Connor, say that under such circumstances as that, and under all circumstances without regard to other considerations, this Senate should adjourn ?

Senator O'Connor

- No, because the Government would not always take such a motion as one of want of confidence.

Senator DOBSON

- I have before my mind an instance that occurred in connexion with the French Senate. It was to this effect - that the Senate had a measure presented to them by a Ministry in whom they had no confidence. They said they would not consider it ; and within 48 hours I believe the Premier, who had a majority in the Lower House, resigned. I quite see that the reason for an adjournment when a motion of censure is moved is that Ministers cannot be expected to push forward their policy and the measures which shape their policy, because if they did push them forward and the Ministry resigned, the work would be lost. But I do not think that argument can apply to machinery Bills or to any work of a formal character. If honorable senators will think over the words uttered by Senator O'Connor, they will see that he has carried the point a great deal too far; and whether it is desirable or not that the Senate should adjourn next week, supposing this vote of censure is moved, I do not think that the Senate should be placed in the position in which the Vice President of the Executive Council has led us to suppose we are placed.

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Senator Sir JOSIAH SYMON

- I should feel myself wanting in candour and in that sense of justice which is due to the situation, if I did not in one word express my entire concurrence with every position which my honorable' and learned friend the Vice-President of the Executive Council has so clearly put before the Senate on this question. I do not desire to enter into any debate upon it, because I think we may all feel that a discussion on what is to a certain extent an abstract question at present ought not to be prolonged. My honorable and learned friend was right in saying that it is practically an abstract question, and it may be treated from that point of view as far as the point raised by Senator Higgs is concerned. But I think that we shall all agree that Senator O'Connor has acted with great wisdom in dealing with matters substantially as Senator Higgs desired he should do, and in explaining what is the true constitutional position. Because not only has Senator O'Connor enlightened us, but time and discussion will be saved when the matter does assume concrete shape. Senator Dobson has not taken, what I may call, a precise view of the situation. My honorable and learned friend says truly enough that the contention has been made - and in some aspects there is a great deal of force in it - that the Government is responsible to both Chambers. But the contention which my honorable and learned friend urges is nob that that proposition should be derogated from in any way - no one suggests that - but that part of the Government should be responsible to one Chamber and part to another.

Senator Glassey

- A house divided against itself.

Senator Sir JOSIAH SYMON

- That is the unfortunate position which, putting it constitutionally, the view of my honorable and learned friend would lead us into. The Ministry is one and undivided. We hear of disagreements in the Ministry occasionally, and they are most promptly denied. But that does not alter the constitutional position, that whatever disagreements there maybe amongst Ministers themselves - and those outside appear to know much more about such matters than those inside - the Ministry is in itself homogeneous and complete. If one part of it is attacked, the other part must respond to the attack, and must, of course, assume an attitude of defence. There can be no discrimination, so long as there is responsible government, between one part of the Ministry and another. If the policy of the Government is challenged in the House of Representatives, and Ministers in the exercise of their constitutional rights say " We accept this as a motion of want of confidence " - they need not do so unless they like ; they may say we are not going to take the motion as one of no confidence - it means that their whole policy, not a particular part of it, and their whole existence as a Government, is challenged. In that event their operations are suspended - not the operations of one part of the Government in one House of Legislature, but their operations as a whole. It seems to me, therefore, that the constitutional position which my honorable and learned friend, Senator O'Connor, has put, is complete. Does it conflict with the importance of this Senate or with the Constitution upon which the Senate rests ? I agree that it does not in the slightest degree. It does not derogate one atom from the powers we possess, and from the constitutional position of the Senate under the Commonwealth Act.

Senator Dobson

- It is forming a precedent, that is all.

Senator Sir JOSIAH SYMON

- I agree that we are forming a precedent, but unhappily it is not a precedent in the ordinary sense. We are following the constitutional usage that wherever there is responsible government, if the Government is challenged in one branch of Parliament its existence as a whole is challenged, and not the existence of a part of it. Under these circumstances, no part of a Government can continue to conduct the business of the Government in another branch of the Legislature. The business of the Government must be suspended in the other House of Parliament just as it is suspended in the House where the existence of the Government is challenged. I may also say that I do not think there is power in the Senate to challenge the existence of a Government in the ordinary sense. I do not know that the Senate is in a position to propose a motion of want of confidence; but I hope that will not be taken as any final expression of opinion on the subject, because a situation might arise which might be equivalent to challenging the position of the Government and practically paralyzing their existence, and that might be treated in that way. But if there were a direct power of challenging the Government in such a way that the Ministerial representatives here would accept it as an expression of want of confidence, then I think the other Chamber ought also to adjourn in exactly the same way as my honorable and learned friend suggests, pending the rehabilitation, if I may use the term, of the Ministry and of their policy.

Senator Dobson

-Does the honorable and learned senator suppose for a moment that they would ?

Senator Sir JOSIAH SYMON

- I am not going to enter into the question of whether they would or would not ; that is not a question that arises now. To use a common expression they might take the bit between their teeth, and that would raise the very important constitutional question of the relative position of the two Houses upon the subject of a Ministry's existence.

Senator O'Connor

- We shall wait until that question arises.

Senator Sir JOSIAH SYMON

- As my honorable and learned friend says we shall wait until that question arises, and we need not debate it now. I rose particularly to express the pleasure I experienced in listening to the clear constitutional speech of the Vice-President of the Executive Council upon the subject.

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Senator BEST

- It appears to me that this matter must be looked at from two aspects. First of all the constitutional

aspect, and secondly the practical business aspect which has been presented by the honorable senator who introduced it. As to the constitutional aspect of the question, in my opinion, the position taken up and the arguments used by the Vice-President are simply unanswerable. We have to determine whether, as a matter of fact, we have got responsible government incidentally to our Constitution, or we have not. He would be a bold man who would suggest that we are not working under a system of responsible government.

Senator Sir John Downer

- What does the honorable and learned senator mean by responsible government?

Senator BEST

- The meaning of responsible government is obviously known to my honorable and learned friend. By responsible government is meant, of course, the responsibility of the Government to Parliament.

Senator Sir Josiah Symon

- And not partly in one House and partly in another.

Senator BEST

- Necessarily, of course. The life and existence of the Government depend upon the confidence of Parliament.

Senator HIGGS

- Of both Houses.

Senator BEST

- Parliament, of course, includes both Houses. But the honorable senator must see that no matter how desirous we are to uphold our rights under the Constitution, the fact remains that the other House in finance is the dominant partner, and that the majority of Ministers are in the other Chamber.

Senator Sir Josiah Symon

- Hear, hear ; we must recognise that.

Senator BEST

-We cannot ignore the fact that the majority of Ministers are in the other Chamber.

Senator Sir John Downer

- That is an accident.

Senator BEST

- It is not a matter of accident at all, it is conceded by this House.

Honorable Senators. - No, no.

Senator BEST

- I venture to say it has been conceded, inasmuch as this House has not up to the present made any protest that we have only two Ministers in the Senate, while there are six in the other Chamber.

Senator Styles

- But we have got the pick of them !

Senator BEST

- I fully agree with my honorable friend in that. We are governing under a system of responsible government, and we must accept the inherent principles so far as that is concerned. The solidarity of the cabinet is amongst the first of those principles. In the other Chamber there has been launched against the Cabinet as a whole a want of confidence motion, and it would be obviously a most incongruous situation that in the case of a Cabinet which has a corporate existence the majority of its members should cease to persist with their policy and measures in the other Chamber, while in this Chamber some two of its members should persist in pushing that policy and upon making it the law of the land. That would be a most incongruous situation, and one that would certainly be novel, so far as our ideas of constitutional government in the British possessions are concerned. The second aspect is the practical one introduced by my honorable friend. The honorable senator is fearful that we may delay business by adjourning. As a matter of fact, we know that we are fully abreast of the business sent up to us. In addition to which, I point Out that during the Tariff discussion which will take place in the other branch of the Legislature, and which, perhaps, will last over six or eight weeks, this Chamber will have ample time to consider every possible measure which has already passed the House of Representatives and been sent here.

Senator Staniforth Smith

- What about the Electoral Bill?



Senator BEST

- I do not know that I am permitted to refer to it, but as a matter of fact it is On the business-paper of the other Chamber.

Senator O'Connor

-It will be introduced here.

Senator BEST

-At any rate I do not think there is any reason for apprehension in that regard. The business aspect must give way to the constitutional aspect, but I feel that from the constitutional aspect and the business aspect also the apprehensions of my honorable friend are not well founded.

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Senator BARRETT

- I think this motion is premature. We might have waited until the question of adjournment was spoken of, and we should then have known exactly the position we ought to take with respect to it. I must confess to a feeling of surprise when the matter was mooted in the Chamber. Up to the moment the honorable senator rose in his place to move the motion, I had not the slightest idea that we should consider a question of this character this morning. In saying that I do not mean to say that it is not the right of any honorable senator to introduce any motion he thinks fit ; but in such a matter I think that perhaps it would have been better that we should have consulted each other, and the proper course would have been to have had some understanding beforehand with regard to it. The constitutional aspect of the question has been ably put before the Senate by the Vice-President of the Executive Council, as well as by Senator Symon and Senator Best. Let me say that at first sight I was inclined to take the contrary view. But the position has been so ably demonstrated that, so far as that question is concerned, we cannot be in reasonable doubt as to what we should do. "We have the practice in legislative bodies in the past as a precedent in reference to this matter, and the view foreshadowed by the honorable senators to whom I have referred is certainly the proper course to take upon this occasion. I have no doubt we all regret the waste of time that must inevitably occur provided certain events follow. Reference has been made to honorable senators having to come here during the summer, and be occupied with legislative duties. That under present circumstances is unavoidable, and though I agree with Senator Higgs that the Immigration Restriction Bill, and the Pacific Islanders Bill are so important as, perhaps, to overshadow every other question at present before Parliament, yet I think the course suggested ought to be taken. If it be necessary to take that course honorable senators who feel as Senator Higgs does upon the question should see that Parliament does not adjourn until these questions are settled. If an adjournment does take place they should in the ensuing session take steps to compel the Government to pay early attention to those particular matters. I have no doubt, however, that the Government will do what is right. Under the circumstances I believe that this motion is premature, and the best course to adopt would be for the honorable senator to withdraw it, and await later developments.

Senator GLASSEY

- I share to some extent the feeling which animates my honorable friend Senator Higgs, with regard to the probability of two important measures being endangered in consequence of delay that may ultimately ensue, but I do not share his opinions with respect to the adjournment of the Senate causing any delay with regard to those measures. If the honorable senator will look at the business-paper of the other Chamber he will see that, so far as appearances go, the Kanaka Bill cannot possibly be dealt with until such time as the large and important question which is to engage the attention of the other Chamber is first disposed of. The Kanaka Bill is one upon which senators from Queensland feel very strongly. I have no doubt that senators from the other States also feel strongly upon it. I yield to no other man in Australia in the strength of my feelings upon that particular Bill pronounced for many years past upon many occasions. I feel very strongly also upon the Immigration Restriction Bill. That is on the business-paper of the Senate, and, under ordinary circumstances, will be reached in reasonable time, but the Kanaka Bill occupies an entirely different position, inasmuch as the second reading has not yet been passed in the other Chamber, and it must of necessity be blocked in consequence of the motion which will, doubtless, will be given notice of today. So far, therefore, as the Kanaka Bill is concerned, the adjournment foreshadowed will in no way jeopardize the passage of the Bill, because it cannot make progress in the other Chamber until the Tariff question is dealt with. With regard to the adjournment, I think it would be

impossible and unheard of to continue legislation in the Senate. I see Senator Sargood smiling, and I know the honorable senator was instrumental on two occasions in inducing the Legislative Council in Victoria to proceed with their business under similar circumstances.

Senator Sir Frederick Sargood

- Very special business.

Senator O'Connor

- And the honorable senator occupied a very special position.

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Senator GLASSEY

- I have read the parliamentary proceedings, and the parliamentary history of Great Britain carefully for many years. I have followed similar proceedings in France, Spain, and other countries where they have responsible government, and I am not aware of any instance in which, when a Government has been seriously challenged in the popular House, a portion of the Government in the other Chamber has attempted to carry on a part of its policy. Such a thing is, I think, entirely unheard of. Although honorable senators from Queensland are anxious to expedite business, and anxious to see some measure placed upon the statute-book, and particularly the Kanaka Bill and the Immigration Restriction Bill, I do not think that under the existing circumstances the delay can be helped. I should like to go on, because it does not suit members coming all the way from Queensland that they should be idling their time here while business is interrupted. But, however anxious we may be to expedite business, there is no help for some delay under existing circumstances. During the period in which the Tariff will be discussed in the other Chamber we shall in this House be able to clear the business paper before the larger question comes before us for consideration.

Senator Sir JOHN DOWNER

- In the speech of Senator Best I attack what the honorable and learned senator stated as the principle of the Constitution, and that is that we are living under responsible government, and that that practically means responsibility to the other branch of the Legislature. I know that that has always been the Victorian view, but it has been the view which we in the smaller States have always contended against. It is not the view we have earned out, or, so far as I am concerned, the view I intend to maintain. I am exceedingly sorry that the motion has been brought forward at all, because, though it is innocuous, it may be taken as the expression of a resolution which I am sure the Senate would never come to. The Vice-President of the Executive Council said that the Ministry is in both Houses and he asked how we can go on in this House when the life of the Ministry is challenged in another. Would they go on in another House, do honorable senators think, supposing we challenged the life of the Government in the Senate?

Senator Keating

- It depends upon how Ministers took it.

Senator Sir JOHN DOWNER

- That is why I regret that the discussion has arisen with the result of having produced expressions of opinion, some of which are in favour of the Constitution, and many of which are entirely, in my opinion, against its vital principles. I object absolutely to the proposition that the Ministry is not responsible to both Houses. I object also to the proposition that we are to cease our work, when a notice of no confidence is given, by analogy of anything that exists in local Parliaments. We are embarking on a new career. We have refused to follow these old principles. The term "responsible government" has been dragged in by those who wish to drag it in. Of course we have responsible government, but the question has still got to be fought out - responsible to whom? As our Victorian friends understand it, and as my honorable friend Senator Playford understands it, responsible government means the responsibility of the Government to one House.

Senator Playford

- Not absolutely.

Senator Sir JOHN DOWNER. Practically. My honorable friend is loyal and true to his old traditions - he started with that, lived under it, and never can live beyond it. I believe that in Eternity the result will be the same. He will always be considering that he will be turned out on a vote of the Lower House. Senator Best, like the Victorians all through -

Senator Best

- A bad lot !

Senator Sir JOHN DOWNER

- Very nice fellows. They are all very intimate personal friends, and I have the greatest respect for them; but I detest their principles. Of course Senator Best has repeated identically the arguments we had throughout the Convention from his side - that was, that numbers should rule, which meant in other words that the House of Representatives should rule. The whole struggle right through amongst us was whether the Government was to be responsible to one House or to two Houses. Although I except to the general tone of Senator O'Connor's speech, I cannot except to the conclusion he came to. Would it, he asked, be convenient putting it as a mere matter of convenience for the Government to go on when it was challenged in the other House? On that understanding I do not very much mind what is done. But in the meanwhile I distinctly regret that we have had a discussion brought up on this formal motion.

Senator Fraser

- It only clears the atmosphere.

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Senator Sir JOHN DOWNER

- No, it has fogged an atmosphere which was clear before, and in which we asserted our principles. We have now raised doubt as to our powers, which I think had better not have been done. I believe that as we go on we shall depart more and more from the traditions which now hamper honorable senators ; and, as a result, we shall find that one House may possibly go on with its business - business that is not controversial, which has nothing to do with the life of a Government, and which any Government must do even though the existence of the Government may be challenged.

Senator Sir Frederick Sargood

- It might be private Bills.

Senator Sir JOHN DOWNER

- It might be private Bills or other business. I very much agree with what Senator Sargood, I understand, was challenged with having done before. It would be a matter of regret if we were to bring too much into our recollections our old notions about responsible government in the State Houses we have been accustomed to. I cannot see any possible reason why the Senate should not go on with its ordinary business. Whether this Government is alive or whether another takes its place is a matter of no concern so far as a great number of the measures are concerned. Supposing that the Government is challenged. On what? On a thing not before us. The Government is in no way challenged on matters which are before the Senate. We have Bills here which have been sent up from the other House, and there will be no difficulty in our proceeding with any possible business.

Senator Best

- Policy.

Senator Sir JOHN DOWNER

- What is the policy that is challenged ? It is a policy which is not and cannot be before us. and because the policy which cannot be initiated here, which we know not of, and cannot refer to, is challenged in another place, we are to consider that a sort of dead-lock has arisen, and refuse to do the business which both Houses have practically agreed that we ought to do. I hope that as a result of this discussion we shall very seriously consider whether we shall not depart from this time honoured abuse in respect of a form of government which does not exist amongst us, and whether we shall not rather follow the practice which Senator Sargood seems to have initiated, and with which I entirely agree. That is, that we should go on, not with controversial business which is not, and cannot be before us, but with the ordinary business which does not concern the life of Ministers, and which will not be affected whether they are retained or whether they are rejected.

Senator McGREGOR

- I do not often disagree with Senator Downer, but I would like to put a proposition to him and other honorable senators for the purpose of getting an answer. Supposing that a no-confidence motion of the same character were simultaneously introduced in each House, and that the House of Representatives supported the Government and the Senate went in the opposite direction. Whom would the Government ultimately be responsible to ? To my mind, certainly to the more numerous House, because the provision made in the Constitution to get over a dead-lock gives that body, on account of its numbers, a superiority

over the Senate.

Senator Sir Josiah Symon

- You would lose all balance in the Constitution if the seat of power did not reside somewhere finally.

Senator McGREGOR

- It must reside somewhere finally. We cannot work responsible Government if we have two Houses with exactly the same powers. Of course I like to maintain the powers of the Senate as much as I possibly can, but I am not so foolish as not to admit that ultimately the more numerous House will certainly win. I do not hold a very strong opinion on the question of an adjournment. The only advantage in the discussion is that it enables us to make a protest against the delaying of some legislation, which may be of a very urgent character. It has been pointed out that the delay in the other House may ultimately delay any measures we may pass, because it will not be in a position to ratify our work, and it has as much say in legislation as we have if not more. I hope that the motion will be withdrawn. I deny that no good has come out of the discussion, because it has shown that there is a great difference of opinion as to the constitutional powers of the two Houses.

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Senator Sir FREDERICK SARGOOD

- I have always acknowledged that, so far as constitutional precedent is concerned, it is practically the invariable rule for the Second Chamber to adjourn when a motion of want of confidence is moved in another place. But I have equally maintained that there is no law which compels the Second Chamber to adjourn. On two occasions, when I was a Minister in the Legislative Council, I have induced that House to go on, but I am bound to admit that the circumstances were very exceptional. In each case there were two comparatively small but very important Bills of a non-contentious nature, which only wanted the finishing touches to be given to them. I think the Legislative Council was perfectly justified in completing its work on those Bills, but it recognised constitutional principle by adjourning immediately afterwards.

After all, this comes down very much to a matter of practical common sense. What is the use of going on? What is the position of matters here? We have only the two Bills before us - at least, only one until the 18th October. The Bills are, necessarily, in the hands of Ministers, and we cannot for a moment imagine that they would consent to go on with them. As we have nothing else to do, we might just as well adjourn.

Senator HIGGS (Queensland) - (In reply). - I regret that some honorable senators think that the motion has not been productive of any good, but, on the contrary, has placed us in a fog. Those of us who desire to maintain the rights of the Senate must be ever vigilant, and discuss these occurrences as they arise. Although no motion has yet been moved in another place, no honorable senator believes that it will not be moved. It has been bruited about all over the place, and in the press, and there can be no doubt that it will be given notice of, if not to-day, next week. If I had waited until Senator O'Connor had moved that the Senate adjourn until the termination of the debate on the motion, I should not have had an opportunity of saying more than that I object. We should have had to go to a division immediately, without an opportunity of expressing our opinions. The view of Senator O'Connor this morning, that when a Ministry is attacked in one House, the other House is affected, is quite contrary to an interjection from the Government bench in the early part of the session, when it was stated that if a motion of want of confidence were moved here the Government could not take any notice of it. I quite agree with him that if a Ministry is 'attacked' in one House the other House must also consider the question. If that was to be the view I should not offer so much opposition to an adjournment. At some future time there may be three or four Ministers in the Senate. Indeed, owing to the state of politics, an incoming Premier may find it necessary and expedient to appoint five Ministers in the Senate.

Senator Glassey

- We ought to have two paid Ministers in the Senate now. The whole system at present is anomalous.

Senator Playford

- We have been shamefully treated.

Senator Glassey

- And the Senate should resent it.

Senator HIGGS

- If honorable senators are disposed to adjourn on notice being given of a motion of want of confidence, I think it is only fair to regard the seriousness of the motion. I do not seriously regard the motion in this.

instance. If there is anything in the contention of honorable senators, then when the Prime Minister was met by an amendment in the Immigration Restriction Bill by the leader of the labour party in the other House, and said he regarded it as a motion of censure why did not the Senate adjourn until the question was decided.

Senator Sir Josiah Symon

- But they did not accept that as a motion of want of confidence.

Senator HIGGS

- The Prime Minister said, "If the amendment goes against us I shall take it as a motion of censure."

Senator Drake

- No, exactly the reverse is my recollection.

Senator Playford

- A vote of censure does not necessarily mean that the Ministry go out of office.

Senator Sir Josiah Symon

- Fatal to the Bill but not to the Ministry.

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Senator HIGGS

- Of course if a Ministry are anxious to hang on to office they do not accept a vote of censure as a vote of want of confidence. I can furnish more cases where Ministries have accepted a motion of censure as a motion of want of confidence than honorable senators can cite cases where an Upper House has adjourned on a motion of want of confidence being moved in another place. Surely honorable senators must recognise that the Senate would not be in a stronger position after having created a precedent than it was in before. It must be borne in mind that we are creating a precedent. I feel that the Senate is in a humiliating position, for this reason, that although we hold strong views on each side of the Chamber regarding the motion of want of confidence our mouths must be shut. Honorable senators who have a high opinion of the dignity of the Senate and the powers and responsibilities of its members can contemplate that fact until further notice. We must close our mouths and retire while the members of another place discuss a motion which cannot be regarded as a serious one. In deference to the wishes of honorable senators I beg leave to withdraw the motion.

Motion, by leave, withdrawn.

#### POST AND TELEGRAPH BILL

Postmaster-General

Senator DRAKE

. - I beg to bring up the reasons of the Senate for disagreeing to certain amendments of the House of Representatives in the Post and Telegraph Bill, as drafted by the committee appointed for the purpose.

Reasons read by the Clerk as follow : -

As to amendment No.6 : -

Because the definition is not considered necessary.

As to amendments Nos. 58 and 59 : -

Because the expense of working an underground system of telephonic communication, will be greatly and unnecessarily increased, if the department is not permitted to carry wires through private buildings.

As to amendment No. 6 : -

Because an aerial system of telephonic communication, requires that power should be given to lop encroaching trees, and the department should be indemnified for any reasonable action taken to insure the proper working of telephone lines.

As to amendments Nos. 87, 88, and 89 : -

Because the importance of maintaining a telegraphic system inviolate, is so great, that no person interrupting communication by cutting or breaking wires or otherwise, should be excused on the ground that he did not act unlawfully or maliciously.

Reasons adopted.

#### PAPER

Senator DRAKE laid on the table, by command -

Regulations under the Customs Act 1901.

#### PUBLIC SERVICE BILL

In Committee(consideration resumed from October 10, vide page 5892) :

Clause 5,

The commissioner and inspectors shall each be appointed for a term of seven years, and shall be eligible for re-appointment -

Upon which Senator Higgs had moved,by way of amendment -

That after the word "commissioner," line 1 the following words be inserted: "Shall hold office during good behaviour, and shall not be removed except by the Governor-General in Council on an address from both Houses of the Parliament in the same session praying for such removal on the ground of proved misbehaviour or incapacity. "

Senator Sir FREDERICK SARGOOD

- An amendment somewhat similar in character, certainly similar in principle, was circulated by me some two months ago. I mean in regard to the mode of appointment. It appears to me that to appoint a commissioner for seven years would not be satisfactory. I am not now dealing with the inspectors - they are in a different position altogether. We have decided to appoint one gentleman as chief commissioner. He will have a very heavy responsibility thrown upon him. So far as Victoria is concerned, both in connexion with the railways and public service,the commissioners were appointed for seven years; but there were three of them, and it is certainly desirable that where only one is appointed he shall be surrounded by as many safeguards as regards political and social influence as possible. I am of opinion that the appointment should be, as the Auditor-General's is, during good behaviour. But I do not place the same interpretation on the term " good behaviour " as Senator Playford does. It does not mean liability to dismissal with the same facility as applies to an ordinary public servant.

Senator Playford

- Surely he should be liable to suspension, and his actions should be subject to investigation by boards of inquiry.

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Senator Sir FREDERICK SARGOOD

- The duties of the chief commissioner will be in a way quite as onerous and as important as those of the Auditor-General, who is only to receive £1,000 per annum, whilst the Public Service Commissioner is to receive £1,500. My conviction is that it is a great mistake to put the Auditor-General down for a salary of only £1,000, which is too small for the class of officer we require for that very important position. We should also bear in mind that the duties of the Auditor-General are to a large extent mechanical, though they are important. I mean that they are mechanical inasmuch as his primary duty is to see that the votes of Parliament are spent in the direction intended by Parliament, that they are not taken from one department and expended in another, and that surplus votes are not expended otherwise than strictly in accordance with the law. In addition to that, he has to see to the auditing of the accounts of the whole of the departments. The Public Service Commissioner will have to deal with the appointment, advancement, promotion, and salary of every public servant. He will have to hold the scales of justice very evenly, so that there will be no nepotism and no unfair promotions. Having a very intimate knowledge, extending over a good many years, of the duties both of Public Service Commissioners and Auditors-General, I think that the duties of the one are quite as important as those of the other, and that, therefore, both should be surrounded by due precautions. That is the reason why I think the appointment should not be for seven years, but during good behaviour. I now come to the point raised by Senator Playford, that if the commissioner is appointed during good behaviour he is practically appointed for life, and that will make him an autocrat. I am bound to say that, to a certain extent, the amendment of Senator Higgs would justify the contention of Senator Playford. But my amendment is an exact copy of a section of the Audit Act which we have passed. It enables the Governor-General to suspend the Auditor-General - in this case it would be the Public Service Commissioner - at any time the Government thinks fit. -That is a power which should be left absolutely with the Government. The Audit Act enables the Auditor-General to be suspended, first, for incapacity. That is a very wide term and would cover almost anything. Then he may be suspended for incompetency or misbehaviour. I can hardly conceive any behaviour or any act of the commissioner that would not come within the description of one of these words'. The Government having so suspended the officer, they are to lay before both Houses of the Parliament a full statement of the grounds of such suspension within seven days if the Parliament is then sitting, or, if Parliament is not in

session, within seven days after it meets. Then the Auditor-General - in this case it would be the Public Service Commissioner - so suspended is not to be removed from office unless each House of Parliament, within 42 days after the date upon which the statement is laid upon the table, passes an address praying the Governor-General for his removal. So that if my amendment were adopted the Public Service Commissioner would be upon exactly the same footing with regard to his appointment during good behaviour as the Auditor-General. It appears to me that that is all that is wanted. We have considered the power ample and satisfactory so far as concerns the Auditor-General, and I think it would be wise to adopt the same principle with regard to the Chief Commissioner of the Public Service, but not as to the inspectors. I do not propose to deal with them at present. Perhaps it might be advisable for the proposal to be made for the omission of subclause (2). If that were done it would leave it open to us to deal with the subject upon clause 6, which I think is the right place. Clause 6 deals really with the suspension of the commissioner and so forth. The suspension, appointment, and such cognate matters would be better dealt with in one clause, for the sake of symmetry.

Senator HIGGS

- I can see from the trend of the discussion which has taken- place that my amendment is not likely to be carried. I, therefore, beg leave to withdraw it.

Amendment, by leave, withdrawn.

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Senator DRAKE

- No doubt Senator Sargood has correctly described the provisions of the Audit Act, but in exactly copying the provisions of one Act in another measure we should be careful to make sure that the two cases dealt with are upon the same lines. There is a great deal of difference between the position of Auditor-General and that of the Commissioner of the Public Service. We know perfectly well that there is a necessity for some system of audit, and that the Auditor-General would be just as much required and just as important seven years hence as now. The same system of audit obtains in nearly all British speaking countries, and in all the Australian States it is recognised that there is an absolute necessity for having an Auditor-General. But the case of the Public Service Commissioner is entirely different. There are considerable differences of opinion as to what is the best system for controlling the public service. Several honorable senators have expressed strong opinions about the desirability of having some system of civil service control entirely different from that proposed by the Bill. Is it not reasonable, therefore, that we should put a limit to the term of the service of this commissioner, on the assumption that possibly between now and seven years hence . the Parliament may be of a different opinion to that which it appears to hold now with regard to the best system to adopt?

Senator Barrett

- And we may get a better man, perhaps.

Senator DRAKE

- Yes ; if we limit the term it also gives an opportunity for getting a better man if the commissioner appointed does not fulfil expectations. The other day Senator Dobson was arguing in favour of sweeping away the proposed system, and having a board appointed, consisting of one or two officers already in the service. He would do away with the commissioner altogether. A number of other honorable senators have said that this legislation is, to a certain extent, experimental. Under these circumstances is it desirable that we should now fix the tenure of the commissioner practically for life? Is it not better that a term should be fixed for his service, so that in the course of years, if some better plan is thought of, that other better system may be adopted ? The alteration of a system established by Act of Parliament, or the dispensing with the services of an officer against whom nothing can be alleged except that he does not come up to the expectations formed of him, is always reluctantly undertaken. Honorable senators like Senators Playford and Sargood, who have had a lot of experience of administration, know very well that where an officer is appointed during good behaviour, it is always with considerable reluctance that any action is taken to remove him from his position on the ground of his misbehaviour or incapacity. A man in that position cannot be got rid of except by such an attack upon his character as would practically prevent him from getting any other kind of employment. It is very inadvisable at this stage of the Commonwealth, when we are adopting an admittedly experimental system - - which is a choice from amongst a number of systems which have been suggested - to put the commissioner in the position of retaining his office for

life. The term of seven years seems to me rather long, and I am surprised that there should be any movement in the direction of giving him a longer term.

Senator PLAYFORD

- I suggest to the Minister that as there are so few senators present, this clause might be postponed. Only one senator from my State is in the Chamber, and there is only one, Senator Walker, from the most important State in the Commonwealth. If the Minister would postpone the first part of the Bill, and proceed with the second part, which deals with the public service, what it shall consist of, and what salaries shall be paid, it would be more satisfactory. If we proceed with this clause to-day I shall feel compelled to support its reconsideration on a future occasion, when there are more senators present. I shall vote against subclause 2, and am quite willing to support Senator Sargood in the view of the matter which he has submitted. I certainly object to the inspectors being appointed for seven years. It is doing them a little too much honour to appoint them in that way. They should be the servants of the commissioner, and he should have the choosing of them. Therefore, the word "inspector" should come out of the sub-clause, even if the rest of it is passed.

Senator DE LARGIE

- I hope the committee will not agree to postpone the clause. We had a considerable amount of discussion on it last night, and we have again debated it this morning. I think we are all pretty well prepared to vote upon it now. If it is postponed, as suggested by Senator Playford, there is no guarantee that when it is again considered we shall have a better attendance of honorable senators than we have to-day, and we shall have all the discussion over again. It will be better to settle the matter one way or the other. With that end in view, I move -

That sub-clause be omitted.

I do not think the Commonwealth should be tied down to any particular term in the appointment of this commissioner, because there is a great deal of difference of opinion as to whether the appointment is likely to be a satisfactory one or not. I think we should hold the power to express, when the Estimates come before us, an opinion as to whether we shall discontinue the office or not.

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Senator BARRETT

- The course now being taken emphasizes the necessity of having a fuller House to discuss this matter. Honorable senators appear to be in such a state that they do not feel inclined to go on with business. The Minister knows, as well as I do, that we are now upon one of the vital features of the Bill. We have been threatened with amendments from various sources. I do not say it offensively, but it appears to me that those who do not desire the appointment of a Public Service Commissioner are not inclined to take the decision of the Senate with regard to that matter. If a vote were taken at the present time it would simply be a chance vote, which would not be satisfactory to either side. On several occasions this morning there has not been a quorum present, and I should have called attention to the state «of the committee had I not felt that as a rule it is objectionable to do so. Taking everything into consideration, I think it would be wise to adjourn the consideration of the Bill until after dinner, when we might have a better attendance of honorable senators.

Senator DOBSON

- This Bill has now been discussed for portion of three different days, and although I take a vast interest in it, I do not think I have opened my lips upon the subject on any one of those three days. I have been quietly listening to honorable senators, and trying to ascertain what the views of the Postmaster-General are.

Senator Drake

- My views are in the Bill.

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Senator DOBSON

- If I may venture to suggest a reason why this Bill appears to be almost dead, whenever we come to discuss it, it is that from the commencement -of the discussion upon, the second reading -a majority of honorable senators have been against the.- principles of this fifth clause. Little by little Ministers have gained ground with a doubtful member or two, and when we came to divide upon the omission of the word " commissioner " they won. I believe that if we had the whole of the members of the Senate here



now it would be found that the principle of the clause is objected to by a majority. It is almost impossible to galvanize this Bill into life when the a majority of the members of the Senate do not want it. Let me direct the the attention of the committee to what the Postmaster-General said a few minutes ago. First of all, he said that the States had not settled what sort of Public Service Bill they ought to have, or how they ought to manage their public services. I quite agree with that. He next stated that some of the States are legislating in the direction of this Bill. I quite agree with him. He then said on the question of making the term of appointment seven years, that it was in the way of an experiment. I quite agree with him, and a very disastrous experiment it will prove. I object to any term of years whatever being fixed, and I object to the commissioner and the inspectors being placed in any position whatever except that of ordinary public servants, who can be got rid of on six months' notice. As the Postmaster-General has told us, the Bill is an experiment, the States have not yet made up their minds with all the experience they have had, how a public service should be conducted, and I get back to my original argument and say that this Bill, with respect to this controversial part of it, is a mistake, and we do not want it. Why cannot we go on and classify the service with a board of chief officers, men who have known the public service for a life-time 1 We could get the officers classified in the different States, and the whole of the departments graded as one service, and we should then have overcome more than half the difficulty and should not require this ,£10,000 a year Bill to carry on the service in the future. With reference to the experience of the States, let 'me call the attention of the Postmaster-General to the fact that in Western Australia they passed a Bill eighteen months ago. With' all the experience of the other States fresh in their minds, and knowing all the trouble that arose in Victoria since 1883, knowing also the disastrous consequences in New South Wales, and the failure of the boards established there, and knowing the dissatisfaction which existed in all the States, through systems under which the civil servants were taken from their rightful position of being under Ministerial control and responsibility, what did our brothers' in Western Australia do 1 They went right back again to a Public Service Bill, under which there should be .no commissioners, and no inspectors, and under which the Minister should be in his rightful position. I say again that if Members of Parliament will think more highly of their duties, and bear in mind that everything that has to do with the civil service is a judicial matter, that we must hold the scales of justice fairly, and must be prepared to pass a vote of censure against any Minister who dares to contravene these principles by allowing himself to be influenced in matters of detail, we shall make Ministers feel that they are responsible ; we shall keep them up to the mark, and there will be no occasion for passing this Bill, which will involve an expenditure of £10,000 a year.

Senator Sir Frederick Sargood

- What is responsibility 1 With a large majority in another place the Ministry can do as they like.

Senator DOBSON

- When we find that honorable members of the Federal Parliament are set upon continuing political influence, and that a majority in this Senate approve of it - which I very much doubt - it will be time enough to give way to that humiliating position. Here is Western Australia, with all the evidence in front of her, passing such a Bill as I have referred to. I hold in my hand another piece of evidence trending in the direction I am indicating. Senator Glassey has told us that they have a Public Service Board in Queensland, and the honorable senator thinks that that board is working admirably. When I told the honorable senator yesterday that the board was not going to be continued, he said that there were three members of the board at present, and that having lost the Customs and Post and Telegraph departments, the proposal was to curtail the board and have only one commissioner.

Senator Glassey

- I did not say there was to be only one. I said there would be some alteration in consequence of the changed conditions.

Senator DOBSON

- I can tell the honorable senator what is proposed, because I find from the Queensland Hansard that Mr. Annear asked the Premier -

Is it the intention of the Government to continue the Public Service Board after their present term has expired ?

And the answer to that question was " No." There is nothing there about appointing one commissioner.

Senator Glassey

- I happen to know that there is going to be a commissioner.

Senator DOBSON

- The honorable senator said" yesterday that we should get away from theory and come to practical experience. I have pointed out the practical experience of Western Australia, and I now point out the practical experience of Queensland, where they are not going to continue their Public Service Board. If the Queensland Minister who gave that reply that they were not going to continue the board, knew that there was to be one commissioner instead of three, the answer was incorrect, disingenuous, and unfair.

Senator Glassey

- That often happens.

Senator DOBSON

- I hope that Ministers in Queensland do give straight answers sometimes. I think it is clear that the Queensland Government are now going back upon their Public Service Board. Ever since 1883 great efforts have been made in this colony to do away with political influence. Certain experiments have been made, and I do not need to repeat the history of them. The result has been that no single board or method devised for keeping out influence has succeeded. Where political influence has been minimized on one hand, on the other there has been club influence or social influence, and in either case there has been taken away from the Minister the responsibility which rightly belongs to him.. "Under all the circumstances, 'I do not wonder at my honorable friend the Postmaster-General saying that this is an experiment.

Senator Drake

- It has all been experimental legislation. in the States. . . ;

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Senator DOBSON

- We are going to spend £10,000 a year on this experiment for' the management of two departments, and ' to do away with Ministerial responsibility. Under one of the later clauses the commissioner is to make certain recommendations to the Governor-General for classification and so forth. Does the Postmaster-General dare to think that one commissioner can classify all the officers in .the various States into one service, or that he will have knowledge enough to do it 1 Does the honorable and learned senator suppose that these galloping inspectors or anybody else can din into that one man's head sufficient information about the officers of the several departments in' each State to enable him to classify them according to their merits 1 The thing is impossible, and the Senate will do wrong in passing such a Bill, leading to the impression that we believe that one man can. justly, rightly and efficiently perform such a task. The chief officers ' of the different" departments in the various States ' are the' only possible men who could attempt to: classify the public servants of the Commonwealth. I should be glad if we could have a division upon sub-clause (1), but as honorable senators have said, what is the use of a division in a committee of sixteen or eighteen members out of ' thirty-six 1 The Postmaster-General knows that there was a majority against ' this; clause, and that some senators have given way out of good nature and good will towards the honorable and learned senator. I should like to do so, but I feel so deeply upon the question that I cannot.

Senator Drake

- I have never recognised that.

Senator DOBSON

- I recognise it, but the Senate has now changed its mind, and honorable senators appear to take no interest in the matter. I plead for Tasmania when 1 say that there is no justification for this extravagance, and I feel it to be my duty to stand here and fight as long as I can against the citizens of my State being asked to contribute any part of this £10,000 a-year, which will only be wasted. I should like to have had sub-clause (1) put as amended, so that we might divide upon it.

The CHAIRMAN

- T would point out that the words " from time to time " have been inserted after the word "fit," and the previous words "during the pleasure. of the commissioner" struck out. Now, the position is that we have an amendment to omit sub-clause (2).'

Senator WALKER

- I intend to support the clause as it stands. With regard to Senator Dobson's reference to Western

Australia -and Tasmania, I might suggest to the honorable senator that Western Australia has a population of 10S,000, whilst -all Australia, that we have to deal with, represents a population of something like 3,800,000. What might be excellent for a colony like Western Australia, with an intelligent autocrat like Sir John Forrest, might not be suitable for a population of 3,800,000, extended over six different States. Later on I propose to support Senator Sargood in some of his views with regard to the commissioner, . but- in the meantime I support the first sub-clause. If any members of the Senate are absent to-day, that is not the fault of those who are present. We are here to do the business of the country, and if other honorable senators have confidence in us, it is our duty to go ahead with the business.

Senator DRAKE

- I do not think there is any lack of interest in this Bill in the Senate. There are certain reasons why there is a small attendance to-day, and why there have been small attendances in the past. This Bill has been postponed on several occasions to make way for important machinery Bills necessary in connexion with the Tariff. The Senate has recognised that these Bills should be dealt with before anything else. What there has been in the Senate is a determination, particularly on the part of one honorable senator, to kill the Bill. Senator Dobson told us that there was no Bill he would sooner kill than this Public Service Bill.

Senator Dobson

- The principle of it.

Senator DRAKE

- We know that that sentiment is entertained also by some other members of the Senate. Then there are others who do not want to kill the Bill, who recognise that it is very necessary that the Bill should live, because unless it does we shall have no prospect of obtaining a proper system of civil service control.

Senator Sir Frederick Sargood

- We must have a Bill.

Senator DRAKE

- Senator Sargood is an instance in point of honorable senators who desire to amend the Bill in such a way as to make it, in their opinion, better than it is at the present time. The real difficulty is that all the way through there has been a conjunction of forces between those who desire to amend the Bill and those who desire to kill it. Comparing the Bill with the Audit Act, it is, in a sense, experimental legislation, because the best system of civil service control has not yet been decided upon in any State. Senator Dobson bears me out absolutely by saying that eighteen months ago the Parliament of Western Australia passed a Bill embodying a system of civil service control different from this one, and probably different from any one adopted in other States.

Senator Dobson

- The system of Ministerial control.

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Senator DRAKE

- I take it that the principle of that Bill commends itself to. Senator DobsOn's approval. He seems to think that it is the height of wisdom ; that the whole question is settled for ever ; that with the experience of other States to go upon, Western Australia has decided upon a system which is going to stand for all time. Judging of what may happen from the past, the probability is that when the Parliament of Western Australia has had a few months', perhaps a few years', experience of that particular system, it will come to the conclusion that it has not all the wisdom in that State, and will probably revert to the other system.

Senator Pearce

- They are dissatisfied with it already.

Senator DRAKE

- I have elicited that useful piece of information.

Senator Dobson

- Everybody is dissatisfied with everything about the civil service, but that is no argument.

Senator DRAKE

- No system has been devised in any State which has given absolute satisfaction. Senator Glassey was quite correct in his observations in regard to Queensland. The Civil Service Board, which has been in existence since 1889, has been giving very fair satisfaction. At the present time, and for a year or two

past, the Government have been contemplating some change in the construction of the board. I have had charge of two Bills continuing the Act for a year each time, showing that neither the Government nor the people are so dissatisfied with the system as to abolish it. What has been done has been to continue the Act four or five times - for a year each time - pending an opportunity in Parliament to rediscuss the matter, and, perhaps, to hit upon a better System.

Senator Sir Frederick Sargood

- They have found it difficult to improve on it.

Senator DRAKE

- Up to the present time they have not been able to devise any system which they have been prepared to accept as an improvement on the present one. Seeing that we are getting nearer and nearer to some common agreement as to the best system of control, my contention is that in the present state of public feeling, the system adopted in the Bill is the best which can be devised. But we are not going to say that the matter is so absolutely settled for all time that we can state confidently that in seven years it may not be considered advisable to supersede this by a better system. In the present state of public opinion it is desirable that the appointment of the Public Service Commissioner should be limited to some term of years, so that on fuller consideration, if the Parliament considers that a better system can be adopted when the term of service expires, it can make the necessary change or appoint another man.

Progress reported.

SUPPLY BILL (No. 4)

Bill received from the House of Representatives, and read a first time.

Vice-President of the Executive Council

Senator O'CONNOR

. - In pursuance of my contingent notice of motion I move -

That so much of the standing orders be suspended as would prevent the Bill from passing through all its remaining stages during the same sitting of the Senate.

I submit this motion under circumstances which are known to honorable senators, and which I venture to say are a complete justification for asking the Senate to pass the measure without the usual intervals for consideration. It has been introduced and passed through all its stages in the House of Representatives this morning, and as the supply is based on estimates which have been laid before the House, I ask honorable senators to agree to the motion.

Question resolved in the affirmative.

Senator O'CONNOR

- I move-

That the Bill be now read a second time.

This Bill asks for an amount of £928,322 towards the supply for the year ending 30th June, 1902. It will be in the recollection of honorable senators that in July last we obtained what was calculated to be supply up to the 30th September, on the basis of this year's Estimates. We obtained then an amount of £1,010,732, and we now require, on the basis of the Estimates laid on the table of the House, supply calculated to meet our requirements up to the 31st December of this year. With what we have obtained and what we now ask for we shall have supply sufficient to carry us on for the first six months of the financial year ending 30th June, 1902. A very great deal of care has been taken to ask for nothing that is likely to be of a debatable character. No increases will be paid until after the Appropriation Bill has been passed. No increases of salaries which appear on the Estimates are included in this Bill. The Treasurer has not even asked for the full amount of three months' supply, in accordance with the Estimates.

Senator Keating

- Will there be no increases before the end of June, 1902?

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Senator O'CONNOR

- Until the passing of the Appropriation Bill, no increases on the Estimates will be paid, but of course, if Parliament approves of them, there will be back payments. In this Bill we do not ask for any increases; or include any debatable items. What we ask for is the supply necessary to carry on the ordinary services of the Government. The total amount of the Estimates for the year is £4,024,106. We deduct all the special appropriations, which amount to £86,150, and all the appropriations for new works which amount to

£54,480, leaving a balance of £3,883,476. There is a certain amount of arrears charged here under the Estimates - that is to say a sum of £246,899, which ought to have been paid before the 30th of June of this year. The great bulk of these arrears have been appropriated, but there was no time to spend the money, and on the 30th June the authority to pay lapsed. Of course they have to be paid, but the Treasurer, following a very proper course, has put them in separate items. Honorable senators will find that taking one-half of the total votes for 1901-2, and adding the arrears, it amounts to £2,065,187. To make up that amount we should have had to ask for £1,054,455. We ask for only £928,322, which is £126,133 less than the amount to which we would be fairly entitled to complete the half year's supply. If any questions are asked as to particular items I shall be very glad to answer them. I hope the Senate will recognise that it is necessary that three months' supply shall be given, and that there is nothing in the Bill more than is absolutely required to carry on the ordinary business of the Government.

Question resolved in the affirmative.

Bill read the second time.

In Committee.

Clause 1 - (Issue and application of £928,322).

Senator Sir Frederick Sargood

- Are we dealing with the schedule, sir ?

The CHAIRMAN

- No, clause 1.

Senator Sir Frederick Sargood

- Clause 1 passes the whole amount, and if we agree to it, practically it is not of much use to discuss the schedule.

The CHAIRMAN

- The Bill can, if necessary, be recommitted. We must follow the usual rule. I have never seen the schedule taken first.

Senator Sir Frederick Sargood

- I can see that there is some advantage in taking the schedule first.

Senator O'Connor

- I do not believe there is any serious intention of suggesting an amendment in the schedule, and if it is a mere matter of discussion, any point can be raised quite as well on the schedule. All the standing orders have been suspended so that there may be a recommitment.

Senator Sir Richard Baker

- In South Australia, where this practice originated, the Legislative Council has always postponed the clauses and first amended the schedule. If no suggestions were made then the clauses were soon passed. Of course we are not bound by the practice of any House.

Senator O'CONNOR

- In New South.

Wales the practice was as I stated, and I understand that it was the same in Victoria. It is quite immaterial which method is adopted, only I prefer that we should adopt the method I am now indicating.

The CHAIRMAN

- I propose to follow the standing order, which says that, in going through a Bill, the clauses and schedules shall be taken in the order in which they stand.

Senator Walker

- I think that the clause ought to be postponed. A principle is involved, although it may only be a matter of form to-day.

Clause agreed to.

Schedule.

Senator Sir FREDERICK SARGOOD

- My reason for desiring to call attention to the schedule is that I notice that there is a very large amount of money put down for contingencies. Honorable senators are supposed to know something about the way the money is spent, but I find that in the case of the Senate, a sum of £550 is put down for contingencies. I have taken the trouble to go through the schedule, and I find that the total amount of money set down on account of contingencies is £193,300, or rather less than one-fifth of the total amount. Probably the

Minister can give us some information about that.

Senator O'CONNOR

- I think the honorable senator will recognise that it is impossible to do without contingencies altogether.

Senator Sir Frederick Sargood

- I quite agree with that.

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Senator O'CONNOR

- As an old Minister and parliamentarian, Senator Sargood will know that in every Supply Bill there are contingencies. For instance, in the very last Supply Bill we passed there was a sum of £350 for contingencies on account of the Senate. The explanation is given in detail in the Estimates that have been laid on the table of the Senate. Every honorable senator has access to them. If Senator Sargood will turn to page 8 of the Estimates he will find that the contingencies for the Senate amount to £1,531. There is a sum of £626 for sessional messengers.

Senator Sir Frederick Sargood

- Those are salaries.

Senator O'CONNOR

- The item is put under contingencies because the messengers are only temporary. Then there is £60 for temporary clerical and other assistance, £225 for stores and stationery, £120 for travelling expenses, £150 for incidental expenses, £250 for allowances to office cleaners, and £100 for the expenses of select committees, including allowances to witnesses. The whole of the contingencies are upon the Estimates, to be discussed when the Appropriation Bill comes before the Senate.

Senator Sir Frederick Sargood

- That schedule is not before us.

Senator O'CONNOR

- It would be impossible to put every item in a Supply Bill, as Senator Sargood knows. While I am on my feet, I think it right to call attention to the fact that there is a difference in this Bill as compared with previous Supply Bills. That difference has been made in pursuance of a suggestion offered in the Senate on the last occasion, when it was strongly put that the expenditure for the Parliament should not be under the heading of the department of the Minister for External Affairs. Accordingly the items for the Parliament appeal's under a separate heading in this schedule.

Senator Dobson

- Does the item of £100 for travelling expenses refer to officers of the Senate, or to members?

Senator O'CONNOR

- Certainly not to members. The item refers to travelling expenses in connexion with the officers.

Senator PLAYFORD

- The only point about which I want information is as to whether this Supply Bill is based upon previous votes, or upon the new Estimates submitted to Parliament by the Treasurer.

Senator O'Connor

- It is based upon the Estimates laid upon the table, but in effect it is practically on the basis of actual expenditure.

Senator PLAYFORD

- The usual course to adopt - the course I always adopted in South Australia - is, that when a Supply Bill is asked for, it is based upon the Estimates of the previous year, which have been agreed to and passed by Parliament. It is not based upon Estimates laid before Parliament, and which have not been agreed to. For instance, there should not be in such a Supply Bill any votes for increases of salary, or any expenditure which has not been previously assented to by Parliament. Increases of salary and other similar expenses should not be paid until Parliament has passed the Estimates for the year. In this case I understand from Senator O'Connor that the schedule is based upon the Estimates which have been laid upon the table, and which have not been approved by Parliament at all. That is a departure from the usual practice, and it is one that may lead to some trouble.

Senator O'CONNOR

- I do not know whether the honorable senator was present when I made the explanation that no increases are included in this schedule. Some increases appear in the Estimates, but they have not been

put into this list which is based upon expenditure which has already been sanctioned. Those to whom increases have been granted will have to wait until the Estimates have the final approval of Parliament.

Senator Playford

- That is quite right so long as it is understood.

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Senator O'CONNOR

- In the next place there are certain items for new expenditure on works. They are not included at all. So far as we have been able to gauge, no debatable items are included in this schedule, but only such as are absolutely essential to the ordinary carrying on of the machinery of government. In regard to what Senator Playford has said as to the usual practice, it must be remembered that these are the first Estimates that have been laid before this Parliament. Hitherto we have been carrying on our expenditure under appropriations, and in accordance with certain schedules and items which have been agreed to by Parliament. These are the first Estimates, and they are for the year ending 30th June, 1902. On the basis of those Estimates this Supply is asked for, but in effect no more has been asked for than has been actually paid on account of the different transferred services and on account of new services since the inauguration of the Commonwealth. Consequently, although these items are based upon the Estimates, we are asking for nothing more than has already been approved of by Parliament.

Senator MACFARLANE(Tasmania).As to the contingency vote for the Library, £700, I wish to ask - Does the Library belong to the Commonwealth ?

Senator O'Connor

- No \ the Library does not belong to the Commonwealth, but we have the use of it, and have undertaken to carry on the expenses in connexion with it.

Senator MACFARLANE

- What about the contingency vote, then ?

Senator O'Connor

- If Senator Macfarlane looks at page 10 of the Estimates he will find that the contingencies are for books and book-binding, stationery, postage and telegrams, incidental expenses, allowance to charwoman, and temporary assistance.

Senator MACFARLANE

- Are we purchasing books 1

Senator O'Connor

- Yes ; but any books we buy belong to the Commonwealth.

Senator Dobson

- Does the payment for telegrams mean the franking of the letters of Members of Parliament and so forth 1

Senator O'Connor

- Yes.

Senator DOBSON

- I should like to raise a point, which I mentioned a little while ago to the Postmaster-General, with reference to the salaries and so forth of officers of the Commonwealth who are now receiving smaller salaries than the fair average paid by the Commonwealth. One honorable senator put it to me some time ago that in opposing the Public Service Bill I should be blocking increases of salaries to many officers in my own State who are at present underpaid. It is hardly fair to put an honorable senator in that position. There is no reason why the increases of salaries to the officers in question should not date back. Further, there is no reason why, because I honestly think that I ought to oppose the Public Service Bill, justice should not be done to our civil servants who are at present underpaid. Therefore I would ask the Vice-President of the Executive Council whether the Cabinet have considered this matter, and, f they have, what they propose to do ? If they have not considered it, will they consider it and make some announcement within a reasonable time 1

Senator O'CONNOR

-The whole question of- the adjustment of salaries is one which, according to the policy we have initiated in the Public Service Bill,- can only be fairly, properly, and adequately dealt with by an authority constituted under that Bill. We may be wrong, but that- is our policy. I am speaking of the condition of the

public service generally and of the equalization of salaries. I presume that Senator Dobson refers to the transferred departments. Our view is that that matter can only be properly and fairly attended to by some such authority as that provided under the Bill.

Senator Dobson

- I am asking for a date.

Senator O'CONNOR

- How can any one fix a date in reference to a question of that sort ? These matters will have to be attended to in a comprehensive way. When we get the proper authority constituted no doubt it will be done at once. If we do not get that authority constituted, we shall have to find some other way of doing it. But I cannot say at what date it will be done. (

Senator CLEMONS

- I would remind Senator Dobson of what I understood the Vice-President of the Executive Council to say when introducing the Bill. I think that statement should satisfy the honorable and learned senator. He said that there will be nothing to prevent the increases of salary being made retrospective, whether those increases are made under the method proposed by the Government or in any other way. I sympathize with Senator Dobson with reference to the salaries, but it is satisfactory to know that the increases will probably be made retrospective. -

Senator HIGGS

- I have only risen to say that I think the officers who Compiled these schedules might have given us the totals for the various departments, so that we might be able to see the total amount that is being voted. That information is not given in this Bill.

Senator CLEMONS(Tasmania). - I wish to point out to the Government a matter with regard to the provision made under the heading of the Defence department for Tasmania. I myself know, of my own knowledge, that a serious error has been made in a report that was tabled in this Chamber with regard to the Tasmanian defence forces. I think this is the proper time for pointing it out.

Senator O'Connor

- To what report does the honorable and learned senator refer 1

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Senator CLEMONS

- I can only answer Senator O'Connor by saying that I am referring to a report to which the Postmaster-General referred me when I spoke to him on this subject the other day.

I admit that that is not a very satisfactory answer, but I can give no better information. In that report, with regard to the various defence forces of the States, a grave mistake has been made in reference to Tasmania. The error is simply this - that a very large proportion - in fact, almost the entire body - of the defence forces of Tasmania have been classed as volunteers. The Vice-President of the Executive Council knows that there is a difference between the part of the defence force classed as volunteers and the part classed as militia I know that a grave error has been made in regard to Tasmania in that respect, and subsequent inquiry will show that the proportion is the other way round, and that, practically speaking, nearly the whole of the defence force of Tasmania will have to be classified as militia, and not as volunteers. When that is done there will be a considerable difference in the necessary Estimates.

Senator O'CONNOR

- I point out that though a mistake may have been made in the report, it is quite a different thing from the mistake continuing in these Estimates. These Estimates are prepared upon the basis of what is actually due in each State. If in the State of Tasmania, there is any money due for capitation allowances ordinarily paid to militia men there is no doubt it will be met, and it is included in these amounts. There is specification as to the amount payable to the militia of each State.

Senator Clemons

- I think that the honorable and learned senator will find on page 16 that the classification is made, and under the heading " Artillery forces " a great discrepancy will be found to arise.

Senator PEARCE

- I desire to draw attention to an item of £250 for allowances under the heading of "Western Australia military forces." This, perhaps, is not the best time to raise the question, but looking through the Estimates submitted to the Senate, one cannot but be struck with the large amount paid to military officers under the



head " allowances." I think that at the earliest possible moment we should raise a protest against this, with a view to inducing the Ministry to seriously consider whether the time has now arrived when these allowances should be stopped altogether. Most of these men receiving allowances are in receipt of very high salaries. No allowances are paid to officers in receipt of low salaries.

Senator O'CONNOR

- The subject mentioned by the honorable member has already been under consideration by the Government; and the honorable senator is perhaps aware that the Treasurer, in making his financial statement, pointed out that in preparing these Estimates he had himself cut down these allowances in every possible way, and had made a very great deal of difference between the state of things before and after he took the matter in hand. No doubt allowances ought to be very carefully looked into. We have to make a certain number of payments, and it is very much better wherever it can be done, that the payments should be made in the shape of salaries rather than of allowances, so that we may know what we are doing. I think, however, that the honorable senator will recognise that it is impossible to do away with allowances altogether. Very often the most economical way to pay, is by allowances, with proper safeguards as by vouchers. The whole question of allowances is worthy of consideration, and will no doubt be considered when the Estimates are being fully dealt with. The honorable senator is quite right in calling attention, to the matter, but he must see that nothing can be done in the way of regulating these things until the whole matter is discussed in a comprehensive way.

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Senator HIGGS

- Will the Vice-President of the Executive Council tell us how much it is now proposed that the Senate shall pass for defence expenditure ? I must congratulate the Postmaster-General upon having set forth the items of his department very clearly. I should like to get the information I have asked for, because I am very much afraid that the defence vote is swelling into undue proportions. There are four or five pages of items under the heading, of defence, and we are anxious to know what the total really is. While keeping an eye on defence expenditure, I recognise the very great necessity for it in view of the talk of a resort to arms in one of the States. Apparently we never know when we may be involved in civil war, and we may have to call out the Defence Force to preserve the Commonwealth against division. Incidentally, I may mention that the Government have not taken the steps taken by the Queensland Government in the past, when those, who in that State talked of drilling or resorting to arms, were promptly put into gaol. I refer to the unionists in the shearers' strike.

Senator Playford

- Let the shearers' strike die.

Senator HIGGS

- I sincerely hope that industrial warfare is a thing of the past, and I believe the Ministry have every desire to pass an Industrial Conciliation Bill as soon as possible.

Senator O'CONNOR

- The total amount asked for under the heading of military is £171,590. According to the Estimates laid upon the table, the total amount is £869,855. One-fourth of that would be £217,464. We are only asking for £171,590. The honorable senator will therefore see that, so far as this payment is concerned, we have cut it down to the lowest possible extent.

Schedule agreed to.

Bill reported without amendment.

Report adopted.

Bill read the third time.

STEAM-SHIP COMMUNICATION WITH TASMANIA

Debate resumed (from 13th September, vide page 4892), on motion by Senator Keating -

That the Tasmania and Australia Steam-ship Communication Select Committee have power to adjourn its sittings from place to place.

Senator PEARCE

- With the consent and approval of the mover of the motion, I beg to move as an amendment -

That the following words be added to the motion : - " at any time between to-day and Tuesday, 22nd October instant, and to sit during any adjournment of the Senate."

The effect of the motion, if amended as proposed, will be that the committee will have power to adjourn from place to place during next week. It is anticipated that there will be an adjournment of the Senate during that week, and it will be a convenient time for the committee to carry on its investigations without interfering with the business of the Senate.

Senator O'CONNOR

- I have no objection to the amendment.

Amendment agreed to.

Motion, as amended, agreed to.

#### MATRIMONIAL CAUSES BILL

Order of the Day for the second reading of the Bill called on.

Senator KEATING

- Senator Dobson having had to leave to catch a train for Geelong, asked me to take charge of business standing in his name. I know the honorable senator did not anticipate that this matter would come on, and I move -

That the order of the day be adjourned to this day fortnight.

Senator Clemons

- I rise to a point of order. I desire to ask if this motion can be moved without authority?

The PRESIDENT

- Any one can move an order of the day.

Senator Clemons

- I respectfully submit that Senator Keating is not moving the second reading of the Bill. The motion is that the order of the day for the second reading of the Bill be postponed, and ask as a point of order if that can be done?

The PRESIDENT

- Strictly speaking, I think that Senator Clemons is right, and that the order of the day should disappear from the paper. It can, of course, be put on the paper again.

#### SPECIAL ADJOURNMENT

Senator O'CONNOR

- Perhaps it will best suit the convenience of honorable senators if I take a step which will bring the sitting to a close. By consent of the Senate, I move -

That the Senate at its rising adjourn until Wednesday, the 23rd instant.

I do this in view of what has occurred in another place. After the debate we had at an earlier hour to-day it is not necessary that I should do any more than move the motion.

Motion agreed to.

#### ELECTIONS AND QUALIFICATIONS COMMITTEE

Senator Sir JOHNDOWNER brought up the second report of the Committee of Elections and Qualifications.

Ordered:

That the report be printed, and its consideration made an Order of the Day for Wednesday, the 23rd inst.

#### POST AND TELEGRAPH BILL

The PRESIDENT announced the receipt of the following message from the House of Representatives : -  
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Mr President

- The House of Representatives returns to the Senate the Bill intituled - " An Act relating to the Postal and Telegraph services of the Commonwealth," and acquaints the Senate that the House of Representatives has agreed to the amendments made by the Senate to the amendments of the House of Representatives, Nos. 2, 8, 13, 50, 66, 69, 71, and 75; that it has disagreed to the amendments made by the Senate to amendments Nos. 16, 19, and 20, for the reason assigned herewith ; that it does not insist on amendments Nos. 58, 59, 62, 87, 88, and 89, to which the Senate has disagreed, and does not insist on amendment No. 6.

W. Holder, Speaker.

Reason of the House of Representatives for disagreeing to certain amendments of the Senate to certain amendments of the House of Representatives - "As to amendments of the Senate to amendments Nos.

16, 19, and 20, because of the difficulty of defining sedition."

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16:30:00

Senate adjourned at 4.3 p.m.