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1901-06-28

Senate.

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

QUESTION

ZEEHAN MAIL SERVICE

Senator KEATING

asked the Postmaster-General, upon notice -

In view of the fact that uninterrupted railway communication now exists between Launceston and the principal centres of population on the West Coast of Tasmania, will the Postmaster-General take immediate steps to have a through day mail service established each way between Launceston and Zeehan.

Postmaster-General

Senator DRAKE

- Inquiries are being made relative to the establishment of a through daily service each way between Launceston and Zeehan.

CHAIRMAN OF COMMITTEES

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Senator Sir JOHN DOWNER

- I move -

That Senator Robert Wallace Best be Chairman of Committees of the Senate during the present session, and until the end of the second week of next session.

The PRESIDENT

- Before the honorable senator proceeds I think I ought to read a letter which I have received.

The Senate, 28th June, 1901

The Honorable Sir Richard Baker,

President of the Senate.

Sir,

It appears necessary that I should resign my office as temporary Chairman of Committees to enable the motion of Senator Sir John Downer, now on the notice-paper, for the appointment of a permanent or sessional Chairman of Committees to be discussed. I have, therefore, the honour to request that you will inform the Senate that I hereby resign the office of temporary Chairman of Committees. In order, however, to prevent inconvenience to the Senate, I desire that this, my resolution, shall only take effect from and immediately after the appointment of a permanent or sessional Chairman of Committees in terms of Sir John Downer's motion or any amendment thereof. I take this opportunity of thanking the members and the officers of the Senate for the assistance which they have afforded me in carrying out the duties of my temporary office.

I have the honour to be,

Sir,

Your obedient servant,

HENRY DOBSON

Senator Sir JOHN DOWNER

- Of our appreciation of Senator Dobson's services, I am sure that very little need be said. We have had our deliberations in committee presided over by a gentleman of experience, calmness, and discretion, and we are greatly obliged to him for his having left the floor, where he rather desired to be, to occupy a position which prevented him from taking an active part in the deliberations. But now that we have resolved upon having a Chairman of Committees, I move the motion standing in my name. The senator whom I propose is no doubt well known to most of the people who are interested in public matters throughout Australia. He was for twelve years a member of the Legislative Assembly of Victoria. He was Minister of Lands and Minister of Customs for five and-a-half years, and acting Premier of Victoria on two different occasions. He took a great part in passing the land laws which are in force in this State, and he had more to do with the much disputed Victorian Tariff whether that is a recommendation or not, I do not know - than a good many others. Seeing that, in the ordinary course of the business we shall have to

transact, the great bulk of the work will be in reference to the federal Tariff, and to questions connected generally with customs duties, I think, quite apart from the high character and general experience which Senator Best has had, it will be very well for us to have in the position of Chairman of Committees a gentleman who is accustomed to the particular class of business which in this matter we shall particularly have to deal with. He will have greater facility, from his knowledge as a Minister of Customs, for the class of business which will occupy a great deal of our consideration, and will no doubt be able to assist us by his general knowledge and experience, at arriving at our conclusions at an earlier time than a less experienced Chairman would be able to do. I do not think this matter ought to be the subject of very great debate, and I submit the motion without further word.

Senator Lt Col NEILD

--I rise to second the motion; and I do so for one or two reasons which I will briefly state. First of all, I am very glad indeed to have an opportunity in seconding the motion, to express my personal friendship and regard for the honorable senator proposed for the position of Chairman of Committees. In the next place, I second the motion in the hope that, to some extent, I may rescue Senator Best from the unfortunate position in which he has been placed by the unconstitutional action of the Government. For the first time in an experience of something like twenty years, I find a Government in office which has sought to have the chairs of the two Houses occupied by honorable members not as officers of the Houses, but as nominees of the Ministry.

Senator O'Connor

-That is not so.

Senator Lt Col NEILD

- This is an unconstitutional position, and in my view, a reprehensible one. The officers of the House should be above party - their election should not be made in any shape or form the subject of party conflict. The Government in taking the course they have - for I am sure they will not deny that in both Chambers they have sought to make these two positions of honour and dignity subject to party conflict-

Senator O'Connor

-That is not so.

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Senator Lt Col NEILD

-If other members of the House choose to join in an unconstitutional proceeding of the kind it is no concern of mine. In seconding the motion I desire to show very plainly that, so far as I am concerned at least, there is no wish or desire that the nomination should bear a party tinge, but that it should be united in by both sides of -the Chamber. It is quite true my name has been used -in connexion with this office at one time and another ; and so many honorable senators did >me the honour of speaking to 'me on the subject that I certainly at one time contemplated becoming-a candidate. On 'the other hand I have found the work on the floor of the House so exceedingly congenial - I have met with so much pleasant experience during the few weeks I have had the honour of being a member 'here - that I should be very loth to part with the freedom of action- and kindly intercourse that, a position on the floor of the House 'affords me. I have the greatest, good-will towards Senator Best, and with the .greatest heartiness I desire to- see that honorable senator occupy the position for 'which he has been nominated.

Senator HIGGS

- I am very -glad the opportunity has arisen for me to say that while I disagree with the appointment of a Chairman of Committees, I have no objection whatever to the appointment of Senator Best. In fact I believe Senator Best will .give us every satisfaction in the chair. "When I proposed a reduction in the salary proposed to be voted for the Chairman of Committees the other' night, it was with the view of testing the question whether we should have a Chairman of Committees. I was very sorry to find that several senators who had led me to believe that we could .do without a Chairman of Committees did not see their way clear to support me. In the State Parliaments, from which we come, we "have a Chairman of Committees in both Houses, and there is no doubt a Chairman of Committees here will have something to do. I hope that the proposed Chairman of Committees, who is a Victorian - and I am sure he will take this in good part - will understand that those of us who come from other States will expect something more from him in the way of clerical work than has evidently been expected of the -Chairman in the State of Victoria. The Chairman of Committees in Queensland, and I believe in other States, goes to some

trouble in taking- note of all amendments and alterations which are made in >a Bill, whereas it appears the Victorian Chairman has not done any of that kind of work. It appears to be very necessary that the Chairman should take note of everything done in committee.

Senator FRASER

- The- clerks are there to do that.

Senator HIGGS

- It is very pleasing to hear Senator Neild express himself in the way he has ; but I think he has a wrong conception of the motives of the Government. If the Government had been desirous of doing something which would assist them in keeping in office, I. am sure it-would . have been much better to try and secure the appointment of a gentleman who is so eloquent as Senator Neild to a position where he would probably not have very much 'to say.

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Senator Sir JOSIAH SYMON

- The Senate has decided that there-shall be-a Chairman of Committees- for the session. I feel that it is well, thereforerand 'I think all honorable senators must feel it so - that the choice of the Senate of a gentleman to occupy that responsible and important position should be arrived at with -as complete unanimity as possible. Whilst, like Senator Higgs, I adhere entirely to the view -winch I have heretofore expressed as to, I shall not say the inexpediency, but as to the absence of necessity for the appointment of a Chairman of Committees, I am glad to have this opportunity of welcoming Senator Best to the chair. .1 ,am quite sure that Senator Best may rely -on the assistance of every member of the Senate in the discharge of- the multifarious duties which.undoubtedly will have to be discharged by him. .1 am quite-sure-also that all those of us who took .up a very strong attitude on the question of the appointment of a Chairman of Committees at all were in -no degree .animated by any personal feeling in regard to the gentleman whose name has been mentioned .in connexion with the office. My own regret has been that the name of Senator Best was, as I venture to think, prematurely, associated with the resolution placed on the notice,paper before the :Senate .had arrived at .a conclusion as to the desirability ,of the appointment of >a Chairman of Committees. It -was unfortunate, that that was done, and- If feel bound to -make that statement in justice to Senator Best. I am sure I am only indicating what must have arisen in Senator Best's own mind. I now unhesitatingly, and with the -greatest gratification, express .my concurrence with the motion before .the Senate, -and I hope and believe that Senator Best will discharge the duties of Chairman of Committees- not only to the satisfaction of the House, but to the satisfaction of his own conscience and judgment.

Senator MCGREGOR(South Australia).I also am pleased to be able to give my support to the motion that has been submitted. I am sure every member of the Senate will do all he possibly can to assist Senator Best in the carrying out of the duties which will be imposed on him. On the other hand, I am certain that Senator Best willnot be backward in taking any advice that may be tendered by members of the Senate for the purpose of carrying out the business expeditiously. It has been said that Senator Best had the support of the Government, and that the Government were making a party question of this matter. I entirely disagree with Senator Neild in that statement. I know that what Senator Symon has said is perfectly correct. Some of the enthusiastic friends of Senator Best have endeavoured prematurely to put him into the position of Chairman of Committees, and I am sure that it was only on that account that some honorable senators, vulgarly speaking, " got their backs up," and would not submit to anything of the kind. But I am equally sure that if the Government had any intentions of appointing Senator Best as Chairman of Committees they would have approached somebody.

Senator Lt Col Neild

- It was announced in the papers every day in the week.

Senator MCGREGOR

- Is the Government responsible for what appears in the newspapers ? I am sure that Senator Neild would not like, to be held responsible for all the poetry that has appeared in the newspapers credited to him. Neither would any honorable senator like to be saddled with the responsibility of every statement which he is supposed to have made. If the Government had had any desire to force Senator Best upon the Senate, they certainly would have approached members of this Chamber, and I think they would have approached myself as being connected with those who generally vote together when there are questions

of any importance before the House. But I can conscientiously say that I was never approached by any member of the Government. Nothing was said about the subject as a Government proposal. Regarding what has appeared in the newspapers with respect to Senator Neild himself, I would ask if that honorable senator takes it all for granted? Was it all genuine? Senator Neild was to be a very strong opponent of anybody who was put up for the position of Chairman of Committees. Is it now on his part a case of "needs must," when a certain gentleman, who is always drawn in pictures with a long tail and horns, drives? Is that why he makes a virtue of necessity?

Senator Stewart

- Bid the honorable senator ever read a volume of Senator Neild's poetry?

Senator McGREGOR

- I have not read it, but I have had it read to me. I am very glad that I cannot read in some instances. Apart from that, I would be very sorry to lose Senator Neild from the floor of the House, because his eloquence often charms senators to sleep. I hope that Senator Neild will continue to carry out the good offices which still remain to him, and that he will give Senator Best all the assistance he can in fulfilling his important duties. I trust that there will be no opposition, and that the appointment will be unanimously made.

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Senator CLEMONS

- I should like to say a few words in reference to this appointment. With regard to the question mooted by Senator Neild, that it was undesirable that the Government should nominate Senator Best for this position, my attitude is that, although I am prepared to offer the Government opposition in the most strenuous form when it is desirable so to do, Senator Best, whether the Government are supporting him or not, has my hearty support. The mere fact that the Government are supporting him will not influence me in any way whatever. I am inclined to differ to a certain extent from Senator Neild in the attitude which he has taken up. Whether we have proof that Senator Best has or has not the support of the Government is a question which ought not to have been raised during this debate. Senator Best, in my opinion, is a most excellent candidate for the office; he is worthy to occupy the chair, and the mere fact that the Government give him support ought not to weigh with honorable members on either side of the House. But since this appears to be an opportune time, may I express the hope that the Government will take some steps to insure that Senator Best, whom we all know is a strong supporter of the Government, will have an opportunity of exercising his vote when we come to discuss the question that has been mentioned in connexion with this appointment, namely, the tariff question. Although I realize that I shall be in strong opposition to the Government and to Senator Best, still I hope that the latter will be allowed every opportunity to vote upon the Tariff question, although by so doing he will be voting against the proposals of those on this side of the Senate.

Senator DOBSON

- The standing orders will provide for that.

Senator CLEMONS

- The standing orders may provide for it, but still I thought it not an inopportune time to mention it.

Senator GLASSEY

- I merely rise to say that I think my good-natured friend, Senator McGregor, is in rather a humorous mood this morning. I am sure that his remarks concerning Senator Neild were made all in good part. I am quite certain that Senator McGregor has no desire to disturb the general harmony, particularly upon an occasion of this sort, when we are about to appoint our Chairman of Committees. Judging by the speeches which have been delivered on both sides of the Chamber, the appointment is likely to be a unanimous one. I hope that it will be. My personal acquaintance with Senator Best has not been of long duration, but for many years I have watched with great interest the work that has been done in Victoria, particularly the very progressive work in regard to social legislation, and in that connexion I have noted with very great satisfaction that the hand of Senator Best has been very active. I join in the belief that Senator Best will make a most excellent Chairman. He is thoroughly good-natured, has had long experience, possesses undoubted ability, and I am sure will give satisfaction in the discharge of his duties to every member of the Senate. I may further add that we are all indebted to Senator Dobson, who has filled the office very admirably. He has conducted the business of the Senate not only creditably to

himself, but to every member of it. May I be pardoned at this stage for making a suggestion of a very delicate nature, but I think it is one that ought to be made. I suggest that inasmuch as we have passed a reasonable sum for the payment of the Chairman, Senator Dobson should receive the share of the emoluments of the office to which he is entitled for the duties he has performed. I am quite sure that honorable senators will excuse me for mentioning a small matter of this kind, but sometimes these small matters escape attention. I feel confident that my suggestion will be adopted, and there need be no delicacy on the part of Senator Dobson in accepting that which is his due. Such a course will give satisfaction generally. I heartily join with other honorable senators in expressing gratification that we have got over the little difficulty of the appointment of a Chairman of Committees, and I am sure that if Senator Best occupies that position, as I hope he will for many years, he will act in a manner which is not only creditable to himself, but satisfactory to honorable senators generally.

Senator WALKER(New South Wales).As one of those sitting on the opposition side of this House, I desire to express my great satisfaction at the appointment that has been made. At the same time I would like to say that it is rather unfortunate that my honorable friend, Senator Lt.-Col. Neild, should have been subjected to any unfavorable comment in this matter. Personally I think his conduct is deserving of every praise, and I hope we shall hear no more derogatory remarks. I think this is an opportune time to suggest that after the present motion has been disposed of the Senate, should return its grateful thanks to Senator Dobson .for the very excellent manner in which he has discharged the duties of Chairman up to the present time.

Question resolved in the affirmative.

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Senator BEST

- I desire to return my grateful acknowledgments of the far too generous manner in which my esteemed friends and fellow senators, who have seen fit to address themselves to this Chamber, have commended my name for consideration. At the same time I desire to take this opportunity of specially acknowledging the handsome manner in which my honorable friend, the honorable and gallant senator, Lt.-Col. Neild - he himself having been a candidate for the position - thought fit to mention to me last night his intention of asking permission to second the motion that was to be submitted by Sir John Downer. I feel that such a generous estimation has been made of my qualifications for the position that I have been set a task of some difficulty in working up to such a high standard. Still, I am greatly encouraged by the fact that my appointment is the outcome of an unanimous desire on the part of this Chamber, because that indicates not only the goodwill, but the confidence of senators, which is essential in order that the occupant of the chair may carry out his duties in anyway successfully. All I can say is, that as far as I am concerned I will endeavour to do my duty, and that whilst I am in the chair, further than the bare recording of my vote, I shall know no party lines. No senator would think me capable of knowingly following any party lines whilst I am in that position. At the same time I feel that I am entitled to my vote, and I will record it ; and it is reasonably understood that whilst you, Mr. President, are in the chair I shall have complete liberty to address myself to the various matters that may be submitted to the Senate from time to time. In this regard I acknowledge the generous reference that has been made to the matter by Senator Clemons, and I feel that, from the expressions that have come from the other side of the House, the senators there join with the Government in considering that the appointment should not be a party matter. I desire to acknowledge, before sitting down, the splendid services which have been rendered to this Chamber by Senator Dobson, and I am quite sure that all the other members of the Senate will join me in recognising the able and conscientious manner in which he has discharged his duties.

Vice-President of the Executive Council

Senator O'CONNOR

. - I wish to offer to the honorable senator who has been called to the chair my sincere congratulations upon his acceptance of the office. We have been fortunate in securing a gentleman of his qualities of mind and character, and of his great political experience, and I feel quite sure that he will have the support of the Senate in the discharge of the difficult, probably laborious, and responsible duties he will be called upon to perform. I quite assent to what has been said by Senator Clemons, that Senator Best should not, by reason of his being placed in the chair, be allowed to put the State he represents in a position of disadvantage. Under our Constitution, the President has his vote, and the Chairman will have

his also, and provision will be made by the standing orders that these votes shall be recorded, so that the State which Senator Best represents will be in the same position as every other State. I join most cordially in expressing thanks, on behalf of the Government, for the admirable manner in which Senator Dobson has discharged the duties of temporary chairman.

AREA OF FEDERAL CAPITAL SITE

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Senator STANFORTH SMITH

- I move -

That, in the opinion of the Senate, the territory acquired by the Commonwealth for the seat of Government should contain an area of not less than 1,000 square miles.

I do not propose to take up much of the time of the Senate in explaining this motion,, because I think the necessity for it will appeal to every member of this Chamber. At the same time, I think that the question of the area of the proposed site of the federal capital is second only in importance to the position of that site itself. No matter where we place the capital, if we only have a small area, we shall not derive those advantages that we wish to accrue from the federal capital, and I regard it as a matter of extreme importance, that we should have an expression of opinion from the Senate that may form some guide to the Government in drawing up the Bill which will be subsequently submitted to the House with reference to the federal capital site. We have had a report on the question of the federal capital site, and the area, prepared by an official of New South Wales, but on a former occasion I expressed the opinion that it should be considered by the Senate as in nowise official. The commissioner who prepared the report was appointed without consultation with the Federal Government, and without any sanction from that body, and I think that in such an exceedingly important matter as the selection of the site of the metropolis of Australia we should not be guided by the opinions of any one State. The Parliament should not allow any State to arrogate to itself the right of selecting certain towns from which the federal capital site shall be finally chosen. I understand some senators have considered the report of so little importance that they have scarcely read it ; but when we come to discuss the matter they will see that the report is based on what I venture to consider are altogether wrong lines. In the first place, the commissioner proposes to take certain towns, and from among them to select the federal capital site. I think that one of the first principles that should actuate us in choosing a site is that the federal city shall not be established on the site of any town- at present in- existence- in New South Wales. If any town is selected as the federal capital site, it may be necessary to absolutely destroy it before we can lay out the federal capital on the beautiful lines on which I believe it is the intention of the people of Australia that the capital city should be established. The Commonwealth Constitution provides that the federal territory shall consist of an area of not less than 100 square miles. I venture to think that the question of the density of population in the various districts of New South Wales has a very great bearing upon this subject. If we proposed to acquire a thickly populated district, where land is valuable, we should find that the cost of purchasing 640,000 acres would be so enormous that we could not afford it. The commissioner appointed by the Parliament of New South Wales to report on sites for the seat of Government has let us into a little secret that has been troubling the minds of many honorable senators. Senator McGregor stated the other day that he could not understand why people in certain towns of New South Wales were so exceedingly anxious that their particular site should be chosen for the federal capital. Most honorable senators failed to give any reason why these people should be so exceedingly patriotic as to desire that their land should be taken from them at its value prior to the selection of the site, and why they should be willing to give up their homesteads and farms merely for patriotic considerations. That patriotism seemed to be increased by the fact that considerable sums of money have been spent by these people in boosting up the claims of their sites. We have had books and pamphlets on the subject sent to us, and various leagues have been formed and deputations appointed by these individuals. What is the reason that actuates them ? I think Commissioner Oliver's report - which perhaps no one has taken the trouble to read - will let us into the facts of the case. On page 4 of the report we find that he states -

The question of offering a much larger area to the Commonwealth than 100 square miles may be expected' to turn upon the mutual benefit or loss that such a- transaction, might be expected to entail.

Then on page 2 he writes -

In the course of my inspections and inquiries, I have been repeatedly asked to express an opinion

whether the present owners of land lying, within the selected territory will be dispossessed, subject to compensation for the value of the land resumed, or whether the provisions of the section will be satisfied by the mere withdrawal from New South Wales, - and cession to the Commonwealth, of whatever area may be selected for the federal territory, the present owners being left undisturbed in their proprietary rights, but under a new landlord - the Commonwealth.

Thus it appears that these poor deluded people are evidently of opinion that the Commonwealth is going to leave them in undisturbed possession, and that immediately the site is proclaimed, their land will be increased 500 per cent, or more in value. The commissioner writes, on the same page -

Some legal authorities had already expressed an opinion that the quoted direction -

That is that the Commonwealth should own the land - would be sufficiently complied with if this colony divested herself of such territorial rights as she possessed at the time of withdrawal ; - in other words, that the mere cession of the territorial area would carry out the requirements of the section in this respect. And as this opinion seemed to have strong support from considerations of cost, and to be in itself reasonable, it seemed to afford a- satisfactory answer to the objections of those landed proprietors to whom the bare idea of- dispossession, even with compensation, was distasteful. Moreover, when the improved values of land within the municipal areas which were nearly always- made the nuclei of proposed- federal capital sites, came to be known, the amount that would be required for their absolute resumption reached, in some cases, as much as, and' in others more than, three quarters of a million sterling.

It therefore appears that the commissioner bases his assumptions on two grounds ; first, that the people occupying land within the selected area shall be left in undisturbed possession of it, and reap the enormously increased value that its selection for the federal site will give it, or that they will be compensated for that land upon its value after it has been taken over as a site for the federal capital. -

Senator MCGREGOR - Not on the 1st January?

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Senator STANFORTH SMITH

- Not on its value on the 1st January last ; but on its increased value after the site of the capital has been selected. If there could be any doubt whatever as to the advisability of 1 and absolute necessity for the motion tabled by Senator McGregor the other day, it ought to be dispelled when we find what is the opinion of the people of New- South Wales. I consider that Senator McGregor's motion was absolutely necessary, and I hope a motion will be proposed very shortly reintroducing its principles, except that instead of taking the land at the municipal or State valuation, provision will be made for taking it at its fair assessed value on the- 1st January last.

Senator Stewart

- How would the honorable senator get the assessed value 1

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Senator STANFORTH SMITH

- The land should be assessed by a commissioner. If such a motion were passed by the Senate, those people who have been conjuring up ideas of an enormous accession of wealth upon the selection of their land for the federal capital would be shown that they will have their property taken over merely at its ordinary value. I feel very confident that when that is done, instead of wishing us to accept their land, they will ask us to depart out of their coasts and go somewhere else for our federal capital site. Instead of being bothered by these leagues, who wish us to " buy them out, we shall be let alone. I hope that we shall be able to fix the capital site away from all towns if possible, on an area comprising, very much more than 100 square miles,, and whose present population is as small as possible, so that the expense of resumption will not be a burden on the Commonwealth. The commissioner finds that under the Constitution he cannot pick out any site within 100 miles of Sydney, but he gets over that difficulty by a very specious argument. Of course we know that the Commonwealth Constitution Act is an Imperial Act, and we are bound by Imperial rules and procedure in regard to it. The 100- mile limit, therefore, would be decided by Imperial rules. The commissioner has disregarded this. I venture to think that New South Wales has been the dominant idea in his mind throughout, and he has taken the New South Wales law that the distance shall be measured .according to the nearest road, and not in a direct line, as provided in the English rules. He has thus been able to come within the line which has been thrown round Sydney, and to select one or two towns within the 100-mile limit. I think when we see - as honorable senators must

see - that the- commissioner has failed- entirety to grasp the exigencies of the case, that he has gone on the wrong assumption in selecting these towns, and that' he has made egregious mistakes, we shall agree that the- best thing we can- do is- to quietly drop his report in the- waste-paper basket, and, having had selected a; dozen sites by men of experience go round and inspect them ourselves. There is no doubt that the questions of choosing the federal site, and the area of it, are the most important subjects that will engage the attention of this first Parliament of the Commonwealth. The capital will last for all time. It will be the one monumental work that will be done by this Parliament. For- the next 1,000 years we shall be- credited with sagacity if we-choose a good site, or want of-' grasp of the- necessities of the case if we pick one that is not subsequently found to be suitable. The first assumption upon which we should go is that the site should not be a town. If we pick a site where there is a large and flourishing town, as in- the cases of Orange and Queanbeyan, the expense of buying out the property owners would be so enormous that millions of pounds would have to be expended in actual dead-work before we could start building the capital. I presume that we should have to buy out the owners and cart away the whole existing town as rubbish. The commissioner appointed by the New South Wales Government points out that some- sites would cost over a million sterling for the land alone. That calculation is based on the supposition that we should have to pay an increased value- for the land. I can assure the people of New South Wales who are so desirous that the capital should be instituted as soon as possible, that if we are to expend such enormous sums the time that must elapse before the capital is built must be very much extended, on account of the outlay that will attach to the- buying out of these towns. The area, as I have said in my motion, should be at least 33 miles square. If we have- an area of 10 miles square, directly we decide upon the site of the federal capital there will be a perfect eruption of land-grabbers, syndicates, and speculators, who will rush over to buy up land all round with the idea of forming suburbs for the people to dwell in. The consequence will be that the people of the capital, instead of living within federal territory, will reside in suburbs belonging to private people, and the immense revenue the Commonwealth should receive as ground landlord will go into the pockets of these speculators. It is impossible to say what the actual size of the federal capital will be. All depends upon the position, the qualities of the soil, the commercial prospects, and other considerations of that kind. If we assume that it is to be a capital like Washington, that has practically no trade, no commerce, and no industries, we may assume that, like Washington, it will attain to a size of about a quarter of a million of inhabitants. But there is absolutely no reason why the capital should not be a great commercial, centre like Chicago. Chicago, being in a position where there are great facilities for trade, has in a comparatively few years attained a population of over a million inhabitants. There are none of us here who will say that in Australia in time to come there will not be inland towns having at least a million inhabitants. There is no reason why our capital should not before many years have passed attain even to the magnitude of a city like Chicago. If that is to be the case, obviously 1,000 square miles would be altogether inadequate. I sincerely hope we shall not take less than an area of 4,000 or 5,000 square miles in a part of the country where the land is not very valuable, but it is well that there should be an expression of opinion from the Senate that the area should at least be not less than 1,000 square miles. When we set down the lines upon which land is to be taken for the capital, and state what is to be the minimum area, we should also set down what is to be the mode on which we are to acquire it. Instead of picking 10 miles square including a place like Bombala it is to be hoped that we shall leave out all towns of that character, and go into a district where we can obtain a site upon a high table land, not too distant from a port, with good climatic conditions, with no large towns in the immediate vicinity to take away trade, with satisfactory pastoral and. agricultural land, ample timber resources, and a sufficient water supply. If we decide to proceed on those lines we shall recognise the futility of a report like that prepared in New South Wales, which maps out an area of ten miles square, including important towns which it will take £1,000,000 to buy out. Then to cap all I have said, the New South

Wales commissioner goes further, and actually suggests that the State of New South Wales shall be compensated for the land acquired by the Commonwealth. This is the most extraordinary of all the extraordinary statements made in the report. The commissioner says -

The question of offering a much larger area to the Commonwealth than 100 square miles may be expected to turn upon the mutual benefit or loss that such a transaction might be expected to entail. . . .

Further, this section raises the question whether, in the event of compensation to private owners following

resumption, the State which loses so large an area of its territory (in all cases more or less highly improved), and therefore of its taxable lands and inhabitants, is to be compensated for that loss? . . . If, then, there is reason to believe that the "good government of the Commonwealth" may be legitimately promoted by permitting it to occupy the position of landlord of a much greater area than 64,000 acres, provided the acquisition of that area be made "upon just terms" to the surrendering State, it would seem to follow that the interpretation of this section should be that which attaches to every resumption of private lands - the obligation of compensating, first, the private owners for deprivation of estate, and, next, the surrendering State for whatever losses it will sustain consequent on such resumption. These latter losses may be roughly stated as follows: -

Loss of revenue obtained from taxation of lands included within the ceded area.

Loss of revenue contributed by inhabitants paying income or any other tax, and resident within the ceded area.

Loss of roads, bridges, public buildings, and other State property within the ceded area.

Losses, other than as above specified, capable of pecuniary valuation, and consequent on the act of cession.

Then, again, he says -

In respect to public highways, of which the soil would, in so many cases, be held to be vested in Her Majesty, it is not, I think, a tenable contention that they are Crown lands within the meaning of this 125th section.

He goes on to say that various roads and works of that kind shall remain the property of the State. I never read an official report emanating from New South Wales or any other State in Australia which recommended such great absurdities as does the report furnished by this New South Wales commissioner. The bare idea of going on that report, when the commissioner has been capable of such extraordinary fallacies, and picking out a site that he has indicated as advisable for the Commonwealth to select, is not to be entertained for one moment. I am sure this Senate will not, for one moment, allow New South Wales, or any other State, to dictate what towns we shall have to select our capital from. If we select a large area, not only will we draw an enormous revenue, and a revenue increasing every year, from the Crown lands of the federal territory - and I hope it will be put on record that not one inch of that territory shall be alienated from the Crown - but we shall have the opportunity and advantage of having a federal territory in which to put to practical test many of the social problems that have been exercising the greatest of the brains of the world for very many years past. We can then put to practical test not only such ideas as land nationalization, but the federal territory will, in my opinion, fulfil very much the same functions as a model farm fills in regard to an agricultural area. We can there test various social problems, and give practical effect to them; and if we find they are successful they can be planted out in the Commonwealth. Such questions as land nationalization and the nationalization of the liquor traffic can be tried in the capital, and, if it is proved that they are successful, we have very good warrant for assuming that they will apply equally well throughout Australia. I think we can hardly realize the immense importance of picking out a suitable site for the federal capital, because it will be the most enduring work that the Commonwealth will undertake for a very long time to come, and I think we should at once start to appoint commissioners to select a number of sites, and before they are sent out we should intimate to them on what lines we want them to go in choosing the site - that we want them to avoid, as far as possible, all towns, because we do not want to buy up a town which may be an absolute detriment to us instead of an advantage. We want the people to thoroughly understand that they are not to get for their land more than its ordinary value for agricultural purposes. If that is determined upon, instead of the people putting forth every advantage their particular sites may have they will be rather inclined to point out every disadvantage, and that knowledge will be far more valuable to us. We can see the advantages for ourselves, but some of the disadvantages we may not be able to ascertain unless they are brought under our notice by the residents of the proposed sites. I am quite sure that when people know that these are the intentions of this Parliament, there will be no rush or endeavour to induce us to pick certain sites for the federal capital. It will be quite the other way. The owners of land will desire that we should not pick their site, because they will be deprived of their farms and houses for what is absolutely their fair, reasonable, and honest value, and not a value, as assumed by this commissioner, that will be accentuated fifty times by the mere fact that we have decided that it shall be the site of the federal capital.

I do not wish to occupy any more of the time of the Senate. There are many speakers here who are very much better qualified to speak on this subject than I am, but I think the time of the Senate is not wasted in discussing a matter of such importance, and taking off the rack of expectancy an enormous number of people in New South Wales who are of opinion that if they are successful in their strenuous efforts to get the site of the federal capital chosen where they are located, they will have made a competency for life, and that the best thing that could occur to them is that the federal site shall be chosen in the little place where they have their belongings.

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President of the Executive Council

Senator O'CONNOR

. - I feel sure that every honorable senator who has listened to the speech which we have just heard must have been impressed with the fact that Senator Smith has brought before us for our consideration a question of very great interest, and that he has treated it in a way that has thrown a great deal of light upon many interesting problems. I feel quite certain that the honorable senator has introduced to our notice subjects of discussion which may very well occupy, and probably will occupy, the consideration of the Senate. But I would like to point out to him that the question, on the fringe of which he has just touched, is one upon which we cannot express an opinion at the present time. I do not wish to depreciate in any way the interest of the discussion which will be raised by the honorable senator's speech. I speak now at this early stage more particularly for the purpose of defining the attitude of the Government. I think the honorable senator will see that, although we are in the heartiest sympathy with the desire to have a large area included in the federal territory, what that particular territory is to be will depend entirely upon a great many circumstances.

Senator STANFORTH Smith

- How can we pick a capital site unless we have an idea of the extent of territory we want 1

Senator O'CONNOR

- The area decided upon- will depend upon a great variety of circumstances. It will depend upon the locality chosen, and upon the circumstances under which we acquire the territory. If the territory is Crown land, conceded to us by the State of New South Wales for nothing, then» I think, on ordinary principles, we shall not be particular about how much we get. If, on the other hand, the territory is- such that we shall have to pay for it, then, however desirable it may be to have an immense area, our choice will be more or less restricted by considerations of cost. I mention these matters now for the purpose of- showing that until we have determined the site, or something near the site, of this federal territory, it will be impossible to say whether we ought to have an area of 1,000 square miles, or whether we ought to have a great deal more than that area, or whether we may have to be restricted to less than that area. The question will eventually have to be determined by the Parliament. It will make inquiries and get information of every kind, and it is only when it has obtained all that information that it will be able to come to any determination in regard to a question such as is raised by this motion. Therefore, in regard to this particular fringe of this great question, I think the honorable senator will see, on reflection, that the Government cannot express any opinion or bind themselves in any way at the present time, and for the very same reasons as operate on the Government in that regard, I think the Senate should not put itself in the position- of being bound down by resolution to this particular area of land as being the area of the federal capital when by-and-by it comes, acting under section 125 of the Constitution, to determine the actual territory itself. The honorable senator has referred to- the report of Mr. Alexander Oliver in somewhat disparaging terms. Although it contains statements regarding the law of the Constitution, and affecting the rights of the Commonwealth, and the rights of the States in which I do not agree with him, my opinion of his report is- altogether different from the honorable senator's.

Senator STANFORTH Smith

- Does the honorable and learned senator think that he ought to pick town sites 1

Senator O'CONNOR__That is quite a different question. Whether he ought to pick town-sites or- not depends entirely upon what the area is that the Federal Parliament determines shall be included-. It may include a town or-- it may not. I cannot express any opinion about that. Besides, the honorable senator will recognise, I think, if he sees what the purport of that report is, that the commissioner has not picked any site. He has merely expended a great deal of time, made inquiries of a- very extensive character, and

upon them founded- a recommendation. That recommendation I think the Commonwealth Parliament will find of very great' value, because it has sifted, out of an immense number of possible- sites, some which I think every one will admit are at all events among the most desirable that could be chosen. I do not say for one moment that it completely exhausts the possible sites, but I submit that it goes very largely to sift out a great number of sites which the Parliament of the Commonwealth might otherwise' have had to inquire about, and which in themselves would be totally unsuitable for a federal capital or . federal territory. With regard to the general, character of the report, I consider it a most valuable contribution to the information of Australia on the question.

Senator STANFORTH Smith

- Are we going to compensate New South Wales for the territory taken 1

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Senator O'CONNOR

- I shall not express any opinion¹ on the questions of constitutional law which have been raised in the report. This is not the time to do it. When the question come³ before the Parliament of- the Commonwealth- for actual consideration I believe it will be found that the report will be an exceedingly valuable aid to us in our- deliberations. No one will assume for a moment that it contains all the information which we" require, and no one will contend for a moment that the Parliament of the Commonwealth must necessarily be content to accept its recommendations. But I submit that in the search for-information, and in the obtaining of materials on which the judgment of the Parliament is hereafter to be founded, the report will be found exceedingly valuable in .a very great many particulars. I think the honorable senator .will realize that, having every sympathy,. as I have, with his desire to acquire a large territory, it is impossible for the Government to bind themselves -to .any .particular number of square miles such as is set forth in -his motion. -Therefore, I would suggest to the honorable senator that, having initiated a .discussion on a very interesting question, he should withdraw the motion, as at the present time -no practical good can come from proceeding with it.

Senator PLAYFORD

- I also would ask the honorable senator-.to withdraw his motion. I do not think he has given -.Mr. Oliver the credit that is due to him, because really in his report he has suggested the motion which the honorable senator has moved. Mr. Oliver has pointed out that- he thinks. that an area of 100 square miles is not sufficient, and that it is exceedingly advisable, that a larger ;area should be given to the Commonwealth.

Senator Staniforth Smith

- For which we shall have to pay.

Senator PLAYFORD

- That is exactly what the honorable senator is asking us to affirm ; only that he goes to the extent of 1,000 square miles. There are many questions in connexion with this matter which we shall have to consider. The first question is, shall we acquire the fee-simple of the whole of the territory included within the area given to us by New South Wales,' that is to say, -shall we, in: addition to the gift of the Crown lands of the State of New South Wales, acquire by purchase the rights of (private individuals who hold land within the State¹! We 'have not -yet decided that .point. It is a very important matter, and a very important consideration in dealing with this subject, because if we increase the' area from 100 square -miles 'to 1,000 square -miles, and if we- purchase .land from private -individuals, we shall certainly increase to a great extent the sum which we shall have to provide to purchase their rights. And when we increase the area to 1,000 square miles, if we go to any part where we are likely to choose .a site on account of the- climate .and other advantages, we are bound to -choose a portion. of territory which is fairly .thickly populated. If we go to a district where : the population is -sparse, we must, go either to the Snowy .Mountains on the one hand or to the dried .up plains on the other

Senator Lt Col Neild

- Into the "Never Never."

Senator Staniforth Smith

- -Some of the finest lands in New South Wales are held under lease.

SenatorPLAYFORD. If we .increase .the area .to 1,000 square miles, and if we affirm the principle -that we are to have 'the fee-simple of the whole of ' .the area, Ave are face to face with this position - that

instead of having- one town or township within the limits of the territory, very likely we shall .have half-a-dozen, and' that will increase-the cost to an enormous extent. There is not the slightest doubt that the most fertile, the most beautiful, .and the best sites for a federal capital are those parts of New South Wales which have been acquired by private purchase to a very large extent. We cannot ;get away ' .from that: fact, and therefore if we increase 'the area by ten times we shall .'increase the price very considerably. When we acquire all this territory, how are we to deal with.it?

Senator Lt Col Neild

.- Start a sugar industry.

Senator PLAYFORD

- This is a very serious- matter. In South Australia we have already a system under which there can be no rights of purchase except in limited areas, such as-township lands. We applied the system first in connexion with blocks of land for closer settlement - working men's blocks. We allowed a man to take one of those blocks, in the first instance, on a light of purchase or on perpetual lease, but subsequently we stopped the -right of purchase, and only allowed perpetual lease. What is the result? Those who have acquired blocks on perpetual lease have formed themselves into an association, .and are clamouring to get the freehold.

Senator McGregor

- They are only a small proportion.

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Senator PLAYFORD

- Whether those who are clamouring are a very small proportion or not, they evidently influenced some of -the -last elections, and the "proportion -seems to be growing. There is this difficulty in connexion with perpetual leases, that, although you. give the owner the right of transfer in certain cases, such transfer is always subject to the. approval of the Government of the .day, .and the delay and trouble .thus occasioned is so great that the .people are now clamouring -for the fee-simple.

Senator Charleston

- No; they want to grab.

Senator PLAYFORD

- Whether they want to grab or not, it is only natural that men should like to own the land on which they have built their homesteads, and which they have improved with their own money. They like; to have their land to do as they like with, either by will or in any other way. The Anglo-Saxon race all over the world like to have the fee-simple of their land - to be able to sit down on their deeds, and say, " This is mine." We like to have our land to sell, or to cut up into smaller lots if we like, or to divide amongst our children, without any superior landlord to control us. A man likes to say, "I am king of my own castle, the owner of my land, with which I can do what I like." Although there is a feeling growing up that the State should assume ownership of the land, and only -let it on perpetual lease, or on lease for a term, it will be found that directly there is within the limits of the State a large proportion of electors who hold land on these terms, they will combine, having universal suffrage and being sufficient in numbers, to send members to Parliament who will give them the fee-simple ; and they will get it.

Senator CHARLESTON

- I am sorry to say .that is so.

Senator PLAYFORD

- That, at all events, is my experience of the working of the system in South Australia. People are quite willing at first to accept a lease in perpetuity, but, having acquired it, they begin to clamour for the fee-simple. They have only to get numerically strong enough to absolutely dominate the Parliament of a particular State, and, by returning members pledged to grant the fee-simple, force the Parliament to give it to them. I know this will not occur in the limited area which will be taken over by the Commonwealth, because the electors there will not be able to dominate the Commonwealth Parliament; but the fact remains that people do not like the tenure of a lease in perpetuity. They do not like to have to go to the Government for consent to sell or devise a portion, and they are sure to agitate against the system. However, we can try the experiment if we like in the Commonwealth area. We have not decided yet, but if the Commonwealth do decide to purchase the whole of the land in fee simple, and only lease it on terms and conditions, we had better settle the question of the tenure before we settle the question of how large

an area we should purchase. There is another matter we ought to consider. The Constitution Act only says that the State of New South Wales shall guarantee an area of not less than 100 square miles. If the Commonwealth ask for only 10 per cent., 20 per cent., or 25 per cent, more than the area mentioned in the Constitution Act, the State of New South Wales may be inclined to give the fee-simple of all the Crown lands in the area asked for ; but when ten times the area is asked for it is " coming it rather too strong." Under such circumstances, the Government of New South Wales will very properly say that the Commonwealth must pay for any balance of land beyond the area stipulated in the Constitution Act. It is only just that the Commonwealth should pay for such land. It certainly is not fair to suddenly spring on New South Wales a demand for ten times the area stipulated in the Constitution Act, although that Act leaves the area indefinite, only fixing a minimum. If ten times the area be asked for, why not go on until the Commonwealth takes over the whole State of New South Wales beyond the 100 miles limit 1

Senator Lt Col Neild

- I am going to move that as an amendment.

Senator PLAYFORD

- There are difficulties in connexion with this matter. One of the first things we should decide is the area it is desirable to " acquire, and that depends to a large extent upon how we intend to deal with our territory. If we intend to acquire the fee simple in all cases, it will be desirable, as Senator O'Connor said, to limit the area, on account of the enormous expense that would be entailed not only in purchasing from private owners, but in. acquiring State land beyond the stipulated area of 100 square miles. Under the circumstances, it would be desirable for Senator Smith to withdraw the motion.

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Senator Lt Col NEILD

- This motion has about it a breezy air, doubtless connected with the unlimited wastes of the Far West. The honorable senator who submits the motion comes from a State where, I believe, it is not possible for the average man to obtain a bath unless he orders two dozen of soda water and some one to uncork it.

Senator MCGREGOR

- That is a libel on the West.

Senator Lt Col NEILD

.- To gravely propose to increase the federal area by 1,000 per cent, seems to augur an idea of greatness without much regard for existing conditions.

Senator HIGGS

- In fact, it is a theme for a poet only

Senator Lt Col NEILD

.- I have no doubt the honorable senator could perpetrate a very nice ode on the subject. I think I may be guilty of the observation that, if this motion be carried and put into force, it will inaugurate the largest "owed" to the Government of New South Wales known in history. If Senator Smith will do me the great favour of giving me his company for a week or two to travel in New South Wales, where the selection of a capital site is, perhaps, possible, I would be able to convince him of the absolute truth of the statement of Senator Playford, that the area he proposes to acquire is so vast that it would be hopeless to obtain it without the resumption of so much private property that the whole thing would bear the aspect of " boodle," if any transaction in the history of Australian politics, renders the use of the word legitimate. I do not think that in any district in New South Wales to which we might look for a suitable federal capital site, it would be possible to obtain such an area as 20 miles by 50 miles, or, to put the matter in another form, about 31 miles square, without imposing on the Commonwealth the necessity for the resumption of very considerable values of private property - values which would stagger the honorable senator who moved this motion.

Senator STANFORTH Smith

- Is there not plenty of land held upon lease ?

Senator Lt Col NEILD

- Yes, there is plenty of land with a good soil, but, unfortunately, we have not made arrangements with Mr. In-Clement or Wet-Wragge, as he has been called, to supply the rainfall necessary to support, under normal conditions, more than one rabbit to 50 square miles. We can get an area that under such conditions, will suit admirably, but not in the districts to which we should look for the federal capital site.

We cannot get a thousand square miles of territory in New South Wales suitable for the proposed capital site, which would not involve the resumption of so large an area of private property that no member of the Commonwealth Parliament, and no member of any self respecting Government would be likely to look at it.

Senator Glassey

- They might look at it, but they might not buy it.

Senator Lt Col NEILD

.- Of course, I recognise the prospect that is before us, according to Ministerial utterances. I recognise that we are to have a series of weekly picnics, extending over three or six months.

Senator Glassey

- When are they to commence, I wonder ?

Senator Lt Col NEILD

.- I have no idea when they will commence, but I do not think it is worth our while to look at sites that are not within the limits of attainment. I do not think that the passing of this resolution would achieve any useful purpose. I agree with the mover of the motion, that if a larger area than is provided for in the Constitution Act is attainable, we should by all means secure it ; but do not let us tie the hands of the Government. and our own hands, by passing a resolution which involves an undesirable and useless expenditure of public money, and which, to some extent I am afraid, would simply commit all parties to the attainment of the unattainable.

Senator STANFORTH Smith

- The motion does not do that. It is only an expression of opinion.

Senator Lt Col NEILD

- I read it as a direction. What is the use of expressing an opinion unless that opinion is given effect to ? I recognise that the motion has been moved with the best possible motives and with the fullest desire to do that which is beneficial to the whole Commonwealth. But I venture to say that Senator Smith is not so entirely acquainted as he might be with the conditions that prevail in the localities that are suitable for selection. I hope that he will withdraw the motion. The passing of it, I venture to suggest with all humility, cannot accomplish any useful purpose, and might tie the hands of the Government in a matter of detail, which must necessarily be left largely to the discretion of those who are in responsible authority.

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Senator WALKER

- I am surprised to discover that several senators have not yet obtained a copy of the report of Mr Oliver upon the most suitable sites in New South Wales for the federal capital. I wish to tell honorable senators that they can get that report in the other room by making application for it. My own idea is that if we were for a moment to stand out for the larger area of federal territory that is advocated by Senator Smith, we should postpone for a considerable time the selection of a site for the federal capital. In New South Wales we are particularly anxious that the Commonwealth Parliament shall, if possible, have a home of its own within three years. Personally, I fear that there is a great deal in what Senators Neild and Playford said, when they argued that if we ask for the larger area of territory which this motion contemplates, we shall have to go into the "never never" country. I hope, that we shall proceed to business forthwith, and lose as little time as possible in academic discussion.

Senator PEARCE

- While Senator Neild was speaking it occurred to me that if our friends in New South Wales have not spare country to the extent of 1,000 square miles, we might assist them in getting the Constitution Act altered, and have the federal capital fixed in Western Australia, where I am quite sure we could find 1,000 square miles of country.

Senator Lt Col Neild

- Probably the people of Western Australia could find 1,000 miles square.

Senator PEARCE

- We could at any rate find 1,000 square miles of country which would fulfil all the requirements asked for by Senator Smith and other senators.

An Honorable Senator. Plenty of water 1

Senator PEARCE

- Yes ; and ;also .a rainfall quite equal: to the. rainfall of the sites which ..aw; mentioned by Mr. Oliver .in -his report. With regard -to the question of the purchase of the area mentioned by -Senator Smith entailing too great a cost, .it .occurs to me that .money has been, spent i and .loans have been raised by .Australian 'Governments -with -far. less-prospect .of bringing in a return 'for the capital 'expended than would be offered in .-this -instance. If -we were to raise a loan for the:purpose- of purchasing 1,000..square miles, and compensating those whom we .might deprive of their properties, the fixing .of the capital site there and the population -which would be attracted, would, result in such &a return, as would -not .only pay the interest .on the borrowed money, but go a -long-way towards helping to pay the expenses of the Commonwealth Government. Therefore the argument that by making the area 1,000 square miles -we should incur such a liability as to make the selection of a capital site impossible does not 'hold water, and before the motion is withdrawn I think some better reason should be.advancedagainst.it. The subject of the alienation of land has been raised in this debate, and although J consider it. somewhat beside the. present question, I might -perhaps say that this matter not only concerns those who will reside .within the federal area, but every taxpayer in Australia. Whether those -who reside in the federal area prefer to have freeholds or not, the matter will be settled for them by the whole of the electors of Australia, -who have as. a fact already made their voices heard on the point. J think freeholds should not be granted within the.area- selected for the federal capital site, but that the land there should only be occupied under perpetual lease.

Senator Glassey

- I do not think there is .much fear of freeholds being .granted .within the federal capital site.

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Senator PEARCE

- If we. adopt . a perpetual leasing -system, . it will enable the Government to procure the necessary money to ..pay .all the interest on the capital expended .in purchasing the site. It is stated that if .we extended the .area we should have to purchase not .one large 'town, but several. Some of the valuations of towns made .by Mr. Oliver run up to £3.00,000, so that the cost of purchasing 1,000 square miles -would not amount to more than £1,000,000, -even if .we had to purchase half-a-dozen town .sites. Surely the prospect of raising a loan .of .£1,000,000 should not deter the Federal Government of Australia in such a matter as this. We are not dealing with this- subject for the benefit of the population of the next .50 years, but for those who will come after .us -for hundreds of years, .and therefore T do not think we should allow local or financial considerations to weigh too strongly -.with us. ' I trust that the resolution will .not be withdrawn until an assurance -is :given by the Government that in any negotiations they .may open with the New- South -Wales Government, they will ask for an -extension of the -area of 100 square miles mentioned in the Constitution.

Debate (on motion of Senator .McGregor) adjourned.

QUESTION

ROTATION OF SENATORS

Senator CLEMONS

- With the permission of the House I would like to ask the Vice-President of the Executive Council a question without notice. I recently asked the Postmaster-General a question with regard to the rotation of senators, and I think I am correct in saying that the Postmaster-General assured us that Senator O'Connor would bring the matter on during the first week in July. . I rise now to remind the Vice-President of the Executive Council that next week is the first week of July, and to point out that he is deferring, entirely for his own convenience, the consideration of a matter which he must be the first to recognise is one of the greatest interest to every senator here. I ask him if he will tell us on what day he proposes to bring this question forward.

The PRESIDENT

- I did not stop the honorable senator, but I would point out that he has been arguing the matter rather than asking a question.

Vice President of the Executive Council

Senator O'CONNOR

- The honorable senator asks me when I am prepared to bring on a motion regarding the rotation of senators. I quite see the importance of the matter, and I will be ready to bring the motion on next week ;

'but the difficulty is this, that representations have been made to my colleague and myself, that during the next week, and probably the week after, many senators will be away ' on account of festivities in other States.

Senator Higgs

- But there will always be some senators away.

Senator O'CONNOR

- I am quite willing to bring the matter on at any time, and my intention is to give notice of motion for some time next week or the week after.

Senator Sir Frederick Sargood

- Why not make a call of the Senate ?

Senator Sir JOSIAH SYMON

- I ask the Vice-President of the Executive Council not to give notice for the week after next, because a number of senators will be absent in Adelaide then on account of the Royal visit to that city. Next week, of course, the Tasmanians will be away.

Senator CLEMONS

- The Tasmanians will not be away next week.

[114]"

REYNOLDS' NEWSPAPER

Senator STEWART

- I move - '

That there be laid on the table of the Senate -

Copies of all correspondence and documents in connexion with the suppression of Reynolds Newspaper by the Victorian Government.

Copies of the alleged " indecent advertisements " on account of which the said suppression was ordered. I was rather surprised that the Postmaster-General should have objected to lay. these papers on the table, because I do not see what objection he can have to the production of them. I simply move the motion standing in my name.

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Vice - President of the Executive Council

Senator O'CONNOR

. - I hope the Senate will not assent to this motion. The Government oppose it for several reasons. In the first place, the Senate is asked to put itself in the position of ordering that there be laid on the table of the Senate copies of correspondence between certain persons and the Victorian Government. What control have we over the correspondence of the Victorian Government? The Senate would simply be putting itself in a ludicrous position by passing a resolution that certain information should be obtained when it is quite impossible for us to obtain it. If it were correspondence between the Federal Government and any other Government, of which copies or the originals were in the possession of the Commonwealth Government, it would be a different matter ; but we are asked to say that there shall be laid upon the table of the Senate correspondence over which we have no control whatever. If there is one rule more than another that Ave ought to follow, undeviatingly, it is that we shall never pass a resolution ordering a thing to be done unless Ave have power to enforce its performance. I do not intend to elaborate this point. I think it is quite evident that the motion cannot be carried. There is another objection to the second paragraph of the motion, which asks that there shall be laid on the table of the Senate -

Copies of the alleged "indecent advertisements " on account of which the said suppression was ordered. There is a statement of fact there which the Postmaster-General informs me is not correct. I understand that this newspaper ,vas not suppressed.

Senator Glassey

- That is debating the question.

Senator O'CONNOR

- The real fact is that the paper was withdrawn, as explained by the Postmaster-General the other day, in consequence of certain circumstances that had arisen. The Victorian Government had nothing to do with the suppressing of it, and did not suppress it. There is a stronger objection, however, to the motion. It is asked that copies of the alleged indecent advertisement shall be laid on the table. I do not know whether

this is .a course which the Senate would be willing to assent to. It seems to me to be not a very proper course to take, unless there is a strong reason for it, to make an indecent advertisement a public document by laying it on the table of the Senate. For these reasons - and any one of them I think is strong ' enough to prevent the Senate from coming to the. conclusion that Senator Stewart has asked us to come to - I urge honorable senators to negative the motion.

Senator GLASSEY

- I think it must be apparent on the face of it, after the explanation made by the Vice- President of the Executive Council, that this is a matter which rests entirely with the Victorian Government.

Senator Stewart

- It rests now with the Federal Government.

Senator GLASSEY

- No; all the correspondence relating to this newspaper is in the possession of the Victorian Government, and it was that Government which took action. The only thing Ave can do is to make the recommendation, couched in most courteous terms, that the Victorian Government shall be asked whether they have any objection to supplying the Senate with a copy of the correspondence.

Senator Sir Frederick Sargood

- Why should we sit in judgment on the Victorian Government 1

Senator GLASSEY.I would respectfully urge upon the leader of the House that the course I have just suggested would meet the purpose. If the Victorian Government offer any objection, there is an end to the matter. Whether it would be wise to lay upon the table of the Senate indecent advertisements is a' secondary consideration. If a copy of the correspondence is furnished to us, it can be printed and circulated amongst honorable senators, but we have no right to interfere in any way with the internal working of any State. Doubtless this matter was dealt -with by the Victorian Government in a way that seemed best to them. I am not going to discuss whether that action was light or wrong. I say it would be unwise to adopt this motion, and I would suggest to my honorable friend Senator Stewart, that he should press on the Government the advisability of a reasonable request being made to the State Government to supply the correspondence.

Senator Staniforth Smith

- Would it not be possible for Senator Stewart toget an honorable member of the Victorian Parliament to ask for the correspondence ?

Senator GLASSEY

- I think that would be the better course. When these papers are produced, as no doubt they will be, if a reasonable request is made, they will be laid upon the table of the Senate, and members of both branches of the Legislature will have an opportunity of reading them. In the meantime I think it would be unwise to debate this question at any length, because it is a matter in which we have no concern.

Senator Sir FREDERICK SARGOOD

- The position taken up by the leader of the Senate seems to me to be the only proper course that we can follow. I object to the . suggestions made by Senator Glassey. In the first instance he proposes that a request should be made to the State Government, asking that the Senate be provided with certain papers. Such a request, could only be with one object, namely, for the Senate to look into these papers and pass some opinion upon them. If we are going to arrogate to ourselves the right of questioning the action of Victoria or any other State upon any matter which any honorable senator may bring forward, there will be interminable work before us, and it will bring about an amount of friction between the Senate and the various States which, I think, is very undesirable. As the Vice President of the Executive Council has pointed out, we have no power to enforce this resolution, even if we pass it. It appears to me that it would be very unwise for us to even request the State Government to produce the papers, because that could only be taken as a determination by the Senate to sit in judgment on them.

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Senator DE LARGIE

- I disagree with the opinions expressed by the last three speakers. I think the Senate is the proper place to ventilate a matter of this kind. When the question first cropped up here it was thought that the paper had been stopped by the Postal department, but as the debate went on it was found that the Customs department was responsible. Both the Postal and the Customs departments are under the Federal

Parliament, and, therefore, this is the proper place in which to ventilate the grievance. If we do not bring the matter up here, there is very little chance of it being properly dealt with. The manner in which the Victorian Parliament is dealing with business just now indicates, I think, that it is not in a fit frame of mind to do justice to a question of this kind. I therefore hope that Senator Stewart will stand by his motion. -We have been having too much of this suppression lately, and I think we should fully inquire into it.

Senator Sir WILLIAM ZEAL

- I am really astonished that Senator Stewart, who is a man of considerable common sense, should have brought forward such a motion as this. He is asking the Senate to insist that the Victorian Government shall present certain correspondence with which the Senate has no more to do than a person in the remotest parts of Queensland has to do with Victorian affairs. I have lived in this State for nearly 50 years and I never before heard of the newspaper referred to. I venture to say that nineteen men out of twenty never heard of it. If Senator Stewart brings forward a motion like this he is bound to produce the most incontestable evidence that it is warranted. He has produced no evidence whatever up to the present time.. I take up the same ground as Senator O'Connor upon this question. If I were Premier of Victoria, and such a motion were brought before me, I would tell the Senate to mind its own business. I would not comply with the demand. ' We shall be made the laughing stock of all Australia if resolutions like this are brought forward, and our work in connexion with the discussion of supposed grievances will never be done. I trust that the Senate will absolutely set its face against the motion, which is altogether unconstitutional and uncalled for.

Senator MCGREGOR

- What is there to be alarmed at in this resolution 1 Has nothing of the same kind already been done ? Is. there no likelihood of anything of the kind being done by the Senate in the future 1 Have we not already passed resolutions asking for information that distinctly belongs to the States, and with which the Federal Legislature has no more to do so far as concerns the right of enforcing its wish than any private person 1 If an application is made for information by any senator, and that application is made through the Government, who apply to the proper authorities, and the very unfederal spirit recommended by Senator Sir William Zeal is shown, it will be to the discredit of the State refusing to give the information.

Senator Sir William Zeal

- Asking for it is a different matter.

Senator MCGREGOR

- The youthful exuberance of some senators should be curbed.

Senator Glassey

- It is only the impatience of youth.

Senator MCGREGOR

- Senator Glassey himself seems to be indignant that any information should be asked from the State of Victoria. Whether the Victorian Government supply the information or not, we certainly have a right to ask for it. If any State that is asked for information does not like to give it, I hope the Senate will be intelligent enough to take the advice that has been given by Senator Glassey, independently of what has been said to-day. Senator Stewart knows just as well as well as Senator Glassey or any one else how to go about this business. He is moving this motion simply to ascertain whether the Senate is prepared to ask for information on the question. Every senator knows how the question arose. It arose out of the discussion upon the Post and Telegraph Bill.

Senator Sir William Zeal

- I knew nothing about it myself.

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Senator MCGREGOR

- Then the honorable senator should be quiet on the subject. People who know least about the matter seem to have had the most to say upon it. I should really like to get the information, as I am sure would other senators, who are anxious that as much publicity as possible should be given to the suppression of a newspaper. We want to know why the authorities suppressed it ? That is all that Senator Stewart is asking. He wants the information so that we may be guided in connexion with any legislation we may pass, either respecting the Post and Telegraph department or the Customs department. The Government is the proper channel through which to get this information. They will apply to the Government of Victoria.

If that Government refuse to furnish it, it will be necessary for Senator Stewart or some one else to trot after a Victorian Member of Parliament to ask him to do the work which a senator has a right to expect will be done by the Government of the Commonwealth. I hope we shall discuss the question calmly. If the motion is carried, I am sure the Victorian Government will be prepared to furnish the information. If there was a good reason for suppressing the newspaper there is nothing to be ashamed of, and we have a right to know the reason for it.

Senator PLAYFORD

- I doubt whether the position assumed by the Government on this question is the correct one. I imagine that if application is made to the Government of the State of Victoria for this information the reply will be - " The Commonwealth has taken over the Post and Telegraph department, and the Customs department. You have the information in your own hands, and why do you 'not give it to the Senate ? Do riot come to us. We cannot get it without applying to the Postmaster-General."

Senator Drake

- It has nothing to do with the Postal department.

Senator PLAYFORD

- If the matter concerns the Customs department, the argument is the same. We are in a fog in regard to the matter. We have the assertion of Senator Stewart with regard to the suppression of this newspaper, but that assertion is absolutely denied by the Government. The Government tell us it was never Suppressed. What is the true position? By some means Reynolds' Newspaper, which is exceedingly well known in England and pretty well known in South Australia - I have seen many copies of it myself and know numbers of people who regularly subscribe to it - has, according to the assertion o-; Senator Stewart, been suppressed. I am rather astonished at Senator Sir William Zeal never having come across it.

Senator Sir William Zeal

- I thought it was a Victorian paper.

Senator PLAYFORD

- It is printed and published in London. I should think that Senator Sir William Zeal must have been, living hi the bush somewhere, or he would surely have heard of this celebrated paper, which has been published for the last 30 or 40 years.

Senator Stewart

- There is no State in Australia where the reading of Reynolds'Newspaper is more needed than in Victoria.

Senator Sir William Zeal

- We are not going to be dictated to by Senator Stewart.

Senator PLAYFORD

- There is nothing improper in passing this resolution. If it is adopted it will devolve upon the Government to get the information from the State of Victoria ; or, if the Government have the information, either in the Customs house or in the post-office, they can themselves furnish it to the Senate. I think it would be a round-about and a mistaken process, to ask the State to furnish the information, when they can turn round and say - "You have all the documents in your possession ; what necessity is there for asking us. If you had any doubt about the propriety of laying the papers on the table, you might have come to us, and asked us whether they might be laid on the table or not." I see no objection to the papers being laid upon the table, unless the Government can urge the objection that it is improper and impolitic for State reasons. I see no object in creating all this terrible difficulty and trouble. The Government will not tell us the truth. They will only tell us that the statements made on the other side are not strictly correct. They say the paper certainly was not suppressed ; or it was not done through the post-office ; but, on the other hand, there is a strong suspicion that it was done in the Customs. The passing of the resolution will clear the matter up, and we shall get the information, which, I have no doubt, is of an exceedingly harmless description; and hardly worth taking up all this time about.

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Postmaster-General

Senator DRAKE

. - This motion appears to me to have nearly all the bad points that a motion could have. The first fault is

its vagueness. It calls for copies of all correspondence and documents in connexion with a certain matter, but it does not state the parties between whom the correspondence took place. Mention was made yesterday of a communication which was supposed to have been sent from a newsagent in Australia to a newsagent in London. That, I presume, is the correspondence in connexion with this matter. Are we to pass a resolution calling on the Government to lay on the table of the House correspondence of that description 1

Senator McGregor

- The Postmaster-General knows what is meant.

Senator DRAKE

- I believe that what Senator Stewart wants laid on the table is a copy of a letter which he himself read.

Senator Stewart

- I want something more than that.

Senator DRAKE

- The motion does not tell us what it is he wants.

Senator Stewart

- I do not know what the Government have.

Senator DRAKE

- He asks for correspondence, without telling us the parties between whom it is supposed to have taken place. The next fault in connexion with the motion is that it is one of a controversial character. The honorable senator says " The suppression of Reynolds' Newspaper " ; but the question whether the paper has been suppressed or not is a matter on which there is considerable difference of opinion. Senator Stewart says that it has been suppressed. I, having some little knowledge of the matter, think he is incorrect ; and he produced a letter which left it a matter of considerable doubt whether there has been any suppression. The honorable senator said that in consequence of some information that had been sent by a news agent in Australia to a news agent in London, the agent in London had discontinued sending the paper to Australia.

Senator STEWART

- Several bundles of the paper were seized by the Customs.

Senator DRAKE

- H Senator Stewart wishes to know whether the Minister for Trade and Customs has taken any action in the way of suppressing this or any other paper, he could ask a question - there is no need to' move a motion - and he no doubt would get all the information. He would then be able to find out whether the Commonwealth Government has been responsible in any way for the suppression of the paper.

Senator Stewart

- I am not blaming them.

Senator DRAKE

- Surely it would be better to proceed in that way, and get the information on the subject in which he is interested, before moving a motion of this character. The second portion of the motion is in itself sufficient to justify the Senate in absolutely rejecting it. It asks us ' to lay upon the table copies of indecent advertisements.

Senator Stewart

- I will strike that out.

Senator DRAKE

- If the senator will strike that out, I will say nothing more about it.

Senator Stewart

- Will .the honorable gentleman consent to the first portion of the motion 1

Senator DRAKE

- No, I certainly will not, for the reasons I have given. I will not consent to a motion so entirely vague in its terms; nor will I consent to a motion which practically commits the Senate to the expression of opinion that the newspaper has been suppressed . by the Victorian Government. We have no evidence whatever to justify us in passing a resolution asserting that the Victorian Government have suppressed this paper.

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Senator Sir JOHN DOWNER

- If there is one thing about which we must be more careful than another, it is to keep separate the rights of the Commonwealth, and the rights of the States. This is a direct invasion of the rights of the States, although it would be absolutely innocuous, because we could not act on it. If the document has been made public property already, so that the honorable senator knows all about it, there is no necessity to appeal to the Victorian Government. If the Victorian Government have told us all about it, so that all the world knows the circumstances, the Senate can deal with the subject, assuming that it is within our jurisdiction. But this motion asks us practically to bring pressure through the Commonwealth Government on the Victorian Government. I am not dealing with the other point of view, that the motion is doing something which the honorable senator would strongly oppose in regard to his own State - that the States should not be interfered with by the Commonwealth in matters over which the Commonwealth has no jurisdiction. That is the whole question. It is not a trumpery question. It is trumpery in its details, but important in its underlying substance. Was the suppression of Reynolds' Newspaper a matter within the jurisdiction of the Victorian Government? I never heard of Reynolds' Newspaper. Had the Victorian Government the right to suppress Reynolds' Newspaper? If they had the right, what on earth have we got to do with it? That is to say, it was a matter within their jurisdiction, and they acted within the strict lines of their authority, and, if we ask that copies of all correspondence and documents in connexion with the suppression of Reynolds' Newspaper by the Victorian Government be laid upon the table, we are issuing a mandate to the Victorian Government to lay on the table of our House, which has nothing to do with the matter, copies of correspondence relating to something directly, entirely, and solely within their jurisdiction. Now, will that not be a bad precedent? The motion would be harmless, because the Victorian Government would not do this. They would say - "We wish to be polite to you in every way, but we do not recognise that this is within your authority." We are ordering the Victorian Government to do something.

Senator Stewart

- No. The newspaper was suppressed by the Victorian Government, and the suppression continues.

Senator PLAYFORD

- That is denied.

Senator De LARGIE

- These documents belong to a department which is not within the jurisdiction of the Victorian Government, because it has been handed over to the Commonwealth.

Senator Sir William Zeal

- If the honorable senator will ask the Postmaster-General to lay the correspondence on the table every one will support you.

Senator Stewart

- I am doing that.

Senator Sir JOHN DOWNER

- It appears to me that if we are to have a good understanding among ourselves we ought to be a little careful in our procedure. An honorable senator may say that it is a question of form; but questions of substance and questions of form at the early stages of the Commonwealth will be found to be very closely combined; and it is only by adopting good forms that we shall get the good substance. I think it is a very inexpedient thing to pass a motion of this kind. If honorable senators know all about it they do not want the papers. If they have a right to move, and it is within their jurisdiction, they have all the material in their hands to deal with the question. - But if they do not know all about it they have no right to urge the Government of Victoria - a State which is entitled to its rights - to lay upon this table the documents which they are desirous of seeing. I fancy that the honorable senator might have obtained, without a motion of this kind, precisely the same results, and without interfering with the rights of a State which may in its turn want to interfere with the rights of his own State, which he will be prepared to resent very vehemently.

Senator HIGGS

- If Senator Stewart had been as close a student of constitutional history as the last speaker, no doubt he would have framed his motion in another way. But every honorable senator knows what is required. I am sorry that the Postmaster-General, who is seeking very great powers in the Post and Telegraph Bill, and should do all he can to encourage the confidence of the general public, should seem to set his face against the request that the fullest information should be given regarding the alleged suppression of Reynolds' Newspaper.

Senator Drake

- It is not alleged that the Postal department suppressed it.

Senator HIGGS

- No ; but the matter is very closely connected with the Postal department, and when the honorable and learned gentleman is seeking very large powers in his Post and Telegraph Bill he should, I think, take up this position - " Although Senator Stewart has not worded his motion in the best way, I shall make inquiry whether Reynolds' Newspaper has been suppressed, and if it has I shall tell him for what reason that was done."

Senator Drake

- That is a different matter.

Senator HIGGS

- Why not meet Senator Stewart in that way 1 I am satisfied, from the interjection of the honorable senator, that he does not want the second part of his motion to be carried out - that is, the reprinting of indecent advertisements.

Senator Stewart

- Alleged indecent advertisements.

Senator Drake

- Does he want to assert that the Victorian Government have done something which they should not have done 1

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Senator HIGGS

- Senator Stewart has stated that he is informed that Reynolds' Newspaper was suppressed by the Customs authorities, and he asks for the production of any correspondence that has taken place on the subject. He cannot be expected to know all the correspondence or the persons who took part in it. All he knows - and it is only what the man in the street knows - is that Reynolds' Newspaper was suppressed, and he desires to ascertain the reason for it. Honorable senators who possess very general information on worldly matters have expressed ignorance of the existence of Reynolds' Newspaper. They are the first persons I have met who are not acquainted with that journal, which has existed in the old country for many years, and has circulated throughout Australia more than any other.

Senator Sir William Zeal

- Why did not the honorable senator say it was an English newspaper? The inference here is that it is a Victorian newspaper, and that is how I was misled.

Senator HIGGS

- The honorable senator cannot pretend that he is so young as that.

Senator McGregor

- He is thinking of the Tocsin.

Senator HIGGS

- I hope that Senator Stewart will withdraw the second portion of his motion.

Senator O'CONNOR(New South Wales Vice President of the Executive Council). - I wish to make a suggestion. The Government have no desire to withhold information in any document in their possession, and the object of the Postmaster-General and myself in objecting to the motion was that, with the words in which it is couched, it goes far beyond our province. We are quite willing to give all the information we have.

Senator Sir William Zeal

- It is a menace to Victoria.

Senator O'CONNOR

- If Senator Stewart will allow his motion to read in the following way the Government will be perfectly satisfied to consent to it at once; -

That there be laid on the table of the Senate copies of all documents and correspondence in possession of the Government relating to Reynold*? Newspaper.

That is all we have, and I do not think the honorable senator can expect more than that.

Senator Playford

- That would meet the case exactly.

The PRESIDENT

- Do I understand that Senator Stewart agrees to his motion being worded in that way 1

Senator Stewart

- I do.

Question, by leave, amended as suggested, and resolved in the affirmative.

Ordered, That there be laid on the table of the Senate copies of correspondence and documents in the possession of the Government relating to Reynolds' Newspaper

LEGAL PRACTITIONERS

Senator DOBSON

- I - am conferring with a member of the State Parliament who is moving in the matter of legal practitioners being admitted to practice in all States, and I have been asked to confer with the Law Society of Victoria on the same subject. I therefore move -

That order of the day No. 2 be read and discharged, and made an order of the day for this day month.

Question resolved in the affirmative.

ACTS INTERPRETATION BILL

Bill read a third time.

POST AND TELEGRAPH BILL

In Committee (consideration resumed from 27th June, vide page 1772).

Clause 55 (Letters, &c., how dealt with).

Postmaster-General

Senator DRAKE

. - As it happens that I am the first member of the Senate to address you, Mr. Chairman, in your new position, I desire to offer you my congratulations, and to felicitate the Senate upon the choice they have made. Though I have not had the pleasure of your personal acquaintance for many years, I have seen sufficient of you in this Chamber to satisfy me that you will discharge the duties of your high office with fairness and impartiality, and that you will command the respect and receive the support of the Senate.-

Clause' agreed to.

Clauses 56 to 60 agreed to.

Clause 61 -

The Postmaster-General may order the destruction in such manner as he thinks fit of any books of record telegrams telegraph tape letter- bills registered letter receipts money orders postal notes returns requisitions orders for delivery of letters or letters to the department or any other document or the butts thereof : Provided that the same have not been printed written or prepared within the period of one year prior to the date of any such order, and the King or the Postmaster-General or any officer of the post-office shall not be accountable in any manner to any person for any books or documents so destroyed and no claim for damages shall arise to any person by reason of any such destruction.

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Senator WALKER

- The" Sydney Chamber of Commerce has honoured me with a few suggestions with regard to some of the clauses of this Bill. As to clause 61, the Chamber says -

Telegrams should be kept at least two years; One is insufficient, as there are many occasions on which the original message might be required as evidence in which proceedings would not commence within one year.

I should be glad if the Postmaster-General could see his way to adopt two years instead of one in regard to telegrams. The Chamber of Commerce speaks as a representative body, and one which takes a great interest in this Bill.

Senator DRAKE

- The only objection x can offer to the suggestion is that it will cause such an accumulation of documents and papers in the post-office. The period of one year has been previously found sufficient to insure safety. Documents are not destroyed before that term has expired. It is considered, however, that at the end of a year the danger of their being required as evidence will have ceased to exist. If they were kept for a longer period, a large accumulation would be caused. If an amendment to the effect suggested were

restricted to telegrams there would not be so much inconvenience. It would, however, render it necessary to redraft the clause. I should think one year sufficient.

Senator Walker

- -The Chamber of Commerce speaks with knowledge.

The CHAIRMAN

- This discussion is somewhat irregular. If Senator "Walker will submit an amendment the question will be before us properly.

Senator Walker

- I suggest the postponement of the clause so that an amendment can be drafted.

Senator MCGREGOR

- I do not think there is any necessity for postponing the clause. The power of destroying documents is to be in the hands of the Postmaster-General, but that does not necessarily compel him to destroy them. Discretion will be used as to the value of any document that is destroyed, and if it is considered that any particular paper ought to be kept, there is power under this clause to keep it. There is no need for crowding the premises of the Post and Telegraph department with useless lumber for more than twelve months. ' Senator HIGGS (Queensland). - I am sorry I have to disagree with my colleague, Senator McGregor, upon this point. Inasmuch as the record telegraph tape does not take up very much room, the Postal department ought to be able to keep such documents for a longer period than one year. Harm may be done in consequence of the premature destruction of papers. Government telegrams might be sent across the wire, and might be challenged at a later time than twelve months. It would never do for the Government to be able to say - " We have destroyed the documents because we had no room for them." As the Postmaster-General has no very serious objection to the suggested amendment, he might agree to postpone the clause for the purpose of redrafting it.

Clause postponed.

Clause 62 agreed to.

Clause 63 (In all vessels carrying mails lockers to be provided).

Senator HIGGS

- Tins clause should provide an opportunity of testing ' the very important question as to whether we should subsidize mail steamers which are manned by lascars and other undesirable persons.

Senator DRAKE

- I do not think Senator Higgs would like to do anything unfair ; so I would remind him that this subject has been brought before the Senate by Senator Glassey, who has given notice of an amendment in another part of the Bill. He withdrew the amendment on the understanding that the subject was to be discussed at a later stage.

Senator Higgs

- Then I shall not refer to it now.

Clause agreed to.

Clause 64 -

All mails and every loose postal article on board a vessel at the time of her arrival within a port within the Commonwealth directed to a person in the Commonwealth, except letters concerning goods on board the vessel and to be delivered with the goods or sent by way of introduction only or concerning the bearer's private affairs shall be forthwith delivered at the wharf nearest to the post-office by the master to the postmaster or a port officer or Customs officer of the port, or to any person duly authorized by writing under the hand of a postmaster.

Senator WALKER

- On behalf of the Sydney Chamber of Commerce, I wish to draw "attention to the words, " at the wharf nearest to the post office." The Chamber of Commerce;" in their communication to me, observes' that this is; -

An unreasonable and an absurd provision. Vessels at most ports berthed are ordered by the harbor master to go to owners' wharf, or anchor in such safe position as may be indicated by the port authorities. Delivery at respective places is all that should be required, but if it is intended that the vessels should bring the mails to the wharf nearest to the post-office, then provision should be made for the post-office paying all expenses incurred for such special delivery.

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Senator DRAKE

- This clause simply provides that mails should be delivered at the wharf nearest the post-office. It is not unreasonable to ask that a vessel shall deliver the mails at such a wharf. If a vessel is moored at any other wharf, it can send the . mails along so long as they are delivered to the persons deputed by the post-office to receive them. There can be no hardship involved.

Senator CHARLESTON

- There may be inconvenience about this provision. The postmaster may not authorize any person to receive the mails at a wharf in a little port, and the consequence may be that the vessel may have to go a considerable distance to deliver them.

Senator DRAKE

- There must be some provision of this kind in the Bill. A ship should not be able to deliver the mails at any wharf, and then claim that it has fulfilled its contract. We must require vessels to deliver the mails at a wharf convenient to the Post-office.

Senator PEARCE

- I take it that the contract with the shipping company will say at what wharf the mails are to be delivered. If it be for' the convenience of the companies to deliver the mails at another wharf that will be a matter to be arranged in the contract.

Senator Drake

- Certainly ; they can be delivered wherever the officer of the department is ready to receive them.

Clause agreed to.

Clause 65 .agreed to.

Clause 66 -

The master of a vessel about to depart from a port within the Commonwealth to a port or place within or beyond the Commonwealth, may be required by an officer of the department or by a port officer or Customs officer, or other person duly authorized by a postmaster to receive or take delivery at an approved wharf of any mail, and he shall in such case give a receipt for such mail to the person tendering or delivering the same, and shall carefully deposit the mail in some secure and dry place on board the vessel and convey the same upon her then intended voyage.

Senator WALKER

- It is suggested by the Sydney Chamber of Commerce that the words " take delivery at an approved wharf" constitute an unreasonable provision. The Chamber says -

The department should tender the mails alongside vessels wherever they may be laying. Can foreign vessels be compelled to carry mails, and may not a provision which covers such vessels necessitate the Bill being reserved for Imperial assent ? ^

Senator DRAKE

- This clause does not relate to foreign vessels. I do not think we have power to compel them to carry our mails.

Senator Walker

- What about delivering the mails on board a ship ?

Senator DRAKE

- We must have some means of insuring that the ship will be in some place where it will be convenient to put the mails on board.

Senator Walker

- Could the authorities not avail themselves of any ship that 'may be going to a particular place ?

Senator DRAKE

- Certainly.

Senator Walker

- That ship may not be starting from one of the approved wharfs.

Senator DRAKE

- We only require this provision in the Bill for fear a vessel may be starting from some place where it might be impossible to put the mails on board. In practice there is never any difficulty.

Senator Walker

- I am only expressing the views of those who are better informed in regard to these matters than we are.
Senator DRAKE

- I think they are only anticipating difficulties. There is no ground for the objection.

Senator Sir FREDERICK SARGOOD

- I am inclined to think there is something in the position taken up by Senator Walker. This clause contains "a definite instruction that the mails must be received at an approved wharf, but, as a matter of fact, vessels in Victoria often lay out in the stream preparatory to starting, and the mails are put on board at the last moment. Could a boat be sent for them under this clause 1

Senator Drake

- It is not necessary that the vessel herself, should come to the wharf.

Senator Sir FREDERICK SARGOOD

- Perhaps a boat would be sufficient.

Senator Sir JOHN DOWNER

- I understand that it is a casual ship that is contemplated by this clause. A vessel has to take in mails. Why should she have to send for them ? Why should not the department put them on board 1 It ought to be so.

Senator DRAKE

- I hardly think so. That would necessitate the post-office keeping a steam launch in order to be able to put the mails on board ships, whereas the vessels themselves always have appliances. A vessel has a boat or, perhaps, a steam launch. What hardship is there in asking that vessels coming to Sydney should take delivery of mails at Circular Quay t

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Senator Sir Josiah Symon

- It does not mean that the vessel herself should go to the quay.

Senator DRAKE

- Certainly not. The shipmaster only has to take delivery at some wharf. In Sydney the post-office would send down the mails to Circular Quay, and the vessel might have a boat there to take delivery.

Clause agreed to.

Clause 67 agreed to.

Clause 68 -

The master of a vessel not carrying mails under a contract for the carriage thereof, and being about to depart from any port within the Commonwealth to any port or place beyond the Commonwealth, shall before the clearance outwards of such vessel give to the postmaster or officer in charge of the post-office at the port from which such vessel is about to depart not less than 24 hours' notice in writing of the intended time of departure of such vessel, and every master of a vessel not carrying mails under a contract which is about to depart from a port within the Commonwealth to another port or place therein shall before the clearance of the vessel give to the postmaster at the port from which the vessel is about to depart not less than six hours' notice in writing of her intended hour of departure.

Senator PEARCE

- This clause says that 24 hours' notice has to be given. It seems to be rather a long time. Some vessels are not in port so long.

Senator DRAKE

- Perhaps the time is rather long. I should think that in almost all cases twelve hours would be sufficient, although I do not know that any difficulties are known to the department in regard to this matter.

Senator Playford

- Put in the words " where possible."

Senator DRAKE

- That is too vague ; I would sooner have the time absolutely fixed. If the honorable senator proposes an amendment to substitute "twelve" hours I will accept it.

Amendment (Senator Pearce) agreed to-

That the words " twenty-four " be omitted with a view to insert in lieu thereof the word " twelve."

Clause, as amended, agreed to.

Clause 69 agreed to.

Clause 70-

The master of a vessel proceeding from a port or place within the Commonwealth to some other port or place within the Commonwealth, and having on board a mail for delivery in such last-mentioned port or place, shall give notice of the near approach of the vessel thereto by ringing a bell or by some other concerted signal which may reasonably be expected to be distinctly heard or seen by the postmaster, port officer of Customs, or other person in such last-mentioned port or place duly authorized to receive or despatch a mail, and shall give such notice a sufficient time before the actual arrival of the vessel to enable him to be prepared to receive the mail from or despatch a mail in the vessel.

Any master who refuses or omits to give such notice shall be liable for every offence to a penalty not exceeding £50.

Senator Sir FREDERICK SARGOOD

- Might I ask what provision is made for appeal against penalties 1 I have looked through the Bill, and have failed to find any provision of that kind. Penalties running up to £50 are provided for, and it appears to me that it is not only desirable but usual to provide an appeal against their infliction. A general appeal clause would meet the case. Under clauses 27 and 41 we have provision for a special appeal, but this is a much more serious matter, and there is no appeal, so far as I can discover.

Senator Sir JOSIAH SYMON (South Australia). - In part 8, which regulates the legal procedure, it is declared that all offences against the Act not declared to be indictable offences shall be punishable by summary conviction. By-and-by I presume we shall have some measure introduced dealing with the procedure on summary conviction.

Senator Drake

- No doubt.

Senator Sir JOSIAH SYMON. - The legislation in some of the States regulates the procedure on summary conviction, and provides for an appeal against conviction. Whether that will be so in regard to the Commonwealth will depend upon the measure relating to procedure that may be introduced. The better plan would be for Senator Sargood to defer his point until we come to part 8, dealing with legal proceedings.

Senator Sir Frederick Sargood

- I shall do so.

Clause agreed to.

Clause 71 agreed to.

Clause 72 -

A money order shall not be granted for a larger sum than twenty pounds, nor a postal note for a larger sum than twenty shillings. The Postmaster-General may charge and receive in respect of money orders and postal notes issued under this Act the prescribed commission or poundage.

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Senator Sir FREDERICK SARGOOD

- Is there any particular virtue in limiting the amount which may be transmitted by money order or postal note to £20, seeing the scattered nature of our population, and the fact that in the outside districts it is very often the case that much larger sums than £20 require to be remitted. In the old country much larger amounts are transmitted through the post office, and it appears to me desirable to increase the amount.

Senator DRAKE

- I think there should be a limit, and it is not desirable that this particular department of the post and telegraph office should compete with the ordinary financial institutions and banking agencies.

Senator Sir Frederick Sargood

- Why not ?

Senator DRAKE

- I think not. It is a business carried on by the Postal department with a great deal of success, with regard to small amounts, but I do not think it is desirable that we should undertake the transmission of large sums of money ?

Senator Sir Frederick Sargood

- They do it in England.

Senator DRAKE

- In some parts of the Commonwealth, in which the population is scattered, it is not satisfactory that there should be large sums of money at any of the postal offices, and if we issue postal orders to a very large amount we must make arrangements so that they can be met in whatever township the money is drawn upon. I would point out that no inconvenience ever happens in connexion with this matter, because the obvious intention of the statute is evaded by persons taking out a number of postal notes or orders if they want to send large sums of money. I am sorry that is done, and I wish that some means could be devised to prevent it, because it results in the evil that we try to avoid. One case occurred, within my knowledge, not very long ago, in which postal notes to a considerable amount were issued, and there was not sufficient money available to meet them. The money was required for a particular purpose in connexion with some mining matter, with the result was that the transaction miscarried, and there has been a considerable correspondence since, and a great deal of inconvenience has been caused. I think that considering the scattered nature of our population at the present time, we should not encourage the transmission through the Postal department of very large sums of money. For this reason I think there should be a limit, and the amount fixed in the Bill is the limit that has been adopted by all the States.

Senator STANIFORTH SMITH

- I agree with the Postmaster-General with regard to ' the inexpediency of having large sums of money at outlying offices. I have had a good deal of experience in connexion with institutions dealing with the remission of money, and I know that it would be impossible for the Government in outlying centres to keep such large balances as would enable them to cash money orders for hundreds of pounds. Possibly in a mining centre, where there is no bank, remittances would be sent up to £10,000. I think some provision might be made by which money orders could be sent up to an unlimited amount, to certain money order offices, which could be specified by regulation. But I totally disagree with the Postmaster-General, when he says we must not compete with private institutions. I think we certainly should compete with them, and if there is a profit to be made out of the transfer of money, I do not see why we should deny ourselves that profit, simply because we might infringe the supposed rights of private institutions. I quite agree with the Postmaster-General that the arrangement could not apply to all money order offices, because in outlying places to keep such enormous balances the Government would actually lose in interest more than the profit that might be made.

Senator Drake

- And there is also the increased danger of robbery.

Senator STANIFORTH SMITH

- Yes, especially where there are no banks. I know of many places of that kind in Western Australia. It is obvious that we cannot have these larger amounts issued on any money order office, but would it not be possible to apply the principle to some of the larger offices throughout Australia, and deal with the matter in the regulations.

Senator Drake

- I think it would lead to a great deal of dissatisfaction.

Senator STANIFORTH SMITH

- Among the banks 1

Senator Drake

- No, among the towns that were not placed in the first class, supposing we had first class and second class money order offices.

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Senator STANIFORTH SMITH

- The reasons could be given. In large towns like Sydney, Melbourne, and Adelaide, I do not see why the Government should not deal with large transfers of money in the absence of a Commonwealth bank. The money order offices might be graded into first, second, and third classes.

Senator DRAKE

- I will give the matter my consideration, but at the same time I am not enamoured of the proposal of Senator Smith. I think it is objectionable to divide money order offices in that way. I know it would give rise to an infinity of trouble. Every township with a money order office of the second class would want to have an office of the first class. The arrangement would not give satisfaction.

Senator Sir FREDERICKSARGOOD (Victoria). - I think my remarks must have been somewhat

misunderstood by the Postmaster-General. I did not dream of suggesting that the amount should be unlimited ; but I thought the limit of £20 was too low. The Postmaster-General says that this has been the limit for years, and I think it is time it was increased. There is infinitely greater security now than there was 30 or 40 years ago. I am speaking as a commercial man with a knowledge and experience of all the States, and I do not hesitate to say that it would be of very great assistance, not only to the storekeepers up country, but also to the mercantile community, if this limit could be increased to, say, £50. I do not think that would be an unreasonable risk for the State to take.

Senator Sir John Downer

- What do they do in England ?

Senator Sir FREDERICK SARGOOD

- The English Post-office has been in the the habit of late years of carrying enormous sums of bullion, with the result that the Peninsular and Oriental Steam-ship Company have practically lost the whole of the freight on gold from India. The post-office carries up to £10,000 at one-fourth of the rate that the company used to charge. I do not want to unduly urge an amendment, but I feel assured that it would be of benefit if the amount was increased to £50.

Senator DRAKE

- -Of course Victoria now is very different from Victoria 50 years ago, but I would remind the honorable senator that there are places in Western Australia and Queensland which are just as primitive now as places in Victoria were 50 years ago. The fact of our being in a different position now from that in which we were so long ago only applies to some of the big centres. We are dealing now with the whole of the Commonwealth, and if we make an alteration of this kind it will apply just as much to the outlying parts as it would to the large towns. The difficulty caused by the smallness of the limit is more apparent than real, because it has always been got over in the way I have mentioned. If a person particularly wants to send £50, he gets two £20 money orders and one £10 order.- If we increased the amount to £50 and a man wanted to send £250, he would send five £50 orders. Increasing the limit will only be an encouragement to people to send larger and larger amounts.

Senator Higgs

- Why should they not be encouraged to do so 1

Senator DRAKE

- The reason is that it is almost impossible for the post-offices in outlying places to keep a sufficient amount of cash to meet these orders, and it is very undesirable that the money should . be kept.

Senator Sir Frederick Sargood

- The banks do it.

Senator DRAKE

- Yes; but1 it is the business of the banks to have these large sums of money, and a bank is never established unless there is sufficient business to justify it in having, if not a strong room, at all events an iron safe sufficiently strong to be able to resist any attempt at burglary. Our post-offices, in many cases, are not even carried on by postal officials. They, are often carried on by storekeepers.

Senator Sir Frederick Sargood

- But those are hot money order offices.

Senator DRAKE

- Yes ; in Queensland some of them are. Within the last year we have had two pretty considerable robberies of money from the premises of a storekeeper who has been acting as postmaster. I can say from experience that it is undesirable that we should take any step in the direction of increasing the amount of money 'held by the local postmaster.

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Senator ST ANI FORTH SMITH

- I would like to know if the Postmaster-General would have any objection to altering the clause so as to provide that a money order or postal order shall not be granted for a larger amount than allowed by the regulations 1 That would give the Postmaster-General an opportunity of ascertaining whether he could make different grades. If not he could insert this £20 limit in the regulations, or he could make the amount £50. I think that £20 should be the limit in outside centres. I know lots of places in Western Australia that are hundreds of miles away from any other town ; they do not possess a bank, and there are only three or

four buildings and a store and post-office. In such places large sums of "money could not be kept. I think, therefore, it would be better to allow the amount to be fixed by the regulations.

Senator DRAKE

- The general feeling in the Senate hitherto has been against putting these matters in the hands of the Postmaster-General to 'deal with by regulation, and I have no desire that such an amendment should be made in this clause, because I think it is desirable that there should be uniformity and continuity of policy. It would not be a good thing that a Postmaster-General coming into office who might have ideas of his own on this subject should be able by regulation to make a change which afterwards might be found very inconvenient, and it would be unsatisfactory to have constant changes in a matter of this kind. A postmaster-general might come in who considered the limit should be £50 or £100, and alter the regulation accordingly, while perhaps the next Postmaster-General might have ideas in quite the opposite direction. I think the amount should be fixed ; £20 is the established limit, and it is well known throughout the Commonwealth.

Senator DE LARGIE

- I think the Government ought to give every facility for the transmission of money. My experience in the West is that when the Government threw obstacles in the way of sending money from place to place they drove the business into the hands of private companies. Afterwards, when they tried to get it and the consequent revenue back, they failed. I think it is our duty to encourage as much as possible the transmission of money through the post-office. Where there is a good profit in the business to the Government. I do not see why we should not extend any operations so as to deal in large sums. In the way-back post-offices on the gold-fields of Western Australia, no matter how distant they may be, there never has been any fault found or any difficulty experienced in the transmission of money, and, so far as I can learn, there never has been any money lost. I submit that, instead of restricting, the Government ought to extend the business.

Senator MCGREGOR

- I want to make a suggestion, because I am one of those who believe in the Post and Telegraph department getting some of these pickings which we hear so much about. The objection which the Postmaster-General has raised is a reasonable one, namely, that it is not safe or wise to keep large sums at outlying places. But very little of that kind of business may be done at such places. I would suggest that the clause should be passed with the proviso that if a money order for a larger amount is wanted, a week's notice should be given before payment is required. In that case they could send money to any amount. If the department had the money they could pay it, and if they had not enough money, the notice would be sufficient to enable them to " get it. That would give the department every chance to make all the revenue it can for the Commonwealth.

Senator HIGGS

- I cannot see the reason of the objection to increase the amount of these money orders. The Postmaster-General has certain money order offices throughout the Commonwealth. Some of these are very small institutions, at which large sums are not kept. What happens if a man in this State takes out three money orders for £20 each on such an office ? When the money orders are sent along the money has to be sent to cash them. No one expects a large sum to be kept at an outside money order office for any lengthy period. If it were necessary that a sudden demand should be made on an outside money order office it would be different. But a man who takes out a money order for a small outside office has to pay for it in cash, and then it is sent along to its destination.

Senator STANFORTH Smith

- How * do they send the money for telegraphic money orders 1

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Senator HIGGS

- I suppose it would not be possible to send by telegraph to an outlying money order office. But when a man can take out three money orders for £15 each I do not see why he should not be able to take out one money order for the total sum. We should encourage the post-office to enter into this business, and reap the benefit for the public. One objection raised by the Minister is that lately there have been a couple of large robberies in Queensland. That in a side way supports the contention that I raised the other night about the necessity for insuring registered letters. I interjected, although the Minister did not hear me, a

question as to whether any registered letters were involved in these robberies, and if so, what happened to the unfortunate senders 1

Senator Drake

- I do not think any registered letters were taken. Only money and stamps were stolen.

Senator DOBSON

- My experience, such as it is, teaches me that the clause ought to stand as it is. Although the State from which I come is very small, I know that quite recently we had two or three cases of money orders being forged and of cash being taken away from the post-office in outlying bush places. Sometimes these are small cottages which are rented for the purpose of carrying on the postal and money order business. In one instance the office was so close to the street, or the lane, or the bush, that the money was extracted very easily, because the official had no convenience for keeping the cash or even the letters safely. In Tasmania, the limit is £10, and if the Commonwealth has a limit of £20 I think it will be quite liberal enough. Senator Higgs, for whose opinion I always entertain the greatest respect, thinks that we might increase the amount slightly, so as to give the State the benefit of the profit to be made from this business. If he is going to argue in that way with one thing, he might just as well allow the Commonwealth to pass laws to try and get their business from private enterprise - banks for instance, which have been carrying on their operations to the credit of the English nation for centuries.

Senator Higgs

- The postal business was in private hands once.

Senator DOBSON

- I know that. Honorable senators who want the limit of a money order' increased do not quite know the responsibility which it will entail. It is absolutely astounding to know the mistakes which can be made, and the trouble which there is in dealing with cash, and in getting cash accounted for. I earnestly hope that the clause will stand as printed.

Senator Sir JOSIAH SYMON

- I would ask the Minister is there really anything in this objection which has been taken? Is there any limit to the amount that a man may send by money order to a post-office ?

Senator Drake

- No.

Senator Sir JOSIAH SYMON

- All the clause says is that no one money order shall in itself exceed the sum of £20.

Senator Dobson

- It ought to be that the total amount shall not exceed £20.

Senator Sir JOSIAH SYMON

- That is quite possibly the practice of other post offices. We have always been in the habit of getting three or four money orders when we wanted to send more than the limit. The object in limiting the amount to £10 or £20 is for the convenience of the post-office, and to issue orders for convenient sums. So with postal notes. It would be very awkward to have postal notes for £20 issued. The post-office is usually had resort to by the poorer people, and it would be very inconvenient, perhaps, for them to have to take such notes.

Senator Sir Frederick Sargood

- It is resorted to increasingly by the commercial public.

Senator Sir JOSIAH SYMON

- Increasingly, no doubt, by the commercial public. A £1 postal note is like a £1 bank note ; it is a very convenient vehicle of exchange, and that is the only object in having them. Therefore, it seems to me that we are discussing something which does not arise under the clause. If a man wants to send £100 by the post-office it appears to me that he can do so by taking out five money orders.

Senator DRAKE

- I wish to state the practice which is adopted. We consider that, strictly speaking, a man who wants to send money through the post-office is limited to the amount of £20, but if he requires two money orders of £20 each, the practice has been to find out by wire whether there is money available to meet them. But even then there is a difficulty. Money orders on an office may be issued simultaneously at a great number of different offices. It is the simplest matter in the world, if any one so desired, to break a money order

office, because even the regulation about sending a wire to find out the state of things will not help us in a case where money orders on one office are issued at several different places.

Senator Sir Frederick Sargood

- That never has happened.

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Senator DRAKE

- There have been cases - and I mentioned one just now - where there has not been sufficient money at a local post office to meet the demands upon it, and great inconvenience resulted therefrom. It might happen, of course, if the limit were lower even than it is ; but still I think it is inadvisable to increase the limit, because the higher it is made the greater must be the risk of money orders being presented at an office where there is no money to meet them.

Senator Sir Frederick Sargood

-I shall not press it.

Senator Sir JOSIAHSYMON (South Australia). - One object of this provision, of course, is to rather discourage the sending of large sums through the post-office, because while a man might send one money order for £100 or £50 he does not like sending five money orders. In multiplying the documents there is always a risk of loss, and the inducement, therefore, when a large sum is wanted, instead of getting five money orders, is to go to a bank and get a draft. That is the principle underlying the clause.

Senator CHARLESTON

- It seems to me that after all there is something in the idea advanced by Senator Staniforth Smith that there ought to be a grading of the money order offices. At the present time the Postmaster-General has first class, second class, and third class post-offices. The post-offices are all graded according to their importance. Where there is a very important office doing a large business in a large township greater convenience ought to be given to the people in that district to send and receive money orders than probably would be necessary in an outlying district, where scarcely any one would ever desire to send more than £20. But in the case of all large townships, where the postmaster is a very more important person, receiving a much higher salary and doing a far more extensive business, the Postmaster-General, by regulation or otherwise, ought to be able to meet the demands of the public in some such way as Senator Sir Frederick Sargood has indicated. I see no reason why the Postmaster-General should not be able to arrange his business according to the grade of the post-office, so that sums larger than £20 could be sent by money order.

Senator Sir JOHN DOWNER

- How can the Postmaster-General so arrange his business? There are things which he may do, and things which he must do. He has to send £20, for that is the business which is thrown on him. If he has no money at the place where the money order is payable, he has to get it there somehow or other. If he has more money there than is necessary, then, in his discretion, he can allow half-a-dozen money orders for £20 to be drawn. He has to send £20, and he can send more if he has the money to meet the order. One is compulsory and the other is discretionary ; and, to my mind, the sending of £20 is quite enough to make compulsory, for I can very well understand, from the knowledge which the Minister has shown of the department, that it would be exceedingly inconvenient, if not impossible, to do more.

Senator O'Keefe

- Does not the present law make it compulsory for him to issue more than one money order if it is required?

Senator Sir JOHN DOWNER

- To more than one person.

Senator Staniforth Smith

- But there is a much higher rate charged on five money orders for £20, than would be charged on one money order for £100.

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Senator Sir JOHN DOWNER

- To carry the argument to the extreme, the honorable senator might make the limit £1,000. The idea is that if half-a-dozen persons ask separately for money orders for £20, the Postmaster-General has to give them and to meet them. We have to take all these provisions into consideration in connexion with the

probabilities of the circumstances which will arise in our ordinary experience, and that is why I think the Minister is wise when he says, "We know what cash we have at different places on which we are asked for money orders. If we have only £20, there we only issue a money order for £20. If a person wants half-a-dozen money orders for that sum, we telegraph and find out whether the post office has more than the sum in hand, and if it has we grant them." Will not honorable senators, on consideration, see that that is the wiser way to leave it? We make the Minister send £20, and we leave him a discretion to send more, which of course he will do, if he has the money available at the other end to meet the money orders.

Clause agreed to.

Clause 73 -

After the expiration of six months from the last day of the month of issue, any postal note issued under the provisions of this Act shall be payable only on payment of a commission or poundage equal to the amount of the original commission or poundage with the addition (if more than six months have elapsed since such expiration) of the amount of the original commission or poundage for every further period of six months which has so elapsed, and for every portion of any such period of six months over and above every complete period :

Provided that payment of a postal note more than six months old shall be made only by direction of a Deputy Postmaster-General.

Senator DE LARGIE

- I think that the currency of a postal note should be extended from six months to twelve months, because six months is altogether too short. Postal notes are issued for small sums, and if a man receives a postal note for a small sum, and does not think it worth his while to cash it within that time; the money is practically lost to him.

Senator Drake

- No; there is only a small penalty to pay.

Senator DE LARGIE

- Twelve months is a more reasonable period to fix. I would ask the honorable the Minister to consider the suggestion.

Senator WALKER

- I agree with Senator De Largie in that respect, but, judging by banking experience, it ought to be an advantage to the Government to have postal notes out as long as possible, as they have the use of the money they represent all the time they are out. Will it not be well, whether the period is fixed at six months or at twelve months, to allow the postal note to be payable at the principal post-office of the State in which it is payable? I think that six months is too short a period to fix, because if a person at Thursday Island sends a remittance to a friend in the back blocks in West Australia, it may be a long time before it is presented.

Senator Playford

- I think the clause should go out.

Senator DRAKE

- I would point out to Senator Walker that the proviso will meet exactly the view which he has expressed. The reason why I am opposed to any extension of the period is very much the same as that which I gave against the proposal to extend the limit of a money order. It is very inadvisable that there should be in circulation a large number of postal notes which might be presented at any time at a country office. Six months is a fairly reasonable time for the currency of a postal note, with the proviso that after the expiration of that period it shall be paid at any time by direction from the Deputy Postmaster-General on payment of a small charge of sixpence or thereabouts.

Senator O'Connor

- That is notified on the note 1

Senator DRAKE

- It is notified on the note. The more we extend the time the greater danger there is of a large number of postal notes being presented at some country office at a time when there is no money to meet them".

Senator Sir John Downer

- Why should not the Postmaster-General pay them, when he has had the use of the money all the time?

Senator DRAKE

- He does pay them.

Senator Sir John Downer

- Why should the holders pay interest because he has kept the money ?

Senator DRAKE

- It is in the nature of a small penalty.

Senator Sir JOHN Downer

- For not collecting the money.

Senator DRAKE

- I am quite satisfied to extend the time on the condition suggested by Senator Walker, that after its expiry the amount of the postal note is only to be paid at the principal office. I do not » think there is any objection to that, because there is always plenty of money there to meet postal . notes ; but the term of six months is long enough for the ordinary currency of a postal note.

Senator PLAYFORD

- Postal notes are issued for the purpose of sending small sums by post instead of enclosing a bank note. If a person wants to send only 10s. or 15s. he gets a postal note for that amount and sends it by post. It is to' the advantage of the post-office if postal notes never come back. All we have to do is to provide that after the expiry of six months a postal note shall only be payable in gold or coin at the General Post-office of the State in which it is issued, and there will be no trouble. What do we do now ? We get a postal note for 10s., which we pay into our banking account, and which the bank collects in Adelaide. Hardly a case occurs in which a postal note is sent to the post-office to be changed.

Senator Pearce

- - Any number of them.

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Senator PLAYFORD

- It is not done in South Australia, where a ,man pays his postal note away to his storekeeper or to a tradesman. It is received by the tradesman like a bank note, and is paid into the bank, which collects the money from the central authority. All that it is necessary to do is to print on their face that the postal notes are not payable in cash except at the central office of the State, and we shall have a lot of postal notes circulating for ever. If they do not come back, so much the better for the department. The object in issuing them in small amounts is not to come into competition with the banks. That is the idea. The Government issue a note of less value than one pound for the convenience of the public, and because the banks do not issue such a note. The Government make it possible to cash these notes at any money order office throughout the Commonwealth, but they say that the notes shall not remain good for more than a certain length of time. The reason they give for this in the first place is that they do not want to come into competition with the banks; and, secondly that they do not want to have a number of notes presented for payment at small local offices, where, very often, the cash in hand would not be sufficient to meet the payments. But there is not the slightest reason why these notes should not be made payable in cash at a central office. In Queensland there might be three central offices, for this purpose. In 'Victoria and South Australia it would be quite sufficient to have one central office - at Melbourne and Adelaide respectively. I do not see why, if we can make a profit and at the same time confer advantages on the public, we should not do so.

Senator Glassey

- This is a public question affecting the general convenience. Never mind the blessed banks ; they can look after themselves.

Senator PLAYFORD

- The Commonwealth Government can issue notes for smaller amounts than the banks do. We need not trouble ourselves whether the notes issued come back for payment or not. The more there are lost or destroyed the better for. the Commonwealth. As for legislating that the notes shall only be payable for six months, and that after that time the Government will charge interest upon them, I say that there is no necessity to do anything of the kind. The practice of charging poundage was established in South Australia because of the fears of the Postmaster-General that a large number of notes might be presented at one particular time at one particular up-country office. That is a mistaken idea altogether. It

was also desired that the Government should not come into competition with the banks any more than could be avoided. There need be no fear about the matter at all, and we might just as well strike out the whole clause.

Senator WALKER(New South Wales). - I hope the Postmaster-General will see his way to postpone the clause.

Senator DRAKE

- Senator Playford has opened up such a prospect of revenue from the acts of God and the Queen's enemies that I consent to the postponement of the clause, with a view to having it recast.

Clause postponed.

Clauses 74 to 76 agreed to.

Clause 77-

The Postmaster-General shall have the exclusive privilege of erecting and maintaining telegraph lines and of transmitting any message or other communication by telegraph within the Commonwealth, and performing all the incidental services of receiving, collecting, or delivering such messages or communications except as provided by this Act or the regulations.

Senator Sir FREDERICK SARGOOD

- I have given notice of an amendment in clause 78, but I find that a similar amendment will have to be made in clause 77. The amendment is, to insert after the word "lines" (line 3) the words "other than private lines." We are all agreed that the direction and control of all public telephones -and telegraph lines should be in the hands of the Postmaster-General. It is to the interests of the public generally that that control should be vested in him. But there his authority should stop. I do not see why the Postmaster-General should be allowed to interfere with private telephones and telegraphs.

Senator Glassey

- That is a very dangerous doctrine.

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Senator Sir FREDERICK SARGOOD

- I am trying to justify it. I will commence by dealing with cases in the city of Melbourne. There are large business places in which there are telephones and sometimes telegraphs, by means of which the business of the departments are connected. In Victoria the Telegraph department has nothing whatever to do with these private lines. The owner of the building causes the wires to be erected for his own business purposes, and uses them just as he likes. If he wishes to connect them with the Government telephone stations the lines become at that point a public telephone, and the Postmaster-General has control over it. But so long as the business man uses the wire solely in his own building there is no interference by the State. Take another case. On up-country stations it is a very important matter to avoid the risk of fire. It is to the interest of the State generally that fires on pastoral and other estates should be as few as possible, because they destroy property, and in so doing tend to lessen the wealth of the State, and decrease the quantity of cattle, sheep, wool, wheat, and produce carried over the railways. Originally the plan was to station a man on the highest part of the run to keep his eyes open, and give warning when a fire commenced, so as to bring all the men from the head Stations there as soon as possible after its discovery; but in latter years the practice of erecting telegraphs and telephones to the head station has gained vogue. When a fire commences, the news is telegraphed or telephoned, and the hands can be directed at once to the spot to put it out. It is to the interest not only of the station owner, but of the State generally, to assist as far as possible in this matter. These private lines do not interfere with Government lines in the slightest degree, so long as they are used for private purposes. This is practically the beginning and end of my claim.

Senator Sir John DOWNER

- Are there private telegraph lines in "Victoria ?

Senator Sir FREDERICK SARGOOD

- Yes. I am now erecting one upon a station in the Western district which I have purchased for my son. But there are some stations which are crossed by roads, some of which are used and some are not. The difficulty in those cases has been that for some reason or other the Telegraph department, not only in Victoria, but in other States, has set its face against these private lines, and has hampered the erection of them . by demanding very heavy fees for the right of crossing public roads. In some cases the

department has prohibited lines from crossing the roads. That is the reason why I seek to provide that a landowner shall be permitted to erect a telegraph or telephone wire at a height not less than 15 feet above the road. I hope honorable senators will agree with me that, so far from placing difficulties in the way, the erection of these private wires should be encouraged as much as possible.

Senator Sir JOHN DOWNER

- I entirely agree with what Senator Sir Frederick Sargood has said. A man may own a large area of land. Some people may want to cross that land, and a portion of it may be compulsorily taken for the purpose of making a road. If the land had remained entirely unopened the owner would have been at liberty to construct a telegraph or telephone upon it. But when a portion of it is taken for the purpose of a road he is unable to cross that road with a telegraph or telephone wire as he could do before. I do more than agree with Sir Frederick Sargood on this point. I suggest that the clause should be postponed, for the purpose of considering a much larger question, which senators from Queensland and South Australia will have to take into their consideration, and which was talked about a great deal at the Convention. Some of the States, notably Queensland, South Australia, and Western Australia, have a great area of comparatively unexplored and undeveloped territory.

Senator GLASSEY

- We have no unexplored territory in Queensland.

Senator Sir JOHN DOWNER

- It is more or less unknown, at any rate.

Senator GLASSEY

- Every yard of it has been explored.

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Senator Sir JOHN DOWNER

- Much of our South Australian territory is unknown and unexplored. That land can only become valuable to the degree that it is developed. Communication is to a large extent development. It may pay South Australia as a State to construct a telegraph line, but it would never pay the Commonwealth Government to do so. It would pay South Australia indirectly, because, although the line itself might not pay, it would be profitable plus the increased value which the land would get by the establishment of communication. We cannot develop our territory in this way at present, because the whole power has been taken over by the central Government, which has no concern with the internal development of a particular State, and will probably never undertake the work. The development is left to the States, but they can do very little because the power of constructing electric communication is denied to them. Seeing that this is a question of policy that concerns all of us, the Postmaster-General should consider whether this clause should not be modified so as to meet, not only the view that Sir Frederick Sargood has enunciated, but the still bigger view of leaving to the States the control of telegraph lines that are necessary for the development of their territory. We have a quantity of territory that is absolutely valueless unless communication is established thereon. To establish that communication would not pay the Commonwealth, but as I have explained it would pay the State indirectly. " Senator DRAKE. - I do not propose to press the clause this afternoon. I am glad the subject has been mentioned, and before the sitting terminates I will say a few words by way of explanation. It is a mistake to suppose that there is any desire to prevent private persons from having telegraph communication upon their own properties. What we desire to establish by means of this clause is that the telegraph system of the Commonwealth is a State monopoly, and that the exclusive privilege of controlling it rests with the Commonwealth Government. We desire to give the utmost possible scope to ' private persons so long as what they do does not conflict with the postal system of the Commonwealth. It has been the practice in the past to allow pastoralists to erect upon their stations electrical communications' with the outlying portions. They can have telephones, or run a wire along the tops of their fences, or do what they please.

Senator Sir FREDERICK SARGOOD

- The use of the roads comes in there.

Senator DRAKE

- They can erect these wires upon their own property, but as soon as they cross a public road the department comes in and takes control. I do not think power ought to be given to private individuals to stretch wires not under the control of the Telegraph department across the public roads. In some States

the system prevails of giving the right to private persons who desire to erect a wire for their own particular benefit to do it on the payment of a nominal sum, such as £1, by way of an admission of the telegraph monopoly of the State. That condition is imposed because it is not desired that any question concerning the rights of the State should crop up in future.

Senator Sir Frederick' SARGOOD

- Does the Minister mean £1 for each road that is crossed?

Senator DRAKE

- No; to run a line on their own private property and work it themselves. The honorable senator Sir Frederick ' Sargood has given notice of an amendment in regard to lines crossing roads, and to that I will give attention, and when the.

Bill gets into committee again I shall be prepared to state exactly the course proposed to be taken.

Senator Sir FREDERICK " SARGOOD

- The Postmaster-General tells us that the practice has been to give the utmost possible scope to the establishment of these lines. Let me instance to him a case that I am personally acquainted with. A station that my son has is 18 miles from Hamilton, and there is a line of 'telephone posts running within 7 miles of it. We were told that we could have a telephone if we paid .the cost of the line. Then four other neighbours wanted a telephone line, and it was decided to ascertain how we could get a line or telephone wire from Hamilton to these four stations. The first one who applied was told - "The cost of the line will be £200, and you will have to pay interest on that." Then the next one applied, and he was told - "We will do it for you; the cost is £200, and you will have to pay interest on the £200." The same answer was given to the other two. So that four persons then would be paying interest on £200, or, in other words, the- State demanded interest on £800, and was only expending £200. That is what is called giving assistance to private lines.

Progress reported.

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15:54:00

Senate adjourned at 3.54 p.m.