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1901-07-10

Senate

'The President took the chair at 2.30 p.m., .and read prayers.

PETITION

Senator Sir FREDERICK

SARGOOD presented a petition from the Pastoralists' Association of Victoria and Southern Riverina, praying that the Government -would reject or amend the clauses of the Post and Telegraph Bill relating to private telephones.

Petition received and read.

Senator

Sir FREDERICK SARGOOD. I have received a number of telegrams and letters to the same effect, but I do not know what I can do with them. They are not petitions.

The PRESIDENT

- I do not think the honorable senator can present them.

CLERK. ASSISTANT

The PRESIDENT

- Before the business of the day is called on I think I ought to inform the Senate that Mr. Duffy, formerly Clerk Assistant of the Senate, has been appointed, on the nomination of the Speaker, to be Clerk of the House of Representatives. .Mr. Boydell has, on my nomination, been appointed Clerk Assistant of the Senate.

QUESTIONS

CLAUSES FROM EXISTING ACTS

Senator PULSFORD

asked the Vice-President of the Executive Council, upon notice -

If the Government will arrange that in future. al Bills containing clauses, copied or adapted from Acts existing elsewhere, be accompanied on interleaved pages with the exact clauses purporting to be copied or adapted ?

Vice-President of the Executive Council

Senator O'CONNOR

The answer to the honorable senator's question is as follows -

This would be attended with difficulty and much expense, and would in most cases serve no useful purpose.

Senator Sir Frederick SARGOOD

- Would it not be possible to put the new matter in brackets ?

Senator O'CONNOR

- It It would be very difficult to carry out that suggestion.

Senator Sir Frederick Sargood

- It has been done for twenty years in Victoria.

Senator O'CONNOR

- N - Not in the way suggested by Senator Pulsford.

Senator PULSFORD

-I should like to ask the Vice-President of the Executive Council if he can guarantee the Senate in some way against a repetition of what occurred last week in the case of the Post and Telegraph Bill 1 In that measure, certain clauses which had been marked as absolutely copies of sections in existing Acts were on investigation found to have been varied. I am quite sure that nobody was more annoyed to find that such was .the case, than the representatives of the Government If they can guarantee the Senate in the future against the recurrence of anything of that sort, it will not matter how the object is achieved.

Senator O'CONNOR

- W - We shall take care that in every case whom any Statute is referred to, and it is quoted in the margin, if there has been any alteration, the words altered shall be indicated. That I think will carry out the honorable senator's view. It was through an inadvertence that the error referred to by Senator Pulsford was made. These accidents must happen sometimes, but we will take care that they do not occur again

as far as that is possible.

LONG SERVICE MEDALS

Senator Lt Col NEILD

asked the Vice President of the Executive Council, upon notice -

Have the Long Service Medals for the Volunteer Forces of- the Commonwealth been received from England ?

If so, when is it intended to distribute them?

Have the decorations for officers of the Auxiliary Forces been received from the Home authorities ?

If so, when is it intended to distribute them?

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Senator O'CONNOR

- T - The answers to the honorable senator's questions are as follow : -

None have been received for the Commonwealth ; some have been received from those

States in which regulations have been approved by the Right Honorable the Secretary of State prior to the transfer of the department to the Commonwealth Government, New South Wales among the number. Some have been received and distributed, and others are ready for distribution and will be issued as soon as possible.

The same answer applies as to question 1 .

The same answer applies as to question 2.

POST AND TELEGRAPH BILL

lit Committee

(consideration resumed from 5th July,

vide

page 2148):

Postponed clause 15 -

The Postmaster-General or any person authorized in that behalf by the Governor-General may enter into contracts in writing on behalf of the Government of the Commonwealth for or in respect of the carriage of mails b3' land and sea or either or for any other purpose incidental to the carrying out of this Act and may stipulate such terms and conditions as to him shall seem fit for securing the due regular and efficient performance of the contract.

Upon which Senator Glassey had moved by way of amendment -

That the following words be added to the clause: - "In all such contracts for the carriage of mails by sea there shall be inserted a term .stipulating that the crew of any vessel employed in such carriage shall be white men."

Postmaster-General

Senator DRAKE

. - Before the committee proceed with the discussion of the amendment, I should like to make a remark with regard to the amendments which have been suggested in some of the clauses. I do not know how much progress the committee will make this evening, but I hope we shall make very substantial progress. I shall be obliged if honorable senators who desire that clauses shall be recommitted will remind me of them, because in many cases where it has been suggested that a clause should be recommitted subsequent discussion has shown that no alteration is necessary. The only clauses I have noted for recommitment are clauses 2 and 5.

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Senator DOBSON

- Underlying the amendment before the Chair are one or two very important principles which I think affect not only Australia, but the Empire. Therefore I desire to say a few words in reference to it. I feel reluctant at all times to differ from my fair-minded friend, Senator Glassey ; but just as he believes his amendment to be right and just, and a reasonable application of the principle "of a white Australia, so I am, I hope, equally as conscientious in the belief that the amendment is unjust, unfair, and., most unreasonable and improper application of that principle to which we all give our adherence. To look at the matter in a practical way, can any one suggest or affirm that, supposing the 7,000 lascars who are in the employment of the Peninsular and Oriental Company were dismissed, and 5,000 white sailors were engaged in their

place, one single citizen in the Commonwealth of Australia would find employment 1 The Peninsular and Oriental Company is domiciled, so to speak, in England, it is managed in England, and I suppose 99 per cent, of its shareholders are in England. I do not suppose that if the lascar sailors were got rid of, any citizen of this Commonwealth would get employment. Therefore, when there is no practical advantage to be obtained, I think my honorable friend is rather pushing the white Australia doctrine to an embarrassing extent. Let us look at the history of the matter. When the monopoly of the East India Company ended, about the year 1834, the trade between India and China continued to be carried on by what were called country ships. Those country ships were manned almost entirely by lascars, but the steersmen or officers were Europeans. I believe it can be proved that the seamen who were in those days brought up in those ships were second to none in the world. About five years later, in 1840, I think, the Peninsular and Oriental Company, with its then small fleet of ships, came upon the scene. The company obtained most of its best sailors from among the lascars and Europeans who were acting in the country ships ; and for 60 years and a little over the company has continued to employ these lascar sailors, who are subjects of the King. I find, from a letter written by the late Sir Thomas Sutherland to the Times, in the year 1899, that the British sailor at that time was not too plentiful, and that it would have been almost impossible, prior to the opening of the Suez Canal, to man the fleet of the Peninsular and Oriental Company with purely white sailors. Sir Thomas says i -

It is not too much to say, therefore, that in these days, when English seamen are not too plentiful, the employment of intelligent seamen in our mercantile marine is as necessary to the manning of British ships in the Eastern seas as the employment of coloured troops is for the defence of the Empire.

After the opening of the Suez Canal the Peninsular and Oriental Company tried to do the very thing that it is asked to do by the amendment before the committee. It tried to man its ships which go westward, and not eastward, with entirely white sailors. I will quote Sir Thomas Sutherland's evidence as to what the result was.

Senator Glassey

- How long was that ago ?

Senator DOBSON

- The Suez Canal was opened in 1870.

Senator Glassey

- The honorable senator is speaking of 30 years ago.

Senator DOBSON

- After the opening of the Suez Canal in 1870, says Sir Thomas Sutherland, a new state of affairs arose. The services eastward and westward were no longer separated, and the same crew could serve in the ships alike in the Mediterranean and in the Eastern seas. When the company's lines began to be worked regularly through the Canal, it was the intention of the directors of the Peninsular and Oriental Company that the ships would be manned exclusively by Europeans, the employment of lascars being confined to vessels running between India and China and on the coast lines. Accordingly the steamers leaving this country were provided with English crews, both seamen and firemen ; but with results so unsatisfactory that the efficient working of the mail service was seriously compromised. It was no uncommon experience to have half a crew in prison for drunkenness and disobedience to orders, and the directors found themselves compelled, after a year's experience of English sailors and stokers in the tropics, to make the experiment of employing lascar crews on this side of Suez in order to get the work of their ships properly done. I say, against their inclination, because it was feared, the lascar would never stand the rigour of an English winter. But experience proved long ago that this apprehension was groundless.

Thus it will be seen the company did honestly try to man their fleet by white crews, but they found that in the tropics it was almost impossible to do so. Here is evidence that on some occasions half the crew would be absent, probably on account of drunkenness and disobedience of orders.

Senator MCGREGOR

- That is a slander on our own race.

Senator DOBSON

- Then he continues -

The employment of mixed crews on the company's ships was brought about therefore by the impossibility of getting the work carried on satisfactorily in the tropics by Europeans.

The writer goes on to point out that this system is by no means a cheap one, because they keep in their vessels more lascars than they require, so that they may educate them and teach them to be sailors. One of the officers of the Orient Company, I believe, has given evidence to that effect. He ' pointed out that it is almost as expensive to maintain a mixed crew, of lascars and white men, as it is for the Orient Company to maintain their crews of white men only. Let us consider for a moment how these lascars are engaged. They are not engaged as units, but sometimes whole families are taken. The son, the father, and the grandfather may all* be in the employ of the Peninsular and Oriental Company at the one time. What sacrifice has been made in order to bring about this result! These families have given up their positions in their native land. They have given up their places in the rice fields, the tea gardens, the public works, the railways or the canals of India, and have made up their minds to spend their lives in working under the British Crown and under the British flag.

Senator PLAYFORD

- Surely they have not got women employed on these ships ?

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Senator DOBSON

- These men have wives, and they have given up their employment in India, and have taken to this work in the Peninsular and Oriental Company's ships, and other vessels. They have been doing this work for the last 60 years. I would now direct the attention of the committee to matters relating to this question so far as our own country is concerned. It appears that at the postal conference held at Wellington, prior to 1895, a motion was moved and passed, I think, that it should be represented to the British Government that the Australian colonies preferred to have their mails carried by ships which employed entirely white labour. Following upon that determination a resolution was carried at the postal conference held in Hobart, in 1895, that it be a condition in any future contracts that, mail steamers should be manned by white labour only. Another resolution was passed by that conference in which the following words occur - This conference further desires to inform the London office that no future contract ' will be acceptable to the colonies which does-not, include them, together with the resolution passed by this conference, relating to the employment of coloured labour.

When that resolution was being discussed, the opinions expressed by several honorable members of the conference, I am afraid would have greatly disappointed honorable senators, because, while they all appear to have admitted they approved of the doctrine of a white Australia, and while they had given their assent at the former conference to the principle that our mails should be carried by vessels manned by white labour only, three or four of the most important members rather shrank from trying to enforce this resolution on the British Government, and to do what they thought was an impolitic act which might bring about injustice.

Senator Glassey

- It was a timidity . which should not be encouraged.

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Senator DOBSON

- Sir Philip,

then

Mr., Fysh

reminded the conference that these men were British subjects ; that they had been brought up as sailors for the last 55 years, and that we could hardly turn our backs upon the men who served the same Sovereign as we did. He spoke very strongly about the impolicy of the conference in trying ' to interfere with what was being done in the old country. Then

Sir John

Forrest said -

I must say that I quite agree with the remarks of Mr. Fysh in regard to this matter. It seems to me we must not get too narrow and selfish in our views on this question of coloured labour. I cannot think that the fact of a few hundred lascars - ' he might have said thousands - subjects of the same Sovereign being employed on the mail steamers should be a matter that the Australian people should take so strongly to heart as to -say - "We will not even allow them to be employed." It seems to me we are getting into a position of great insulation, .and also in a position in which we may be charged with very great

selfishness.

Mr. Thynne,

having subscribed to the doctrine, said : -

There is, however, a very considerable difference in the relation of Australian Governments to their constituents. It is not diplomatic, and it is not wise, to express now too strong an opinion, too strong a resolution, which we might be forced by circumstances or prevented from adhering to upon future occasions.

Mr

Thynne's words were prophetic, because we know that since then we have received a snub from the Imperial authorities, inasmuch as recently one of our State Acts, which contained a clause something like Senator

Glassey's amendment, was not assented to on the ground that the persons it referred to were British subjects, and that we must give a British subject that fair and generous treatment which we, as British subjects, claim for ourselves. Coming to the present time, let me remind.

Senator Glassey

that to some people - and I am one of them - it appears to savour rather of cant and insincerity to ask the Senate to pass this amendment.

Here we have 9,300 kanakas expressly imported to work our sugar plantations in Queensland. Ten years ago a Royal commission advised that the kanaka labour should be done away with. There was such an outcry, however, that the kanakas are there to this day, and we know that, although we are going to get rid of them, we are going to do it with that human consideration, mercy, and justice which we have a right to apply to any body of labourers - I do not care how low they may be on the industrial ladder - whom, we have invited to our shores and whose services we have utilized. We ought not to kick them out of the country like so many dead cats. We know that kanaka labour is to be gradually decreased, and no injustice is to be done. Senator Glassey and those who support him will agree with me at once that this amendment on the face of it is cruel and unjust. As Sir John Forrest says, it is selfish. It does not propose to give these people a moment's notice. It does not ask what is to become of them. What is to become of the 9,000 lascars in the Peninsular and Oriental Company's service, and the 35,000 others engaged, in shipping generally, with 35,000 families dependent on them, who are employed on British boats ? It is not suggested that these men have to earn their own living, and the proposal does not take into consideration that they have given up their work in their native land in order to perform these duties for us. It is intended if this amendment is carried to inflict an injustice, a cruelty, and tyranny of which I for one would be ashamed. Senator Glassey asks have we not a right to assert that we will not give our own money for the carriage of mails by ships that employ other than white labour ? It is difficult to answer the honorable senator in one sentence, but I will reply to him by asking another question. I might just as well say to the honorable senator - Why did you sweeten your coffee this morning with sugar that was grown by Chinese, or Japanese, or Malays, or kanakas ? And I might ask some one else why he" sweetened his tea with sugar grown by negroes in Fiji or the Mauritius? I am trying to point out that Senator Glassey's argument as to whether we cannot do what we like with our own money has but very little in it, because every hour of the day we citizens of the Commonwealth are supporting black labour with our money, and we shall be compelled to do so. Let us apply this principle of a white Australia in a reasonable manner. It appears to me that we shall positively embarrass this company and twenty other companies, and we shall also embarrass the English Government, if we keep on insisting and insisting upon the application of this doctrine of a white Australia outside our own borders. Have honorable senators not heard of the word "jurisdiction"? Although I admire the trades unions for being on the alert in trying to make labour and keep Australia for our own people, what right have we to travel 12,000 miles away from our own shores and to dictate to companies in the old country? There are good reasons why I should appeal to Senator Glassey to withdraw his amendment.

Senator Glassey

- I am absolutely bound by every principle of justice and right to adhere to this principle. Let there be no mistake about that,

Senator DOBSON

- Let me point out reasons why my honorable friend could withdraw his amendment and still hold himself

bound by the principles of justice and mercy. The principle of mercy is, I think, on the side of these lascars, and when Senator Glassey replies I will ask him to consider whether he would not be bound by the principles of justice and mercy in dealing with these 35,000 men with 35,000 families dependent on them. It appears to me to be, a monstrous thing to say that mercy and justice demand that we should send these men about their business after they have served the British nation so long. I do not know a very great deal about them, but I have travelled in the Parramatta from England to Melbourne, and have spoken to some of these men on board that vessel. I have also spoken to the men on the wharfs in Tasmania, and I have read something about them. I believe that, if we were to take these 35,000 lascars and compare them with 35,000 European sailors, for sobriety, obedience to orders, discipline, and knowledge of their duties, it would be found that they do not take second place. Why should Parliament be asked to do an injustice to them ?

Senator Harney

- The lascars keep their ships twice as clean as the white men do.

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Senator DOBSON

- They are more amenable to discipline. We are not dealing now with kanakas who have entered into a three years' engagement, and who are sent about their business after making a little money. The lascar sailors are the outcome of from 60 to 80 years' experience, and no senator appears to have dealt with the matter from that point of view. . I see Senator McGregor looking very thoughtful, and I shall be very glad if, by-and-by, he will enlighten the Senate as to how we are going to avoid the gross injustice which I think, with all humility, this amendment will inflict. The two points which Senator Glassey made cannot be supported. Senator O'Connor has told us - and we know that the Minister made the pledge in the most solemn manner - that if my honorable friend would be content to withdraw his amendment, he would pledge himself that the Ministry would give effect to the principle of a white Australia as far as it could within the Commonwealth, and as far as it could within our own seas, so to speak. Senator Sir Josiah Symon has pointed out that if this amendment is carried we may not be able to give a ship a contract to carry our mails, because a black cook is employed on it. That black cook may have served for ten years faithfully and well. He may be too old to begin work as a navvy, but according to Senator Glassey, that black cook must go about his business. The only fair way of dealing with that cook on the trade and labour unions' own principle would be to say that he has a right to stop there as long as he pleases, provided that he is of good behaviour and his master requires his services. When the black man goes that would be the time to say that no other black man should be employed, or that, if another black man was so engaged the ship in which he was employed should not carry our mails. I have given one reason why my honorable friend should withdraw his amendment. Let me give another. I made it a point to go into this matter, and 24 hours ago I read a printed copy of the mail contract. That mail contract, as Senator Drake informed the Senate, is made by the Postmaster-General of Great Britain with the P. and O. Company. We do not appear in it. Our contribution is not a subsidy ; it is simply a payment for services rendered. We pay £72,000 per annum, and in spite of the representations made by the postal conferences in Wellington and Hobart, in spite also of the resolutions sent to the post-office authorities in Great Britain, they entered into a new contract, and they were compelled, as they were dealing with their own British subjects, to ignore those representations and resolutions, as they will be compelled to ignore the amendment proposed by Senator Glassey, if it is carried. A further reason why he should withdraw it is that the present contract does not expire till 1905, so that the honorable senator will have plenty of time to go into the question in future sessions. He will have plenty of time to see how we deal with the kanaka difficulty and a white Australia within our own jurisdiction. He should wait to see what is possible and what is practicable, having regard to the principles of justice and mercy in reference to these lascars, who for two generations have been employed in carrying our mails. When he has seen how far we can apply this principle consistently with justice and mercy he can then bring in an amendment, possibly in a better shape, at some future time. Under all the circumstances, I appeal to the honorable senator to withdraw his amendment.

Senator MCGREGOR

(South Australia). - I am very sorry that, on account of a bad throat, I cannot reply to some of the arguments used by

Senator Dobson

in the manner I would like. I want to inform the Postmaster-General that on account of statements he has made respecting this amendment and its effects upon ships on which mails may be carried, and with which no contract has been entered into, that I will desire the recommitment of clause 63, for the purpose of providing in that clause not only for lockers, but that white sailors shall be employed on the ships.

Senator Drake

- AVe are going backwards, apparently, instead of making progress. .

Senator McGREGOR

- -The Postmaster-General asked us to give an indication of clauses which we desired to amend. This is one of them, and Senator Drake ought to be obliged to me for indicating it, and so clearing his way of difficulties in the future. With respect to the question embodied in the amendment Senator Dobson has delivered himself very eloquently. He has been a splendid advocate of these 35,000 lascars and their families. I am sure they will be obliged to him, but I would ask Senator Dobson and other senators here, who are white men, have they no consideration for the white sailors of Great Britain who have been displaced by these lascars 1

Senator Dobson

- -No, that is .contrary to facts.

Senator Sir Frederick Sargood

- Not displaced.

Senator McGREGOR

- Honorable senators say they have not been displaced. I would like to ask them if these lascars have taken 50, 60, or 80 years to be trained to the seafaring life. Is it not a thousand years since the British began to be trained to a seafaring life, and were not the British people a seafaring people to a greater extent* than any other on the face of the earth 1 If we are bringing into the service of the sea, races outside Britain, or outside Europe for that matter, will it not be taking away the occupation of those who have a prior title to it 1

Senator Harney

- It is not displacing.

Senator McGREGOR

- They have displaced them if- there are 35,000 lascars engaged to-day where a very large proportion of white sailors should be making a living for their wives and families.- Is not the consideration due to these white sailors and their families of more importance to us, and of more importance even to Great Britain, than that due to the wives and families of lascars1! Is there any member of the labour party - and trades unions have been referred to - who has ever said a word about debarring the -lascar or any other coloured men from employment1! We have no objection to the exchange of our commodities with the commodities that are suitable for production in their countries.

Senator Clemons

- This is an honest freetrader.

Senator McGREGOR

- Most decidedly I am the best free-trader here. If you go to India, and you can grow tea in India and China, and it is impossible to do it in Australia to any great extent-

Senator Drake

- It is not impossible : we can grow any amount.

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Senator McGREGOR

- Then, I say, let us exchange commodities with them. But I say, if we are going to bring the lascar or coolie or anybody else into competition with our own flesh and blood, when our own are as- capable and even more capable of performing the duties required, then I say we are doing wrong, and we are losing sight of the rights of the women and children of our own race, and considering in our humanitarianism the rights of the women and children of the darker races. That has, however, nothing to do with it. The black can work and sailorize on his own coasts as long as he likes, but if we have to subsidize a company to the extent of £70,000, then I say we have a right to ask that that money shall be spent among and for the benefit of people of our own flesh and blood. They are our first consideration, and I do not care what

consideration is extended to the coloured races afterwards. Honorable senators talk to us about the impossibility. Senator Dobson told us that despite the recommendations of the postal conferences in the past, the British Government will never do what is proposed. Those very individuals who made those recommendations backed down, and the honorable senator asks us if we would not be surprised at this ! We are not surprised at it at all, because we find a very similar class of people who, on public platforms all over the country are prepared to whoop for a white Australia,, and when coming here they are asked to give practical effect to it, to the smallest extent, they are not prepared to do it. We are not at all surprised. We know we have to fight this battle. I want to tell Senator Dobson and other senators,, that although on a very recent occasion the British authorities declined to sanction an Act that was passed excluding coloured labour in one of the States, they have not always done it, and will not always do it. I ask Senator Dobson if it is not a very peculiar tiling, that in that very State, Queensland, with respect to their mail contracts, they have a provision similar to that proposed.

Senator Drake

- No ; there is nothing in any Act of Parliament'.

Senator McGREGOR

- It may not be in any Act of Parliament, but the conditions are there, and the contract as made specifies the very same thing that we are asking to have embodied in an Act of Parliament. Is it not a fact also, that New Zealand has done the very same thing 1 Yet I have not heard of any fresh eruptions in the volcanic mountains that exist there in consequence, nor have I heard that Joe Chamberlain, or any one else, has attempted to coerce the people of New Zealand. But if we are not going to submit to a system of toadyism that is always to place us in a servile position, so far as Great Britain is concerned, and if we are not going to refrain from asserting our own rights and principles in our own Acts of Parliament, we will find plenty of companies prepared to man their vessels with white crews. Why, even. Senator Charleston has cheered an assertion made by Senator -Dobson, that it was not on account of cheapness, and that it was found cheaper- to run the ships with white crews. Then why don't they do it 1 The very same argument comes in again. The directors of the P. and O. Company have used the very same argument as the advocates of coloured labour in Queensland - " the white man is not reliable." The Britisher who has carried our banners over every portion of the earth is not fit to do a bit of coal trimming in a mail steamer, or to fire up at one of the furnaces ! He is not fit to do ordinary sailors' work, and he must submit to the greater ability of the Indian lascar ! I think the senator who would make such an assertion ought to be ashamed of himself. He ought to be ashamed to so slander the race he belongs to.

Senator Harney

- No, it is only recognising their faults.

Senator McGREGOR

- I have little consideration for the interjections of any one even here, who is prepared to go to the extent of depreciating, not only the British race, but the very race he comes from himself. I refer to Senator Harney, and consequently I need not further refer to any of his interjections. I want to point out that when the Suez Canal was opened, and attempts were first made to work the steamers going through that way with white crews, it was not always contended that they should be changed because the white crews could not do the work. It was because the white man was not prepared to submit to the same conditions that the lascar was prepared to submit to. Have any honorable senators ever been down in the stoke-hole along with the lascar ? Have they ever seen the hose turned on him to make him do his duty, and even when the vessel has been in danger at the time1? Such things have been of common occurrence in the past.

Senator HARNEY

- Why do the companies employ them 1

Senator McGREGOR

- Why do they employ coloured men on the sugar plantations 1 Why would they employ them here in Melbourne doing many things that white men are now doing 1

Senator Harney

- Because they . are better for the purpose.

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Senator McGREGOR

- Simply because they are cheaper. Because they can live on rice and clothe themselves with a few rags, and it costs them so very little to live. But when we want civilized conditions men cannot work for the wages for which these coloured people will work. If all the steamship companies on the face of the earth were to come here and take an oath or an affirmation that the coolie is not cheaper than the white man, I would not believe them, because there are plenty of white men to do their work, and consequently that "Abatement cannot be true, and I say it is not true. It is because they can do what they like with the lascars.

Senator Charleston

- Your saying it does not make it a fact.

Senator McGREGOR

- It is because they can do what they like with them. If they attempted to do the same things with white men as they are doing with lascars, the white men would mutiny, and would not stand it. And Senator Charleston knows that.

Senator Charleston

- I do not.

Senator McGREGOR

- If we are going to enter into a contract with any shipping company, no matter whether it is inside Australia or on Australian waters or apart from Australia - if we are going to subsidize any service, we, as Australians, have a right to make conditions that will be suitable, if not to the people of Australia, to our white . brothers, our fellow subjects in Great Britain itself. We are told, when we are discussing this question, that we are trying to eliminate from the service of the Empire people who are as much subjects of King Edward VII., as we are.

Senator Harney

- Hear, hear.

Senator McGREGOR

- "Hear, hear," again. Senator Harney knows that these people are not as much subjects of King Edward VII. as we are, although they are far more subject to him. Where does their self-government come in? Have they a voice in the government of their country? Are they not a conquered people, who are so subjected to the rule under which they live that, they have not a say in the appointment of any of their officials? Is not that exactly the position they are in? Any honorable senator who says that they are as much subjects of His Majesty as we are does not realize the ridiculousness of the proposition he is attempting to make. When these people have the same rights and the same privileges as have the colonists in different parts of the world, and the citizens of the British Empire itself, then there may be some reason in the suggestion that they are subjects as much as we are. They are subjects- far more than we are, as they have not our rights. I have no desire to do any injustice to them, nor has any honorable senator. But we say that when there are services to be performed, and our own people can profitably perform them, let them have the benefit of that employment. If there is anything in Asia, which can be done there but which cannot be done here, we are quite willing to exchange service then, but not until then. A great deal more, I dare say, will be said before a vote is taken on the amendment, and I hope that honorable senators who have pledged themselves to a white Australia will do all they possibly can to put in the way of their own flesh and blood all the benefits which it is in their power to do.

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Senator Sir JOSIAH SYMON

- A good many things have been introduced into the discussion of this amendment which appear to bear very little relation to the questions involved in so far as regards the present Bill. I do not think that the discussion is likely to be advanced much by referring, as I am sure was inadvertently done, to the Secretary of State for the Colonies as "Joe Chamberlain." I think it is inadvisable that an expression of that kind should be used, and I am quite sure that it fell accidentally from the lips of my honorable friend, Senator McGregor. Nor do I think that this amendment involves the question very much of the lascars that are employed by the Peninsular and Oriental Company, or by any other of those companies that trade with, eastern ports and carry mails. Senator Dobson laid, it seemed to me, a good deal too much stress upon the effect of this amendment, if introduced into the Bill, upon those who are engaged under service to the Peninsular and Oriental or -other companies. If the provision is in itself a right one it is our business

to adopt it. If it is a wrong one, it is our business to reject it. But if it is a right one, and we do accept it, then we can only hope that we shall be able to introduce into the administration of the measure some provisions which may mitigate the difficulty or the hardship to which he refers. Nor do I think that the argument is likely to be much advanced by our referring to the people of India, the lascars, as belonging to a conquered race. We must necessarily admit, as British subjects, that our title to dominion over India is conquest. But I should have thought that, instead of that being a reason for our treating with less consideration our fellow subjects in India, it would have been a strong reason for our treating them with additional consideration, and not regarding them as serfs who were unworthy to be employed on the service of our British ships, or in any other capacity than that of soldiers in the field who are prepared to pour out their blood for the defence of the Empire. I should think that if they have been conquered by us we ought to rejoice, and to be proud to give them the same privileges, so far as we can, as we ourselves enjoy, and not at any rate to treat them as a subordinate and an inferior race.

Senator McGregor

- Oh, marry them to our daughters. *

Senator Glassey

- Would the honorable and learned senator give all the people of India votes ?

Senator Sir JOSIAH SYMON

- I am not dealing with the question of self-government or any question of that kind ; I am saying that the fact that the Hindoos are a conquered race, would not justify us in placing them under a disability, and declaring to them that they shall not work alongside our white men.

Senator McGregor

- That was only a statement made in answer to Senator Dobson. There is no argument in it. Millions of the Hindoos asked to be admitted to our rule.

Senator Sir JOSIAH SYMON

- Then again, in the reference which Senator McGregor has made to the historical tendency to a seafaring life of the British people, he should have gone further back to those who came and conquered the inhabitants of British isles, and who taught them their seafaring ways which were by no means intuitive. What were the Scandinavians? What were the Norse sea-kings ? What were the Phoenicians who navigated the seas, and peopled Cornwall and those parts of England, and not only taught us seafaring, and the elements of navigation, but also taught us how to develop the mineral resources of our own country ? The Normans, too, were a seafaring race before coming into England and conquering us.

Senator McGregor

- But they are ourselves. .

Senator Sir JOSIAH SYMON

- They are ourselves ! Why, we are a nondescript race.

Senator McGregor

- That is what I say. They are ourselves.

Senator Sir JOSIAH SYMON

- Our great merit is, that the Anglo-Saxon race is made up - like the English tongue - of contributions from all the peoples of Christendom. The Anglo-Saxon race enjoys its strength and its enterprise by reason of the mingling of all the blood of Europe, and, therefore, these arguments really are, I think, beside the question. Nor does it seem to me - I wish to dispose of them before I say a few words on the amendment - to affect the matter. Then, we are told that white sailors, or, as my honorable friend put it, our own people are displaced. I find no authority for that statement. I defy any one here to prove by statistics of the seamen employed in the mercantile marine, or, for the matter of that, in the navy of the British Empire, that our own people, to use my honorable friend's excellent phrase, are shut out. What has been the great cry for decades past? It is that we cannot get enough English seamen to man the mercantile marine. AVe have got men from every nationality in Europe, and we are obliged to do it.

Senator STANFORTH Smith

- Because our seamen do not get decent wages.

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Senator Sir JOSIAH SYMON

- What is the use of my honorable friend talking about decent wages ? That is another point. It is a

question of colour, and not a question of wages, that we are debating. My honorable friend wants to forbid the employment of coloured men simply because they are black, or mulattos, or red or yellow, and made of that colour by the Same hand as made us white. That is not a distinction which ought to be drawn. If my honorable friend brings in a Bill to enhance the rate of wages m paid to seamen I shall be with him. I have travelled a good deal on ships, and 30 or 40, or more, years ago, when I came to Australia, I saw how sailors were treated. I am happy to think that they are better treated, and better paid now. But in those days I recognised the hardships which they had to undergo. I know and recognise the inadequacy of their payment as well .as any man, but that is not the question we are dealing with. We are not dealing with the question of wages, and therefore before it - is stated here that our own people are displaced by the employment of lascars we want information and figures to prove it. I deny it. I say, on the contrary, without fear of contradiction, that the British mercantile marine would not be what it is to-day, or be manned as it is to-day, if we were to rely solely on' our own seamen. Therefore I put that aside. This debate- was introduced with great care, with much conciliation, and with great information, by Senator Glassey, and it is a pity that we should surround and obscure it, as I humbly venture to think, by mere matters of prejudice, not calculated to throw light; on the issue we have to decide in accepting or rejecting the. amendment. But then again I would like to tell Senator Dobson, who put to Senator Glassey as a reason for withdrawing the amendment, that if it were passed it would only be ignored, that he forgets that it would be a provision in an Act of Parliament which could not be ignored ; that if it goes in it goes in for some purpose, and to be carried into effect. Therefore, although I think there are strong reasons, if Senator Glassey will permit me to say so, why he should withdraw the amendment at the present tune, I am free to confess that that suggested by Senator Dobson is not one of them, because if the amendment is introduced - and I think the Postmaster-General will say so - it will have to be carried into effect somehow or other. Q[It will be binding, as Senator O'Connor said, on the Government and on the Commonwealth, and will have to be regarded as" of full force. But then Senator Dobson gave as an additional reason, that the Government had pledged themselves to give effect to this provision where they could. That attitude on their part to me is a surprising one. They do not oppose the amendment because it is wrong. They seem to me to oppose it because it is right. The statement that Senator Dobson has called attention to - the pledge by the Government that this, if it is withdrawn, is their policy, and will be carried out---

Senator Dobson

- No ; that is putting it too strongly.

Senator Drake

- There is the P. and O. contract. It will not affect that.

Senator Sir JOSIAH SYMON

- Irrespective of any existing contracts that, so far as the Government have control over any mail contract, it will be their policy to see that there is a stipulation that only white men shall be employed on the ships that carry the mails. If that is their policy they ought to go for the amendment.

Senator Drake

- No.

Senator Sir JOSIAH

SYMON.Un.doubtedly I say so. I cannot understand if that is their policy, why they do not support the amendment, because they must have legislation before they can cany it out.

Senator Drake

- We consider that it would affect the P. and O. contract. The honorable and learned member says it will not.

Senator Sir JOSIAH SYMON

- If that is the policy of the Government, they .have no more power than the chairs in this chamber to carry it out unless by legislative action on the part of Parliament. They have no right to tell us that the policy embodied in the amendment is their policy, and to refuse from timidity or for any other for the Government to say - " Withdraw this reason to have it embodied in this Bill. I do not understand the attitude of the Government. More than that, nothing, it seems to me, could be more unconstitutional than amendment, and we will carry out the policy as though the provision were in the Bill."

Senator Dobson

- As far as practicable.

Senator JOSIAH SYMON

- Yes, as far as practicable.

Senator Dobson

- But it is not practicable.

Senator Sir JOSIAH SYMON

- What is meant by practicable ?

Senator Dobson

- It is not practicable until 1905.

Senator Sir JOSIAH SYMON

- That is not the thing we are dealing with at all. The Government have no power to carry out this policy with regard even to intercolonial boats unless with the sanction of Parliament.

Senator Drake

- By a clause in the contracts, we do already.

Senator Sir JOSIAH SYMON

- The Government have no right to do it.

Senator Drake

- But we do.

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Senator Sir JOSIAH SYMON

- I accept the honorable and learned senator's assurance that it is done. But one gets tired of expressions of sympathy with amendments unless they are translated into action. Sympathy is useless unless you crystallize it into support. I am not in sympathy with this amendment, but if I were I should support it and do my best to have it embodied in this Bill. I do not believe - and I think we should say so frankly, if that is our feeling - that there is any danger of a veto being placed on this provision at all. Senator O'Connor put the matter fairly enough that, even though there was not a danger of the provision being vetoed, we should not court the possibility of it. To my mind there is no question of international relations being involved in this amendment at all. We are dealing with our own contracts. We have just as much right to say, supposing it is our own contract - and Senator Glassey's amendment deals only with our own contracts - what stipulations shall be put in that the work shall not be done by black, or yellow, or brown men, or any other kind of men, as to stipulate that railway contractors shall not employ black men upon their work.

Senator Drake

- The Queensland Government can make a contract with mill-owners not to employ Japanese, but when that stipulation was put into an Act of Parliament it was vetoed by the Imperial Government.

Senator Sir JOSIAH SYMON

- That is because the Queensland Government put in a provision excluding the Japanese from their country.

Senator Drake

- No ; from the mills.

Senator Sir JOSIAH SYMON

- But what objection can there be to introducing a provision into a mail contract that the persons running the ships shall only employ white men ? ' Senator Drake.- That is what we have been doing, and shall continue to do.

Senator Sir JOSIAH SYMON

- I am sorry to hear it, and I hope my honorable friend will be led to more constitutional ways of thinking before long. I should prefer, if that is the policy of the Government, that it should be clearly stated in the forefront of an Act of Parliament, so that all our people might know what is being done, and all the nations of the earth might be aware of it. " That is the position in which it seems to me the matter should be placed. There are, however, other reasons why this amendment should not be accepted. In the first place, it raises purely a question of colour.

Senator Dobson

- Is it not more than that ? These lascars are our own fellow subjects.

Senator Sir JOSIAH SYMON

- The amendment does not say a word as to that. It says that we shall employ white men. In connexion with these postal contracts, however, the Postmaster-General not only enters into contracts under his hand and seal, but also into contracts by handing a mail to a ship to be carried to a particular place. Is the Postmaster-General to stipulate how that mail is to be carried ? My honorable friend, Senator Glassey, apparently would provide that the Postmaster-General shall put no mail on board any vessel amongst the crew of which there is any man who is not pure white ?

Senator Drake

- That is what Senator McGregor wants to do.

Senator Sir JOSIAH SYMON

- That is what it comes to really. The Postmaster-General is not to send a mail to Mauritius or India on board a ship which has come down manned, it may be, by lascars, bringing articles of jute manufacture, because there may be a single black man among the crew.

Senator Dobson

- What of an octroon ?

Senator Sir JOSIAH SYMON

- His employment would vitiate the contract.

Senator Glassey

- The amendment does not say anything of the sort.

Senator Sir JOSIAH SYMON

- That is the effect of it.

Senator Glassey

- It is not the effect of it.

Senator Sir JOSIAH SYMON

- Is not the effect of the amendment to say that the Postmaster-General shall not put any mail on any vessel on board which there is any man who is not pure white ?

Senator Drake

- No, that is what Senator McGregor wants to provide.

Senator Sir JOSIAH SYMON

- Will Senator Glassey tell us what else his amendment means ? Does it not mean that no mails are to be carried by any crew any member of which is not pure white, or any member of which is spotted like the leopard, or " ring-straked, speckled, or grised " ?

Senator Glassey

- That sort of argument is all very well at the bar, but it will not do here.

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Senator Sir JOSIAH SYMON

- But is not that what the amendment means ? Senator Glassey. - Certainly not. "Senator Sir JOSIAH SYMON.- The amendment does not draw any distinction, except that only white men shall be employed. It does not say coloured men may not be employed, but that white men must be employed. No question of competence is involved. The honorable senator would not thrust out these lascars because they are incompetent to do the

Senator Dobson

- There would be a greater danger if the lascars were taken away. We want the white men for our warships.

Senator Sir JOSIAH SYMON

- Senator Glassey

wants to have white men employed without regard to nationality or flag. My honorable friend is really introducing a danger.

Senator McGregor

- Let the honorable and learned senator amend the amendment.

Senator Sir JOSIAH SYMON

- Senator Glassey did not ask me to do so.

Senator McGregor

- Would not the honorable and learned senator do it on his own initiative ?

Senator Sir JOSIAH SYMON

- I would not interfere with what Senator Glassey regards as perfect. The question of a white Australia has nothing to do with this proposal. That matter rests on totally different ground, and different conditions to those that effect the present proposal. There are several other conditions involved. My honorable friend's amendment aims not at a white Australia, but at a white universe. We are to shut out the black man from employment, irrespective of competence. That is what it comes to. If this amendment is carried, it is perfectly 'immaterial to me whether it affects thousands of lascars in employment at present or not ; although we know that many men of this race in India have been sailors for countless centuries. There' are no better sailors in the world than those who go in Arab dhows from India, and trade with Africa and Arabia. 'They have been doing the same sort of thing for centuries. No question of competency or courage is involved in the amendment, it is simply colour. We allow black men to compete with white men in other directions. Take the case of white pugilists, if you like. They fight with coloured pugilists. There is the case of Peter Jackson.

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Senator Sir JOSIAH SYMON

- We know that black pugilists have been allowed to fight with white pugilists in the past, and, what is worse, have beaten them. What is more, we stood by and joined in the cheering and admiring crowds when the Imperial contingent from India came to Australia. Those magnificent soldiers seemed to inspire us all with admiration. And those are the men who are going to be shut out, simply because of colour !! repeat that the question is not at all connected with that of a white Australia, nor is it a question of finding employment for seamen of our own flesh and blood, because we cannot get them. Then, again, let it be remembered that British ships are part of the soil of England. If we introduce this clause into the Commonwealth legislation, we may as well legislate as to who shall be employed in the workshops and factories of England. Has my honorable friend, Senator Glassey, considered that? If this amendment were limited to ships on the Australian register, of course it would be in a totally different category, and I admit would have to be considered from a different point of view. But this amendment provides that in all contracts for the carriage of mails there shall be only white men employed among the crew. We are thus dealing with all British ships with which the post-office authorities may at some time or other have to enter into contracts. Then, again, what does my honorable friend mean in his amendment by the word " white " ? He says "shall be" white men." "White Australia" is a very convenient phrase. We have a general idea of what it means.

Senator Pearce

- Very convenient at election times.

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Senator Sir JOSIAH SYMON

- And at all times. It is a beautiful phrase. In fact it is considered to be of such value that two or three distinguished statesmen have been contending for the honour of having invented it. I lay no claim to that myself. But the word " white " is, as I think my honorable friend will see, utterly indefinite. We should never legislate even in regard to a " white Australia " by simply enacting that there shall always be a "white Australia," or that the country shall always be inhabited by " white " men. My honorable friend

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must define what he means by "white" men. Then, again, is it to be limited to men of our own blood, or are foreigners to be included, who in time of war may be a source of the greatest possible danger to us ? Are they to be " white " to the extent of being albinos

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What are they to be ? For all these reasons I ask my honorable friend to withdraw his amendment and reconsider it. It will be unworkable if left in its present state, and it would certainly have the effect, as Senator O'Connor

has pointed out, of unfairly harassing the Postmaster-General in the administration of his department. Then, again, it has been pointed out, that we cannot control the arrangements and the managing of the

ships, which carry our mails. If these lascar sailors are unequal to British seamen, or if their employment involve the companies in greater difficulties, that is a question for them to determine, not for us. At any rate, we have no right by compulsion to seek to interfere with the management of the Postal department, which might be driven if this amendment were introduced into the Bill to refuse to enter into contracts with ships flying the British flag, and to intrust the carriage of mails to foreign vessels. Such a state of things, I venture to think, would not be tolerated by this Senate. While at present we put our mails on board French and German ships, I fancy that the people of Australia would pause before they assented to anything which would make it compulsory that all our mails should be carried by ships flying foreign flags, much as we respect the nations to which those vessels belong.

Senator Drake

- The French lines employ coloured men, such as Arabs, as firemen.

Senator Sir JOSIAH SYMON

- Therefore we should be precluded from employing the French liners. I have also seen half-caste Portuguese and Indians employed as stewards on many vessels other than those of the Peninsular and Oriental Company. I think the difficulty of administration would be almost overwhelming, even to a Minister with so much energy as the present Postmaster-General, if such a provision as this were, without any limitation, introduced. I am glad the subject has arisen for discussion, and if my honorable friend, Senator Glassey, will allow me to compliment him, I may say that his speech could not have been delivered with better effect. The honorable senator almost persuaded me to become a follower of his. I should like to see him rewarded in every possible way. In fact, I think he ought to be a Duke, but at present he is only a Don Quixote tilting at a very inaccessible windmill.

Senator MACFARLANE

- I have acted as agent for one of the mail companies for many years, and I have been a shipping agent all my life. It is urged that it is unfair to employ coloured labour on vessels under the postal contracts because other companies object to it. I can only say that I have never heard of any such objection. Other firms have never complained of the Peninsular and Oriental Company employing coloured labour, and, before any drastic steps are taken, we should be careful that no injustice is done. As far as firemen and stokers are concerned, there is the greatest difficulty in getting British men to do such work. It is not a question of wages. It is simply a question of getting the men.

Senator De LARGIE

- It is a question of wages.

Senator MACFARLANE

- Vessels often go through the Red sea, and to go down the stoke-hole, where the temperature is at 120 or 130 degrees, is more than the average Britisher can stand.

Senator PEARCE

- They do it on our warships.

Senator MACFARLANE

- A Britisher will do anything for money. It seems to me, however, that the greatest mercy and justice that can be done is to keep Britishers out of a stoke-hole where the temperature is at 130 degrees.

Senator Pearce

- Are coloured men employed on our warships ?

Senator MACFARLANE

- Many of the warships employ coloured firemen. I am quite unpledged with regard to the policy of a white Australia, and I contend that tropical labour in the tropics ought to be done by tropical men. We can get white men to do anything for money, but when honorable senators see firemen, as I have seen them, coming ashore at Hobart or at Melbourne after a voyage, and rushing into a public-house and often being left behind, they will understand what this work is.

Senator McGregor

- Some of the men are teetotallers.

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Senator MACFARLANE

- I have seen steamers arrive at Hobart after a voyage and lose their firemen because they have been unable to rejoin them in the morning.

The men have come ashore wearing nothing more than a singlet, a pair of trousers, and a pair of boots, and they have been left destitute because they have got drunk and been unable to rejoin their ships.

Senator Glassey

- "Would not the honorable senator's argument apply to the highest officers in India ? Ought not the Viceroy and other high officers to be black men 1

Senator MACFARLANE

- I have asked such men why they have been so misguided in their actions. They have replied that they wanted to have a spree after their hard work. "With the temperature at 130 degrees, the perspiration is so great that it appears to make them thirsty afterwards. When there is an overstrain there must be a reaction. We may be guilty of doing a great injustice in tempting white men to do work for which they are naturally unfit. Senator Dobson has given a number of the particulars which I had intended to supply, but I would mention that Sir Thomas Sutherland, the chairman of the P. and O. Company, stated in a letter to the Times that -

The giving up of coloured labour will not help the English seaman, and it will not injure the steam-boat companies.

It is very important that we should remember that if we do away with coloured labour on board these vessels we shall have a class of sailors, such as Greeks, Italians, and others, who, in time of war, will be of no assistance to us. The Britisher as a rule having once taken a voyage to the tropics, and worked in a temperature of from 120 to 130 degrees, has very seldom any desire to repeat it, and consequently there is great difficulty in obtaining Britishers for this work at all. For these reasons, therefore, I would ask Senator Glassey to withdraw his amendment.

Senator CHARLESTON

- I feel that this amendment, moved at this juncture, calls for a great deal of debate that ought to have taken place at another time. It ought to have taken place at a time when we should have had a chance of discussing the policy of the Government in regard to this great question. Although I strongly sympathize with much that has been said by my honorable friend, Senator Glassey, I cannot support the amendment now, because I believe this is not the time nor the place to affirm the principle.

Senator Stewart

- Tell us when the time will be opportune to make this provision1?

Senator CHARLESTON

- The Government has declared their policy of a white Australia, and when that policy is brought before us we shall be in a position to discuss it in all its phases. As was pointed out by Senator O'Connor, we are now practically running the risk, of having this very important machinery Bill hung up for an indefinite period. If we insert this amendment we shall be practically legislating against the employment of British subjects. Undoubtedly we are all part of a very great empire, and that empire embraces within its confines all classes of labour. If we pass this Bill it will have to be sent to His Majesty the King for his assent. Could His Majesty assent to such a Bill ? Could he consent practically to the exclusion of a certain part of his subjects from this field of labour? It seems to me that this is a strong position notwithstanding the arguments used by Senator Sir Josiah Symon. We are not merely legislating for ourselves and for the Commonwealth. We are saying by this amendment that we will not enter into any contract for the carriage of mails whereby any person other than a white man shall be employed. By so doing we shall render it almost impossible for His Majesty the King to assent to the Bill. Another difficulty in which we should be placing the Government is that it will be impossible for them to enter into an arrangement with the British Government for the carriage of mails. If we adopt the amendment, I am thoroughly satisfied that we will not induce the British Government to follow our example at this juncture. We shall be driven to make separate contracts for the carriage of our mails, outwards -at least, notwithstanding that we may even receive mails from Great Britain brought here by vessels manned by crews not all perhaps as white as ourselves. By receiving mails so brought to our shores we should be guilty of breaking in spirit the principle which Senator Glassey desires to see embodied in the Bill.

Senator PEARCE

- The present contract has some years to run.

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Senator CHARLESTON

- That is all the more reason why we should not embarrass the passage of the Bill by introducing tins policy into it. With regard to the question of whether white men can do the work coloured crews can perform, I, as a marine engineer, with experience of white and Chinese crews, can speak with some authority. I say that white men can work where coloured men can work. I do not believe it is a question of cheapness on the part of the companies who have adopted 'this system. Nor do I believe that they have adopted it because they desire to use their employe's just as they like. My experience is that we, as officers on board ship, have had more restrictions placed upon us in our treatment of the Chinese than we have had in regard to men of our own race.

Senator McGregor

- The companies employ coloured men for philanthropic purposes I suppose ?

Senator CHARLESTON

- With the Orient Company employing white crews, and the Peninsular and Oriental Company employing lascars, there can be no philanthropic sentiment in it at all. It is a question of which crew they can work to the best advantage for themselves. If it were a question of cheapness, how could the Orient Company afford to pay for white crews, while the Peninsular and Oriental Company only pay for coloured men ? Is it to be supposed that the former is prepared to pay something for a sentiment ? Sentiment does not enter into commercial calculations. In my opinion it is more a question of convenience than anything else.

Senator McGregor

- What convenience? The convenience of cheapness ?

Senator CHARLESTON

- No ; it is more a question of convenience than anything else. Trades unions, I think, have had a great influence in securing a better 'class of sailors and firemen than formerly.

Senator Sir William Zeal

- Now the honorable senator wants to wobble.

Senator CHARLESTON

- No, I do not desire to do so. I have held all through that it is the trades union influence upon these men which has led to a better class being secured. Where an officer or an engineer has an organized body of men with a secretary to deal with, he knows that a man who is unworthy of a position in the ship, who is guilty of drunkenness and disobedience of orders can practically be boycotted. Such a man can be practically wiped out of the service. That I attribute to the influence of trades unionism. I think that to-day in many of our firemen and sailors we have a much better class of men than we had a generation ago.

Senator McGregor

- But some honorable senators say they are -all drunkards.

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Senator CHARLESTON

- I say they are not all drunkards. At the same time I believe that, instead of dealing with this question in a Bill of this sort, it would be better to leave it to a Bill which would deal with it in a comprehensive manner. If I am asked how I account for the positions of British seamen being taken up by men of other nationalities, I say boldly that it is because of the glorious free-trade policy of Great Britain, and the fact that her industries have been so developed that she has been able to give employment to her own people at home. I very much question whether any one would go to sea in the stokehole of a steamer because he preferred it. If men can get work to do at home which will compensate them for their labour, they do not desire to go to sea, and it is because of the better condition of the working classes of England that we find that men of the British race are giving up the sea and engaging in the home industries of Great Britain. That is one great reason why their places in British ships are being taken up by men from the more highly-protected countries of Europe. They cannot get equally good conditions at home, and are practically forced to take service on the ships. If we were being asked to support this proposal to enable British seamen to be employed, there might be something in it. . But there is nothing to show that British seamen would be employed. Do my honorable friends think for one moment that people in the south of Europe, for instance, are paid the same rates of wages as Britishers are paid ? Certainly not. If we were being asked to confine this employment to British subjects, it might be well to insert the amendment ; but there is no attempt to do that, and we shall only have the cheaper-paid races of Europe competing against our own race if this amendment is carried. I do believe in enforcing good conditions for seamen,

and I have always stood up boldly, as an engineer, for the best conditions for firemen and others working under me. I have always insisted that they should have everything possible given to them to enable them to carry on their labour efficiently. What do we find ? We find that the very same policy is the policy of the British Parliament, and they insist that the provisions of the Merchant Shipping Act shall apply to lascars as to all others. They are striving to raise the standard of living and the wages, and to improve the industrial condition of the people. That is what we should aim at here, and what I, as a trades unionist, have always contended for. I believe it is our duty to raise the lowest as high as possible, that our own position may be benefited thereby. When we speak of subsidizing the Peninsular and Oriental Company, or any other company, I fail to see where the subsidizing comes in, unless we are paying for more than we are receiving. ' If the £72,000 which is our share of the cost of carrying the mails represents the service rendered to us, where is the subsidy 1 If that is fairly our share then the steam-ship companies are under no obligation to us nor are we to them.

Senator Drake

- It is a specially high payment in consideration of their running according to the time-table.

Senator McGREGOR

- The honorable senator does not know what he is talking about.

Senator CHARLESTON

- I think I do, and it is a very strong element of consideration for us that we are getting a service which on account of its speed is a great benefit to us from a mercantile point of view.

Senator Drake

- Is not that the meaning of a subsidy - that we pay a higher rate than for ordinary mail matter or: condition that they run to a time-table?

Senator CHARLESTON

- We are paying for the services rendered us in the rapid carriage of our mails, and if in that respect they are giving us a fair equivalent for what we pay, I fail to see that they are under any obligation whatever.

Senator Drake

- They are under an obligation if they accept payment. We do not pay our money for nothing.

Senator CHARLESTON

- Do we not subsidize the butter industry, for instance ?

Senator Drake

- Yes, by means of a bonus.

Senator CHARLESTON

- We do that in order, not that we may get an immediate return, but that we may benefit a certain industry by seeking to permanently establish it. But when we stipulate with our mail-carriers to carry our mails; they say that if they are asked to carry them at a certain speed, they will have to demand a higher rate of payment than it would be necessary for them to demand if they might carry the mails at a lower speed. If we carried out the policy proposed, we would find that the Postmaster-General would be unable to avail himself of any opportunity to utilize any ships which might have any coloured men in their crews at all, for the despatch of our mails. We have now a line of Japanese boats trading to Australia, and the Postmaster-General might find it convenient to engage them to carry mails to and from their own country. Under this amendment such a contract would be forbidden.

Senator Drake

- We can put a mail on board the steamers, under the powers we have, without making any contract with them.

Senator CHARLESTON

- The Postmaster General could insist upon their carrying the mails without payment ?

Senator Drake

- No, the Bill provides for payment.

Senator CHARLESTON

- If it provides for payment it must be admitted that something is done for the payment. May I ask the Postmaster-General whether he would be in a position to insist upon putting his mails on board one of these steamers and then dictate his own terms as to the rate at which they should be carried 1 No, certainly not.

Senator DRAKE

- There is a prescribed rate.

Senator CHARLESTON

- I have had experience of different races, and while no man favours his own race more than I do, I do not believe in imposing restrictions which would prevent our having our work well done for us. I believe that this amendment would prevent our work being well done if it were carried. I know very well that there are to-day combinations of steam-ship owners that are very oppressive upon the producers of this country. Steam-ship companies have entered into strong unions and have raised freights enormously, and that is having a very depressing and injurious effect upon our industries. I say that if we are to interfere, it would be far better to say that we would not allow our mails to be carried by companies who have entered into combinations, to force up freights to an abnormal figure.

Senator Sir Frederick Sargood

- They have come down again largely.

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Senator CHARLESTON

- I was coming to that. It is only a question of time. Probably as soon as the war in South Africa is over, they will be forced to reduce these high rates. I recently had a conversation with one of Senator Sir Frederick Sargood's fellow merchants who told me of the height to which freights had been raised.

Senator Sir Frederick Sargood

- That arose through the steamers being taken off to go to the Cape.

Senator CHARLESTON

- That may be so, but there was also a large combination of steam-ship owners. I repeat that I sympathize with the desire to improve the conditions of every race, white as well as black, and black as well as white.

Senator MCGREGOR

- Sympathy without relief is not worth much.

Senator CHARLESTON

- I think I have done more than Senator McGregor to improve the condition of the working classes, and I contend that in the action I propose to take now, I am considering the interests of the British seaman, and all who are engaged in our great carrying trade. When we are being urged to deal with the question of a white Australia in a comprehensive way, I shall say let us deal with it boldly, and then throughout the whole of our legislation this policy may be made to tell. But to deal with it piecemeal like this would not be wise, and would only interfere with the passage of the Bill and with our Australian commerce.

Senator BARRETT

- I am very much afraid that some of us are in danger of losing our characters. Considering the remarks that have been made during this debate, I am afraid that the outside public when they compare their utterances on the public platform with their speeches in this House, will be branding some of the members of the Senate as political opportunists. We hear a great deal of sympathy expressed with the idea that we should make Australia white, but as soon as we have a Bill before us that deals with any phase of the question, we are told that the time is not opportune, and that we should wait until we get a comprehensive Bill before us, when we will be able to deal with the question in a way that will be satisfactory to the people of Australia. I venture to make the remark today, as I did the other evening, that on every matter that comes before the Senate relating to this particular question, whether it is a Bill to restrict the importation of Pacific Islanders, or a Bill dealing with mail contracts, I shall try to impose such conditions as in my opinion will carry out the idea of a white Australia. Therefore, I am not going to wait until the Government introduces another Bill, but I take the Bill before me, which deals with the Post and Telegraph service, and the amendment before me, which deals with the question of employing white labour upon mail steam-ships. The amendment says that in future we are to employ white men on the steamers carrying our mails, and I am therefore prepared to register my vote in support of it. I sincerely hope that Senator Glassey will not be led away by the blandishments of honorable senators, but will push his amendment to a division, when we shall know who are desirous of having a white Australia.

Senator Glassey

- There is not the slightest fear about that.

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Senator BARRETT

- In his speech this afternoon Senator Dobson quoted some remarks by Sir Thomas Sutherland in a letter to The Time*. As that gentleman occupies the position of chairman to the P. and O. Company, it is scarcely fair to press his views strongly on this most important question, because he is a highly interested party. It is a libel on the white sailors for him to say, as he did in The Times, that they are unreliable. That is not so, and I agree with the remarks which have been made . by several senators this afternoon. It is not a question of the reliability of white sailors or otherwise. It is a question of conditions - a question of rates of pay, and hours of labour and service, and because the P. and O. Company have not felt inclined to use only white men there is not much likelihood of their doing it unless we are prepared to impose these conditions. You, sir, as well as other honorable senators, know that this is a very old question. We have debated it times and again in the State Parliament, and we have been told there exactly as we have been told here - that we are to wait. We are told that we are only parties to this contract, and that, therefore, we have no controlling power. Reference has been made to the postal conference in New Zealand where all the Postmasters-General of Australia solemnly declared that for the future white men were to man the ships carrying our mails. But not one of them so far as I can see has yet had the moral courage to put that resolution into effect, to make an honest attempt to attain that end in his representations to the British Government. In this debate the same old .arguments have been rotted c out. We are told to wait and see if something will turn up which will realize our desire. Reference has also been made to the shortage of sailors in our mercantile marine and in the navy. One of the reasons why there is this shortage is because there is not the same encouragement given to the British sailor as is given to men in other avocations. 'The result is that men who under ordinary 'Circumstances would make excellent sailors .are forced into other occupations. But that is not all. At the present moment, as we all know, there is quite a number of men who would and could occupy these positions in our mercantile marine and in the navy, but for the fact that they are edged out by unfavorable conditions. After looking at this question from every point of view, I think we ought to make representations to the British Government, at any rate to ask that our views shall be respected. We are told that if this amendment is passed, and the Bill becomes an Act, the British Government will veto it. I am not afraid of that, but the question will have to be faced .at some time. Exactly in the same way with any other Bill which we think is distasteful to the British Government, or a section, honorable senators may argue that we must not put in a certain provision, because the British Government will say "No" to us. I trust; that the amendment will be -carried, and that it shall be stipulated in all future contracts that white men alone ;shall be employed to man mail ships. Senator PLAYFOR.D (South Australia.) - I should not have risen to speak on the question, as it has been so fully debated, but for the fact that some honorable senators, especially Senator McGregor, appear to me to have an idea that the Secretary of State for the Colonies has put down his foot on one or two occasions, and prevented a contract from being entered into with the condition that coloured labour should be kept out. It is also suggested that he has interfered in relation to certain Bills affecting the employment of Japanese in Queensland, and the importation of coloured labour into the colonies. The mail contract was made before Mr. Chamberlain came into ofK.ee. Practically, the Liberal Government, in which the Marquis of Ripon was Colonial Minister, had settled the whole matter before the present Ministry came into office. Mr. Chamberlain has nothing whatever to do with the question ; in fact it is not under his department. It is dealt with by the Treasury and the Post-office. It will be within the recollection of Senator McGregor that the Parliament of South Australia passed a Bill in which they named the people whom the}' intended to exclude from the State - such as Asiatics. Mr. Chamberlain was certainly in power when the Government declined to ask Her late Majesty to assent to the Bill, which had been reserved by the Governor for the signification of her pleasure thereon. I had a long conversation with Mr. Chamberlain on the subject ; his views are practically in accord with our views here, but there are two or three ways of doing certain tilings" which we want to be done - an exceedingly nice and pleasant way, and an offensive way. Great Britain has diplomatic relations with the Japanese and coloured races in various parts of the world, but the idea of Mr. Chamberlain was that we might very well exclude those races from Australia He was not opposed to that policy, but he held that their exclusion should be effected in a way which would not give offence. He said - "Instead of excluding them from the colony, by using their name and making the legislation offensive to the Governments of Japan , or China, and so on, you can exclude them by doing as they did in Natal. By imposing an educational test or a

language test, and so on, you can accomplish your object exactly in the same way but in a manner which will give no offence." That appears to me to be a sensible and an exceedingly diplomatic way of managing affairs. If we can manage our affairs and accomplish our object in an exceedingly pleasant way, is it not far better to take that course than to go bald-headed and offend people where there is not the slightest necessity to offend?

Senator McGregor

- That is Mr. Chamberlain's policy all over the world.

Senator Fraser

- A very wise policy, too.

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Senator PLAYFORD

- It certainly is a very good policy. Senator Dobson has referred to mercy and justice, and asked that mercy and justice shall be meted out to 35,000 lascars. He appears to look upon them as a people whom the Bill with this amendment would affect more arbitrarily than others. He has drawn a harrowing picture of these poor fellows being thrown out of work. I am sure that Senator Glassey, if he reflects for a moment, will see that it will have little effect in that respect. It can only have some effect in regard to certain seamen under certain circumstances, and the immense trade done by the Peninsular and Oriental Company, who are the chief employers of lascars, will not be affected. "When this harrowing picture of what an unjust and unmerciful thing it will be to pass the amendment is looked into, it will be found that there is really nothing in it.

Senator Dobson

- There are 7,000 lascars under the Peninsular and Oriental Company. Senator PLAYFORD.- It would throw out but very few of them under any circumstances. Then we are informed by Senator Charleston that we are shutting out British subjects. Nearly all of us here have stood on public platforms and advocated white Australia. Did Senator Charleston, in his advocacy of a white Australia, say that he was not going to shut out British subjects? Of course he was, because, of all people of whom we may be frightened the Hindoos come first. They are, year by year, increasing in number so greatly that the great problem before the Indian Government is to find some room for the surplus population, and they would only be too glad to get rid of a few millions of them every year. If we intend to have Australia white, we must keep out the Hindoos, as well as others. They certainly are British subjects. We have also hundreds of thousands of British subjects who are Chinamen. We have Singapore, Hong Kong, Penang, the Straits Settlements, Malacca, and Borneo, and the majority of the inhabitants are British subjects. The arguments which honorable senators use to discount this move by Senator Glassey are precisely the same as the arguments one can use against a white Australia.

Senator Harney

- There is a big difference.

Senator PLAYFORD

- Undoubtedly. Senator Sir Josiah Symon has said that he is going to vote against the amendment because, among other reasons, it is a pure question of colour. Of course it is a pure question of colour, and white Australia is a pure question of colour. When one boils down the arguments - to which I listened with considerable attention - of Senators Dobson, Sir Josiah Symon, and Charleston, one finds that they are precisely the same arguments, as can be used against a white Australia. . . , Senator Charleston.

- What does the honorable senator mean by a white Australia - the entire exclusion of coloured people?

Senator PLAYFORD

- I am going to support the amendment, and therefore I am not guilty of any inconsistency in that direction.

Senator Charleston

- Nor am I.

Senator PLAYFORD

- The arguments, which the honorable senator used in opposition to the amendment are exactly the arguments which can be used with equal effect against a white Australia. What position do the Government take up? A most illogical position. In effect they say "Not only do we deeply sympathize with, you, but we intend to give effect to this, amendment."

Senator Drake

- We could not say that..

Senator PLAYFORD

- Wherever possible.

Senator Drake

- Yes.

Senator PLAYFORD

- We cannot expect the Government to do impossibilities, and if wherever possible the Government are going to give effect to the amendment, why in the name of common sense do they not agree to its insertion in the Bill, so as to make it absolutely certain? We may have the greatest confidence in the present Government, that 'they will carry out their pledges without fail, and that there is not the slightest fear of their turning their coats in time matter ; but we may not have so much confidence in some of their successors. Therefore, as the Government intend,, wherever possible, to give effect to the amendment, why do they object to it under some fanciful idea that in some particular case it would tie their hands ? We have an unmistakable pledge on the part of the Government that they are going to carry out what Senator Glassey desires. Why: .not be logical and embody the proposal in an Act of Parliament? I can see no harm in it. The fanciful statements of Senator. Sir Josiah Symon as to there being a black' man aboard a ship or a black cook in the' 'galley is beside the point altogether. The, word " crew " does not refer to the cook. ,

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Senator Drake

- Oh, yes. .".

Senator PLAYFORD

- It does not refer to the waiters at table, does it ? I never understood that. The Government might give full effect to the amendment even though there were on board a ship a few waiters whose colour might not be above reproach, and who might be Eurasians from India, or half-bred Chinamen or Japanese. The employment of those men would not vitiate the contract so long as the rest of the crew was white.

Senator Charleston

- That is not Senator Glassey's idea in his amendment.

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Senator PLAYFORD

- Does Senator Charleston suppose that a man like Senator Glassey, who has lived all these years, has not sufficient common sense to know that you cannot carry these things to extremes, and that the Government would not vitiate a contract because there was a Chinese cook on board a vessel when all the rest of the crew were white men 'i Hard-and-fast rules are all very well for people whose heads are not screwed on the right way, but I have always found that, rigidly applied, they are very stupid things for a man to go by. There is a Biblical precept- -

If ii man take away thy coat give him thy cloak also.

To act upon that rule literally would be very hard. There is another Biblical sentiment -

From him that would borrow of thee turn not away.

We should not be very rich if we acted upon that as a hard-and-fast rule. Under the circumstances the Government should in common consistency assist Senator Glassey in making this amendment absolutely a part of our Post and Telegraph Bill. We do not ask them to carry it to absurd extremes, and apply it to .every possible case. AVe do not expect them to do impossible things, but it would be a great deal better that the amendment should be embodied in the Bill. I believe that in the future it will not be necessary in a great many instances, even in the case of the carriage of mails to Europe, for the Government to enter into contracts. We shall very likely be able to do what is done in America, where the Government put their mails on board a ship that is going to any particular place, and pay for them by weight or per letter, according to a regular scale of charges. If that is to be the practice in the future, as I believe will be the case, no harm will be done by having such ' a provision in the Bill. There is no doubt that the Government can carry it out in' regard to the inter-State mails without any trouble. In connexion with that, there is another very important matter, although it is not strictly connected with the carriages of mails. There are ships carrying coloured crews which trade between port and port,, and which are cutting into our

inter-State trade. AVE ought to do something to protect that trade in the same way as our cousins in America did in regard to their shipping trade. For these reasons I shall support the amendment.

Senator WALKER

(New South Wales). ' - I desire to correct a misstatement unintentionally made by

Senator Dobson.

Heseemed to be under the impression that the commission which inquired into the black labour question in Queensland adopted a majority report against the employment of black labour. The facts are just the other way about. The majority of the commission, were in favour of the continuance of the employment of black labour, but a minority,, including the chairman, Mr. AV

H. Groom, who is now a member of the House of Representatives, were in favour of substituting white labour. The opinion of the majority of the commission was that in places above a certain parallel of latitude black labour should be permitted to be employed. I. have no doubt that in his speech in reply

Senator Glassey

will give the committee the exact facts, because he knows them very well. I have always been under the impression that the British Empire was a cosmopolitan empire. AVE are part of that empire, and I cannot conceive' it to be otherwise than inconsistent that we should not be cosmopolitan. For that reason alone I shall oppose the amendment. Irrespective of that, there would be a great deal of difficulty in giving effect to it if carried. In'Australia there are a number of Eurasians who have children born in the States. Are those children to be excluded from the crews of ships which cany our mails

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In New Zealand there are half-caste Maories. Are they to be excluded

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It is absolutely impossible . from my point of view to give' effect to the amendment literally.

Senator Playford,

in his speech in favour of the amendment, has practically given himself away. He has tried to make out that the cook and the waiters are not part of the crew of the vessel. If the supporters of- the amendment are consistent, not a single: black or coloured waiter or cook ought to be employed in a ship carrying mails. I .am sure

Senator McGregor

will agree with me in that.

Senator McGREGOR

- I would not have them.

Senator WALKER

- In regard to the policy of a " white Australia," I am glad to say that there are a number of senators who at the elections were never asked a question upon the matter. If I had been asked, I should have replied that I believe in .a white Australia in my sense of the phrase. My impression is that we should have a stream of European immigration, and that Australia does not exist for the handful of people who are at present in it, but for the British race amongst others. Coloured people are God's creatures like ourselves. It is to my mind a matter of regret that there .are honorable senators who, having wide views in other respects, entertain so narrow an opinion upon a question of this sort. It seems to me that we have Tories in our midst. The modern Tories of Australia are those who call themselves the labour party. 'They want to punish people for that for which they are unaccountable, namely, their colour. It is absolutely unchristian, and I am quite unable to agree with my honorable friends in the matter. Senator Sir Josiah Symon has said so much with which I coincide that I need not prolong the discussion. He has shown that the British race have not a monopoly of seamanship. We need not go back as far as the Phoenicians or other ancient peoples to realize that it is absurd to suppose that the British people are the only good sailors. AVE regard New Guinea as almost a part of the Commonwealth in one sense.

Senator PEARCE

- It is a Crown colony.

Senator WALKER

- It is, to some extent, under the control of the Commonwealth.

Senator Glassey

- Some of it is part of the German Empire.

Senator WALKER

- I speak of British New Guinea. There are splendid sailors in that island. Some honorable senators, I have no doubt, have been as far north as Thursday Island. There are there many aboriginal natives of Australia who are excellent seamen, and they will be excluded under this provision. All our most generous instincts are outraged by this proposal. One of the most estimable sea captains in Sydney, from whom one hires boats, is a black man. He is a splendid sailor. There is not a better seaman in Sydney Harbor than that man. Is it not outrageous that in this twentieth century we should carry our prejudices to such an extent as to go back to a policy worthy only of the days of darkness ? I can understand many people objecting to going to sea if they can find other employment, and that is an additional reason why we should not forbid the employment of black labour. When Dr. Johnson was asked his opinion about going to sea, he said that it seemed to him that going to sea was like going to prison, with the chance of being drowned thrown in. Numbers of people cannot stand being on board ship at all. I trust that honorable senators will have a chance before long of visiting other parts of Australia than the temperate regions. Those who have lived in tji tropics would have been much worse off there had it not been for coloured labour. While opposing the amendment, I compliment Senator Glassey on the way he has brought it forward, and desire to say that I have nothing but respect for him personally.

Senator PULSFORD

- The debate has occupied so much time that I rise with some diffidence to make a few remarks upon the amendment proposed by Senator Glassey. The proposal is, however, of such great importance, not merely to the Bill, but to Australia as a nation, as part of the British Empire, that I feel compelled to speak my mind if only in a few sentences. As far as the amendment is concerned, I feel somewhat humiliated that in a British Legislature a proposal so unjust and so uncharacteristic of that sense of fair play which is supposed to be inherent in all British statesmen should be brought forward for consideration. AVe are asked to say that along our coasts no coloured sailor shall be employed, yet we know that along the coasts of Asia British shipping to the extent of hundreds and thousands of tons is always trading.

Senator Staniforth Smith

- AVe are not legislating for Asia yet !

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Senator PULSFORD

- I am quite aware of that. But I want to draw the attention of the Senate to the position of shipping. AVe are asked to exclude all coloured labour from the coast of Australia, while at the same time white labour is employed in carrying the very products of the great countries of Asia to our shores. That cannot be equal British fair play. It does not appeal to our sense of what is right and becoming. Added strength is given to this contention when we remember, as Senator Sir Josiah Symon has pointed out, that in dealing with the people of India we are dealing with a population we have conquered, and to whom by every right of justice, by every sentiment of British fair play, and by everything that has distinguished our race in the past, we are bound to deal out not alone mercy - I do not ask for that - -but everything that we in justice and equity can give them.

Senator PEARCE

- They are people to whom the British Government have refused the rights of citizenship.

Senator PULSFORD

- I cannot take a small view of this question. I cannot forget what has taken place in the past ; the developments which are taking place in regard to various Asiatic powers, the growing power of the coloured races. If we look forward to the possibilities of the future, we shall hesitate very much indeed, if we want to do what is best for Australia and the Empire, before we put upon our statute-book a provision which carries with it a great insult to one half of the world's inhabitants. It has been for a long time past the boast of Great Britain that she is more or less of an Asiatic power, and that her presence in Asia has done a great deal to develop India and the contiguous countries. She has brought peace to them. There has been an increase of wealth, and the natives of India and of Asia generally are in a better position than they were at the beginning of the last century. They recognise that they enjoy greater privileges and greater blessings under the British flag than they possessed in years gone by. Having regard to the expansion which is taking place in China and Japan, and the certainty of greater development in the

future, it is not for us when we do not know what the coming years will bring about, and when we do know that it is desirable for us to have the friendship of a country like Japan, to put upon our statute-book a piece of legislation which they would look upon as an affront and an insult. I want the distinction between legislation such as this, and such as is required to carry out the idea involved in the principle of a white Australia, to be clearly seen. I am an advocate of the policy of a white Australia. I recognise that evil has resulted in America from the mixture of white and coloured races. We ' require to keep the races in Australia distinct. We desire to keep the races in Australia white, and we must not admit coloured races in any indiscriminate manner. I do not propose to admit them at all. All coloured labour should be kept out of Australia. But keeping coloured labour out of Australia is one thing, and trying to keep coloured labour out of British ships on the high seas is quite a different matter. It is a difference which I think we shall do well to understand. I have pledged myself in favour of a white Australia in the sense in which I am referring to it, but most decidedly I will do everything in my power to prevent that policy being extended in a direction which was never contemplated.

Senator Harney

- A British ship is no part of Australia.

Senator PULSFORD

- I will do all in my power to prevent the extension of this policy in a direction which could only bring discredit and disgrace on the British flag and lower the character of British communities, while at the same time causing enlightened nations, such as Japan is now, to entertain the feeling that Australia is a country which is to be looked upon with suspicion, and might possibly become an enemy. I trust therefore, that this amendment will be defeated by a very handsome majority. There are many other directions in which I might elaborate my objection to the amendment, but considering the length to which this debate has extended, I content myself with these few remarks, and by again expressing the earnest hope that the honour and fair play of the British Empire will be vindicated to-night by the defeat of this amendment.

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Senator STEWART

- We have heard a great deal of inconsistency in connexion with the question now before the committee, but of all the speakers who have tackled the subject the honorable senator who has just sat down easily comes in first. Most of the honorable senators who have opposed this innocent little amendment, which has given rise to a great deal more heat and discussion than was expected by its parent, have talked with more or less inconsistency upon it, but Senator Pulsford beats them all. On the one hand he tells us that this will bring ruin and disgrace on Australia and the British Empire.

Senator Pulsford

- I never used the word " ruin."

Senator STEWART

- The honorable senator says we are interfering with the rights of British subjects, and at the same time he puts himself forward as an advocate of a white Australia. If it is against the interests of the British Empire to prohibit the employment of subjects of the British Empire on British ships, surely it is against the interests of the British Empire in a much greater degree to put obstacles in the way of the employment on these ships of citizens of Australia, which is part of that empire.

Senator Harney

- We must draw the line somewhere.

Senator STEWART

- I wish those honorable senators who talk so much about drawing the line would only draw it. I wonder if they have ever looked the position they take up squarely in the face ? I am going to try and put it to them as clearly as I can. The primary objection which has been taken by the opponents of this amendment is that in legislating, in this fashion we are "interfering with the inalienable rights of British subjects. They say that this amendment is aimed at the- Indian subjects of the Government, and that as these people are citizens of the British Empire just as much as we are, they are entitled to every right within the boundaries of the empire that we enjoy. Very well : but are honorable senators who argue in this way prepared to face that position in its entirety. If this contention is correct, then I say that the Indian coolie, in his thousands and tens of thousands, can come here and swamp the white workers of Australia.. Are the people of Australia prepared for that?

Senator FRASER

- No ; we will take care that they do not.

Senator STEWART

- I do not look upon the honorable senator who has just interjected as a watch-dog for a white Australia at all. I look upon him as one of those canines who is prepared to betray his trust for any little bone that is thrown to him. Are honorable senators prepared to face the position such as I have placed before them. If they are, we might as well at once abandon all talk of a white Australia. What is the good of talking about a white Australia if we have not a right to prevent the Hindoos and the coolies, and all the other alien subjects of the King from coming here? Have we that > right or not ? If we have, then we can keep them out. If we have not, then we have no power to keep them out. I think we : should have some strong statement on the question- from honorable senators. who get up to discuss it. I have always been under the impression that this is a self-governing community. We have been told that we have supreme power in connexion with everything Australian, and that we are as much a self-governing community, as far as our interna] affairs are concerned, as the people of Great Britain themselves.

Senator Walker

- But this is an external affair.

Senator STEWART

- It is not external at all. The honorable senator who made that interjection does not seem to be able to differentiate between what is external . and what is internal. I would ask the honorable senator's attention for a moment. If the Government of the Commonwealth makes a bargain with a particular shipping company to carry the mails of the Common-, wealth to some distant part, is not that a. matter which affects the internal affairs of the Commonwealth ?

Senator Walker

- And the external affairs also.

Senator STEWART

- It affects purely the internal affairs of the Commonwealth.. The agreement that we make with a particular shipping company is that it will cany our letters to a particular part of the world, and from a particular port of the world, and we say to this company - " One condition of the contract we make with you. is that you shall only employ white crews." . Either we have a right to make such a condition or we have not. The Postmaster-General admits that we have the right, but he says that it would be injudicious, perhaps,' to put it into the Bill. We are assured, however, that the Government will take very good care that this very provision, which we ought not to put into the Bill, will be put -into the contracts. If the Government can put a condition of this kind into its contracts, why not put it into the Bill ? The Vice-President of the Executive Council says that if we inserted such . a provision in the Bill, the Imperial Government would probably refuse its assent.

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Senator Drake

- The honorable and-' learned gentleman did not say " probably ";: but he said there would be very great. danger. /

Senator Walker

- We have 100,000 blacks here now.

Senator STEWART

- Yes, and that is owing to the honorable senator and other legislators of his kidney and character. If the honorable senator had his way, instead of having 100,000 blacks, we should have 10,000,000. I know how he would develop the resources of Australia. He would bring in cheap coloured labour by thousands and hundreds of thousands. He does not make any secret of his belief. He tells us that he is in favour of free-trade in labour. Is the honorable senator also in favour of free-trade in capital 1

Senator Walker

- Certainly.

Senator STEWART

- Was not the honorable senator chairman of a bank up to recently? I think I read somewhere recently that he resigned his position; and did not the managers of the different banks meet and fix the rate of interest. And then the honorable senator talks about free-trade in labour and freetrade in capital.

Senator Walker

- It is a matter of supply and demand.

Senator STEWART

- These capitalistic bosses meet in solemn and secret conclave, and they arrange with each other that they will not pay more than a particular rate of interest, and they will not charge any less

Senator Fraser

- The honorable senator need not be offensive. It comes very easy to the honorable senator to be offensive.

Senator STEWART

- I do not wish to be offensive. It is my unfortunate manner.

Senator FRASER

- Very well; the honorable senator ought to apologize.

Senator STEWART

- If I have offended the honorable senator I apologize. If I have said anything displeasing to him I withdraw it. Can I do anything more?

Senator FRASER

- I accept that.

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Senator STEWART

- I have heard the honorable Senator Sir Josiah Symon, with the eloquence and ability so characteristic of him, getting into a very hair-splitting discussion with regard to the word "coloured " and the word " white." The question of colour involves much more than the mere whiteness, brownness, blackness, or yellow hue of a man's countenance. Why do we particularly object to the employment of coloured people ? There are two reasons, so far as I can gather. One reason is that we do not believe in mixing the breed. We do not want to debase the national currency, to use another phrase. Another reason is that we do not want to subject ourselves to competition with the cheap

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2245 coloured Asiatics. It is much more than a question merely of colour ; it is a question of wages. We heard a great deal this afternoon and on previous occasions about the British mercantile marine being manned by foreigners. How has it come about? Do honorable senators know the history of this question? Do they not know that the British seaman has been continuall)' agitating for the last 50 years for improved conditions ? Have they ever heard of a gentleman named Samuel Plimsoll, who for a very long series of years agitated for a load line ? Has it ever come within the range of their ken that British ships were for decade after decade nothing more nor less than floating coffins, and that the British seaman, seeing that he could not get good conditions, safe ships to sail in, and could not get decently paid for his work; seeing also that he was fed more like a dog than a man - all in the interest of commercialism, all in the interests of the beautiful policy so strongly advocate by Senators Pulsford and Walker of New South Wales.

Senator Walker

- Free-traders.

Senator STEWART

- Perhaps honorable senators will just permit me to say that those two honorable senators are doing more injury to the cause 'of free-trade than it is possible almost for any other two honorable senators to do, because if their principles were carried out to their logical conclusion, the result would be such as would make free-trade stink in the nostrils of every man who loves Australia. As I was saying, th reason why British seamen desert British ships as we are told rats leave a sinking ship, is because they were not decently paid or decently fed, and because the ships in many cases were mere floating coffins. They tried to get better conditions and they were refused. The British Parliament, with its reverence for free-trade principles, would not interfere with the sacred doctrine of supply and demand. Oh, - no, it would never do, and the consequence was that the British seaman looked out for other occupations, and took himself to other parts of the earth. He went over to America to help build up the splendid national edifice which we see over there to-day, and now we have men from every country in Europe manning British ships,

whereas, if we had a decent protectionist policy in force, which protected the workmen as well as the capitalists, the ships of Britain to-day would be manned not by people from the Continent of Europe, but by the citizens of Britain itself. Not only were these people not content with starving British seamen, under-feeding them, and drowning them, but they also slandered them. I have heard a thousand times that the British seaman was nothing but a drunken, lazy inefficient lout. That was the cry of the British capitalist.

Senator McGregor

- We heard that here to-day.

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Senator STEWART

- That was the cry of the British ship-owner, and he said, " Employ a British seaman ! No, I will not employ a man I cannot trust two hours out of my sight, when I can get a Dane, a Norwegian, a Swede, or a German, who is as sober and as constant as the sun." We have heard the British seaman slandered, and we have seen the other disabilities under which he has been placed, and still honorable senators get up in this Chamber and lament the fact that the British marine is manned by foreigners instead of by Britons, and now when the foreigner is becoming exhausted what does the capitalist do? Why, he turns to the dusky millions of Asia. He says that the white seamen will not work except under conditions upon which the shipowner cannot make so much per cent., and then he says we will bring his black brother from India, his fellow subject of the King, into competition with him, and if he will not submit to our conditions we will starve him out. We here in Australia, fortunately, I think, for ourselves, and fortunately, I believe, for civilization, take entirely another view of the question. We say capital has its rights, but we also say that labour has its rights, -and we insist not only upon the labourer in every occupation being well paid, having decent hours, fair conditions, and all the rest of it, but further that the labourer shall be one of ourselves. The first duty of every man is to those of his own household, and the first duty of every country is to its own people. We say if we have any employment to give, if we have any money to spend, or any cash to circulate, it shall be circulated amongst our own people, and not amongst black people ; who, although it may be an unchristian doctrine this to preach, and although it may be a very conservative doctrine - because we have been stigmatized as infidels and Tories - charity, as Senator Walker ought to know, begins at home, and when we have swept our own doorstep clean, when we have got our own white brothers and sisters into the fold, when they are all well off' and comfortable, and treated as we would like to see them, I am with the honorable senator and ready to go with him on an expedition into Asia to see whether we cannot do something for the people there. But while there, is any work to be done here I consider it my duty to remain here. That is the position we take up. We say we have no ill-feeling against the people of these countries, but our first duty is to our own people, and to see that they get employment, because we are not all millionaires, unfortunately. Fortunately for himself, the honorable senator may be so situated as to be beyond the reach of want, but the great majority of the people of this country have to dig and toil and, moil for their daily bread, and they have great difficulty in many cases in getting it. We are here to see that even' opportunity of getting a decent livelihood is placed within the reach of all our citizens.

Senator Walker

- And fellow subjects.

Senator STEWART

- And of our fellow subjects. The honorable senator nudges his neighbour, but I can assure him that Senator Glassey has very little sympathy with him on the present occasion. I do not know whether it would be in order for me to discuss this question of our fellow subjects. I am not going to enter into it at any length, but it appears to me that you cannot mix wine with oil, and you cannot put new wine into old bottles. You may try to build up an empire, one-fourth of which is composed of white men, with one standard of civilization and one set of ideas with regard to social, political, and industrial subjects, and the other three-fourths of the empire being people with entirely different ideas on every subject one could mention, and also of a lower type of civilization - I say you may attempt the task of building up a homogeneous empire composed of such materials, but the task is impossible. This may appear strong speech, but it appears to me to be simply impossible to build up an empire on such a principle. You cannot weld two pieces of iron together unless they are both equally heated, and I say you cannot join

two races, you cannot mingle two "races, you cannot blend them unless there is something in common between them. So that to attempt to build up a homogeneous British Empire out of such materials as we have at our hands is one which I say is bound to end in failure.

Senator Pearce

- The British Government do not treat the Indians in the same way as we do.

Senator STEWART

- They are not. placed on the same plane as we are at all.. There are, I believe, 200,000,000-1 will not be certain to a million or two, because there is a very large population there, and. they have a trick of dying off very rapidly from famine, and increasing very rapidly.. But there is only one man's voice heard in that vast country, and that is the Governor-General of India.

Senator Pearce

- And he is not an Indian, but a white man.

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Senator STEWART

- And as the honorable senator interjects, he is not an Indian. He is sent over from Downing-street,, and is inspired from Downing-street. The Indian is governed, not by the people of India, not in accordance with Indian ideas, but by the people of Great Britain, and after the fashion of British ideas. Probably it may be that this very fact accounts for the serious difficulties, social and industrial, we find occurring so often in the history of India.. We have heard all manner of objections to the amendment. It is extraordinary how easy it is to find flaws in a proposition when one is not in accord with it. One honorable senator said - "When we come to deal with the question of a white Australia,, let us bring in a comprehensive measure,, and then I shall be with you.!' When a man goes into a field to plough it, he has to turn it over furrow by furrow. When a man goes out to fell a forest, he has to cut the trees down one by one. He cuts down the forest, but one tree after another disappears before the blows of his axe.' In like manner we have to deal with our legislation. We cannot pass a comprehensive measure which will embrace the whole population of the Commonwealth. We have to do the thing in a piecemeal way. We have to do the best we can, and that we are attempting to do by this amendment. Any honorable senator who cannot see his way to support the amendment need not tell me that he is in favour of a white Australia. Probably he is in favour of a white Australia when he is on the platform. One honorable senator said that he was never asked a question about the subject. I am 'very sorry he was not. Being a six years man' he is probably placed beyond the reach of the wrath of the electors. I would warn him to escape from wrath to come, for assuredly it will fall very heavily upon him, if he does not take care. I admire his honesty. He is in a much superior position to those who get up and say one thing here, whereas when they were before the electors they said something quite different. I can honour a man who holds certain opinions, even if I disagree with them. He is a much better type of citizen than a man who professes one thing before the electors and practises another thing before the Senate. Wherever the Commonwealth has a farthing to spend, I shall endeavour to put the spending of that money in the way of people of my own race and blood. We have heard something about the teeming population of India, and of outlets being wanted for them. I have no objection to outlets being found for the surplus population of India. But there is a surplus population in the country from which we come - in Great Britain and Ireland - and so far as I am concerned, I mean to keep this territory for them and their children. We ought to keep this territory for white people, no matter what anybody says - no matter about the connexion with the British Empire. We ought to be masters in our own household. If we are not a self-governing people, then the sooner we find it out the better. Talking about the sea as an occupation, Senator Walker said Dr. Johnson remarked that it was not an occupation fit for a dog.

Senator Walker

- No ; I said that Dr. Johnson observed that going to sea was very much like a man going to prison, with the chance of being drowned thrown in.

Senator STEWART

- I had forgotten the exact words which were used. That showed Dr. Johnson's opinion of the avocation of a seaman, and it also, perhaps, was a very correct description of the position at that time. But Dr. J Johnson was a most peculiar individual. [Senator Walker. - He had a great regard for Scotchmen !

Senator STEWART

- I remember once reading a passage in which he said that porridge was a most excellent food for Scotchmen and horses.

The CHAIRMAN

- I would ask the honorable senator' not to discuss Dr. Johnson so much.

Senator STEWART

- One more reference, sir, and I am done. Dr. Johnson compared Fleet-street, London, with all its . nauseous surroundings, with the finest country residences he could possibly be brought to, so that on the whole, he was rather a peculiar individual whose ideas, I think, ought not to be quoted as an authority here. I shall support the amendment.

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Senator GLASSEY

- I wish to make a few observations, but not so as to prolong the discussion, which I confess has lasted a little longer than I anticipated. It has been of some value, however, and- 1 sincerely hope that it has had the effect of inducing the Postmaster-General to withdraw his opposition. I am very glad to hear from Senator Dobson that only 7,000 coloured men are engaged in the ships at which my amendment is aimed. He asked by implication if those 7,000 men were replaced by 5,000 white men - the proportion which 1 assume he supposes would be employed in their place - what benefit would it be to the Commonwealth ? It would be a considerable benefit I think. At any rate the bulk of us say that we wish Australia to be the home for a white, free race, and all my amendment aims at is an extension of that policy - a declaration that in future mail contracts there shall be a stipulation that men of our own race and colour, under our control, and receiving our pay, shall be engaged. It is not too much to say that if 5,000 men of our own race and colour were engaged to fill the places of 7,000 men of another race and colour it would be of < some benefit to the people of the Commonwealth. At any rate it would show that we are in earnest so far as our opinions have been expressed with regard to the establishment of this great principle of a white Australia. . Senator Dobson is aware that not only is this contention being made in Australia, and made, too, with some force and activity, but is also being made by the people of Great Britain. The people of Great Britain, members of the House of Commons, the great industrial organizations of the old country, and more particularly those who are engaged in mercantile pursuits, ask that this principle be established not only on this side of the globe, but also on the other side of the globe. Senator Dobson said that the P. and O. Company have actually tried to work their ships with white men, and that the experiment failed. I would not for a moment imply that he would attempt to mislead the committee by ' giving false information. That

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Senator GLASSEY

- Of course every man who signs articles on board a ship, whether he be a cook or a servant at table, is part of the crew. I make no distinction between sailors and firemen and those who perform any other duties. With regard to the objections raised by Senator Sir Josiah Symon, I may be pardoned for saying that they appear to me to be simply legal, quibbles. How would it be possible to define absolutely what a coloured man is ?' There are men with dark blood in their veins some of whom are as fair in complexion as our Chairman. Some are dark ; but it would not be possible to put, in the Bill the exact shade of colour of every person who may be employed. I deal with ' matters in a broad and general sense. I do not know that any medical man in the world could frame a definition such as is asked for by Senator Sir Josiah Symon, who, with that acuteness in hair-splitting and straw-splitting to which he is accustomed at the bar, made a good! deal of fun out of the case of the cook. I do not object to a little fun, but when I am told that it would be impossible to carry out such a provision as this, I am reminded of a letter I received from an old friend of mine some years ago, in regard to a suggestion I had made to him, which he thought it would be impossible to carry out. He said, " Brother, speak of possibilities, and do not suggest wild extremes." I ask Senator Sir Josiah Symon to speak of possibilities, and not to suggest wild and ridiculous extremes, as ' I may be pardoned for saying the honorable and learned senator has done. Another point has been raised - a sort of hobgoblin to terrify people. It is that the British Government is likely to object to this amendment. We are told that the Imperial Postmaster-General must have a. say in the matter. I am not here to anticipate what the British Postmaster-General may do. I presume we are here to determine what

is the policy to be pursued by the Commonwealth of Australia. I believe my amendment embodies a principle which was enunciated from every platform and by almost every part of the press throughout the Commonwealth during the recent elections, and I certainly do not believe for

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2249 a moment that the British Government, if such an amendment were inserted in the Bill, would object to it. If they did object it would be time for the people of Australia to consider their position. I have no doubt that they would do so in the most effective way. But we are not here to anticipate such a difficulty. I am by no means terrified or intimidated by the arguments which have been advanced upon this point. I do not believe the Royal assent to the Bill would be refused ; but even if it were, I should not be deterred in the slightest degree from pursuing the course which I believe to be the right one.

Senator Drake

- The honorable senator has not the responsibility of running the department in the meantime.

Senator GLASSEY

- The Postmaster-General naturally feels his responsibility, but he will not always occupy that office. It is just possible that I may be Postmaster-General some day ; and do the committee think for one moment that I should have the slightest hesitation in taking all the responsibilities attached to the office ?

Senator Drake

- The honorable senator evidently misunderstood my remark. He says he does not care if this Bill miscarries. I say that if it does, there is no law for me to go by except the laws of the several States : and the present unsatisfactory condition of things will continue. When I speak of the responsibility of carrying out the duties of my office, I mean that I want to get this Bill through quickly in order to know where I am.

Senator GLASSEY

- I wish to assist the Postmaster-General to get the Bill through quickly, but I am not possessed by his fears, nor do I think there is the slightest justification for them. In this matter, which so seriously concerns the welfare of the Commonwealth, the Government have not shown that firmness of purpose which the people of Australia expect from them. Therefore the amendment is essential. The Postmaster-General will clearly understand that if the amendment were passed no harm would arise so far as existing contracts are concerned. Therefore no inconvenience would be felt. I shall not attempt to answer all the objections which have been raised by honorable senators. Some of them appear to me to be very foolish. But there is one objection of which I will take notice. It was raised by Senator Charleston. His line of argument was that it is not wise to exclude those persons who are aimed at by the amendment, because they are British subjects. The same argument will apply to the exclusion of coloured races from the soil of Australia. It may be said that they are British subjects, and we have no right to exclude them from our soil. But I hold that we have a perfect right to do so ; and that it is our duty in the interests of the Commonwealth, and for the sake of the safety of the people who travel in the vessels to which I allude, that white sailors shall be employed in our ships. Let me direct the attention of the committee to the wreck of the Quetta. It is alleged with good reason that that wreck was largely due to the carelessness and timidity of the lascars who manned the vessel.

Senator Walker

- That is absolutely wrong. I had a personal friend on board, and I know the facts.

Senator GLASSEY

- I am speaking from memory, but I think I am right in my statement. Does Senator Walker say that that ship was not manned by lascars ?

Senator Walker

- They behaved splendidly.

Senator STANFORTH Smith

- Senator Walker says that the lascars did not wreck the Quetta.

Senator GLASSEY

- I did not say that they did, but had the vessel been manned by lascars much of the disaster would not have occurred.

Senator Walker

- -The honorable senator is absolutely mistaken.

Senator GLASSEY

- Another vessel was lost the other day at Shanghai, or some other place, and the disaster was largely due to the lascars who rushed the boats. It is not necessary to prolong the discussion. I shall content myself by dividing the committee. I do not know whether I shall carry the amendment, but I hope I shall ; and I trust that honorable senators will cast a vote which will give effect to the will, wishes, desires, and aspirations of the people of the Commonwealth by establishing the policy of a white Australia, not only in regard to the soil itself - and along our coasts, but also so far as relates to the manning of vessels which we subsidize for the carriage of our mails to and from Great Britain and other ports.

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Senator Lt Col NEILD

- I am one of those who, in seeking election to the Senate, declared myself in favour of the policy of a white Australia, and I am not going back upon that pledge. But, on the other hand, the amendment that has been moved by Senator Glassey is so worded as to absolutely prevent the carrying of mails by agreement with any ship that happens to have on board a coloured seaman.

Senator Glassey

- Not at all.

Senator Lt Col NEILD

- The amendment as moved would prevent the Postmaster-General from sending mails to Japan by almost the only direct line of steamers that runs to that country.

Senator Stewart

- The amendment only applies to written contracts entered into by the department.

Senator Lt Col NEILD

- I do not suppose the Postmaster-General would send mails by any ship without some sort of written agreement ; and that would, under the terms of the amendment, bring in such a line of ships as I have referred to. There is no interpretation clause in the Bill defining the word "contracts," and in the absence of an interpretation clause it appears to me to be certain that the amendment would apply. Therefore, I cannot see my way to support the amendment in its present form.

Senator CHARLESTON

(South Australia). - -From the arguments which I have heard, it seems to me that the only intention

Senator Glassey

has is directly to exclude the P. and O. Company from carrying mails. He states plainly that any ship having coloured crews, even if only carrying mails temporarily, and not under a definite contract, may be excluded. I do not understand that. I do not think that any one reading the amendment would be led to suppose that that was all that the honorable senator intended. It seems to me that the amendment provides quite clearly that the Postmaster-General cannot enter into contracts, whether for the carriage of one mail only, or for the carriage of mails for a period of years, with a company which employs other than white crews on the vessels to be engaged in carrying those mails. I fail to- see how

Senator Playford

could contend that coloured servants, such as stewards or cooks, might be employed on such vessels. I do not think that

Senator Glassey

moved his amendment with any such narrow view as that in his mind. If I understand the amendment at all, the intention of it is to exclude from the contracts all coloured labour.

Senator Glassey

very clearly put it that he- did not believe in quibbles ; that he did not believe in having coloured servants, whether employed as waiters, or otherwise. Therefore, it is plain that he means that all coloured seamen, and coloured servants, shall be excluded from ships carrying mails.

Senator Harney

- He admits all that.

Senator CHARLESTON

- Yes ; and therefore the amendment will have a much wider scope than some honorable senators, judging from their interjections and speeches, would lead us to believe.

Senator CLEMONS

- I am not going to interpose at this stage of the debate with a speech of any great length. This subject is of such great importance, and the mover of the amendment and those who support him are so much in earnest, that I cannot vote silently upon it. I desire to say this, to start with, that it seems to me that Senator Glassey is beginning where he might have hoped to end. I mean by that, that if he succeeds in carrying this amendment he need not despair of carrying out any form of legislation whatever which might come within the scope of the term "white Australia." The honorable senator is directly attacking Imperial interests. He will admit that. I feel as I have already said in discussing this question, of a white Australia, that that is the greatest difficulty we have to face, and yet the honorable senator is facing it here.

Senator Glassey

- There is not the slightest doubt about that.

Senator CLEMONS

- He is leaving the soil and is going to the sea. He is intending to interfere with a contract which is made and must be made in my opinion, not anywhere within the territory of this Commonwealth, but in England. All the seamen who sign on in the service of the Peninsular and Oriental Company, do so, I believe, in London.

Senator Pearce

- They sign on in Calcutta.

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Senator CLEMONS

- The main point is that they do not sign within the Commonwealth. Senator Glassey will therefore see that he is attempting the most serious form of legislation which can possibly come within the meaning of a white Australia. I suppose I may congratulate him - although I am not quite certain 'about it - on the attitude of the Government with regard to this amendment. I listened with a great deal of curiosity and great amusement to the expressions of both the representatives of the Government while the amendment was being discussed. I heard sympathy poured out freely and abundantly. The whole atmosphere was rarified with sympathy. Occasionally, by way of a stage aside, and some irrelevant interjection, Senator Glassey was informed that there was not likely to be any practical outcome to his proposal, so far as the Government were concerned, but he was told 'that the amendment had the widest sympathy that it could command from the Government. Therefore I suppose he is to be congratulated on the effect of his speech, and of the speeches of those who supported him, upon the representatives of the Government. I am not going to vote on this question without distinctly saying what I have said elsewhere on the subject of a white Australia, because it is prominently brought before us. I am not going to offer Senator Glassey the cold comfort of my sympathy, but I am going to deny him the value of my vote. I sympathize with the cry for a white Australia, and I am prepared to give- it my strongest support whenever it touches the question of social or moral legislation. My objection to the introduction of what are comprehensively termed black people into this Commonwealth is that it spells race deterioration, and every possible opportunity that I can find to prevent that invasion of black humanity into Australia, I shall take. So far as the industrial side of my friend's amendment is concerned, he has not got my sympathy at all, and he will recognise that he is making this appeal to the Senate purely on the industrial side of the question.

Senator Glassey

- I make it on the racial side as well.

Senator CLEMONS

- I do not think the honorable senator will contend that the social or moral aspect is presented to us in an amendment relating to the employment of lascar seamen.

Senator Pearce

- Our mercantile marine is surely part of our national life.

Senator CLEMONS

- I confess that if I had been otherwise inclined to support Senator Glassey, seeing that the amendment does refer to the industrial aspect of a white Australia, I should have hesitated for the reason that I cannot see what he is aiming at, unless it is to improve the status, indirectly, of the British navy. I have heard it said that we should encourage the employment of white men on board steamers coming to Australia, because such men will form the nucleus of the British navy hereafter. If the honorable senator has moved

the amendment with that view, I can only suppose it is a generous attempt to supplement that magnificent contribution which Australia gives to Great Britain for her naval protection. But is that really his intention? I do not think that the honorable senator is considering the improvement of the British navy. He is probably considering some advantage that will accrue to the Commonwealth. The only advantage that I can possibly see is that if he carries his amendment, it will open up an avenue of labour to residents in the Australian Commonwealth, which at present is not open to them. He will give them an opportunity of working down in the stoke-holes of the Peninsular and Oriental boats. I wish to approach this subject seriously. If this is the reason - and I frankly confess I cannot see any more direct result to accrue - it is not sufficient to satisfy me. I will not admit that Senator Glassey and those who support him are the only persons who are anxiously desirous of improving the material position of everyone in the Commonwealth. They have not that monopoly, and I say frankly that if this endeavour of theirs is only to succeed in opening up such an avenue of employment as that which I have indicated, their friends might just as well ask to be saved from them. They will not be doing Australia very much good.

Senator McGregor

- The honorable and learned senator does not know very much of the subject on which he is speaking. I worked in a stoke-hole, and I am not much the worse for it.

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Senator CLEMONS

- When Senator McGregor has finished his interjections I will continue my speech. He reminds me of one of his own most excellent arguments. In viewing this question he adopted the very sound attitude of the free-trader, but he does not extend that free-trade principle very far. He wants to prevent men who are members of this Empire from sharing in the employment he would reserve for residents of Australia. That is another aspect of this question with which I cannot possibly sympathize. I recognise that the Peninsular and Oriental Company, which is the only one aimed at, is a company that carries on its operations chiefly and firstly in and about India, and it is simply because its operations have originated in connexion with our vast Indian Empire that we see lascars and coolies employed in the stokeholes of the Peninsular and Oriental Company's ships. I would therefore point out to Senator Glassey that his amendment deals not only with England itself, but with the extension of England's empire into India. Although I recognise that in this Bill we are attempting to do all sorts of tilings we ought not to do, I do not think we ought to begin legislating for Great Britain through our postal measures. Finally, I would tell Senator Glassey that I have a very good mind to give him my vote after all, because I think there is just the chance that if his amendment were inserted the Royal assent to the Bill would be refused. It would be the best thing that could happen for Australia if this measure were thrown out lock, stock, and barrel.

Senator GLASSEY

(Queensland). - I simply desire to say one or two words in order to clear up points raised by Senator Lt.-Col.

Neild, whose sympathies are with the great mass of the people. I wish to be practical, and I do not attempt in my amendment to interfere with mails put on board any ship with the owners of which there is no contract for the carriage of mails. When the Postmaster-General comes to enter into a general contract for the carriage of mails to Great Britain, then my amendment means that a stipulation shall be inserted in that contract that the vessels on which the mails are carried shall be manned by white crews only. With regard to the French steamers and those of other companies who are paid for the carriage of our mails by weight, this amendment does not touch them at all. It simply deals with contracts which may be entered into in future.

Question - That the words proposed to be added be so added - put. The committee divided -

Ayes 9

Noes 17

Majority 8

Question so resolved in the negative.

Clause agreed to.

Postponed clause 25 -

It shall not be necessary to prepay the postage upon letters or packets containing only returns of births baptisms marriages and deaths transmitted in compliance with the provisions of the law in that behalf by

ministers of religion or other persons whose duty it is to transmit such returns to any officer appointed to receive the same if on the outside thereof it is stated that they contain such returns only and such statement is signed by the person transmitting the same, but the postage thereon at prepaid rates shall be paid by the said officer on delivery of such letters or packets.

Senator DRAKE

- This clause was postponed for some reason or other, but in the meantime I would point out that there is a citation here from the New South Wales Postal Act of 1867, section 23. This clause is exactly the same in substance as the section in the New South Wales Act, but it is not an absolutely verbatim copy. The New South Wales section reads as follows : -

It shall not be necessary to prepay by stamps or otherwise the postage ordinarily prepaid upon letters or packets containing only returns of births marriages and deaths transmitted in compliance with the provisions of the law in that behalf by ministers of religion or other parties whose duty it is to transmit such returns to any officer appointed to receive the same but the postage thereon shall be paid by the said officer on the delivery of such letters or packets respectively. Provided that the same shall on the outside thereof be stated to contain such returns only, and be signed by the minister or other party transmitting the same.

I do not know any very strong reason myself why these returns should pass free. That has been the practice for a very long time in the different States - I suppose for the encouragement of persons to fulfil the law with regard to the registration of births, deaths, and marriages - but I know of nothing to strongly recommend it.

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Senator Lt Col Neild

- I am inclined to think that under the Land and Income Tax Acts of New South Wales the free transmission of documents for the taxation commissioners is provided for. Is it proposed by this Bill to override that provision of a State law ?

Senator Sir FREDERICK SARGOOD

-This clause was postponed at my request, in consequence of a communication I received from the Municipal Association of Victoria. They say that under the laws of the State of Victoria all letters relating to statistics, and all letters on health business, are exempt from postage, and they wish to know whether that cannot be continued.

Senator DRAKE

- I really think it is better not to continue it. That is a very small matter, and it is much better that each State shall pay for its postage. That will be absolutely fair play to all, and then no one State can complain that another is employing the federal post-office to a greater extent.

Clause agreed to.

Postponed clause 26 -

Any publication coming within the following description shall for the purposes of this Act be deemed a newspaper, that is to say, any 2254 Post and [SENATE.] Telegraph Bill.

that it is printed and published within the Commonwealth ;

that it is published in numbers at intervals not exceeding seven days :

that the full title and date of publication be printed at the top of the first page and the whole or part of the title and the date at the top of every subsequent page.

The following shall for the purposes of this Act be deemed a supplement to a newspaper, that is to say, a publication consisting wholly or in part of such matter as aforesaid, or consisting wholly or in part of engravings, prints, or lithographs illustrative of articles in such newspaper or supplement, provided that no such supplement shall consist of only one advertisement, placard, or circular, and that every such supplement be enclosed in every copy or issue of the paper of which it forms the supplement, and in every case be printed on a sheet or sheets of paper of similar size to and published with such newspaper, and having the title and date of publication of the newspaper printed at the top of every page, or at the top of every sheet or side on which any such matter appears :

Provided that the limitation as to size shall not apply to coloured supplements or engravings if not of convenient form or size.

Upon which Senator Staniforth Smith had moved as an amendment -

That "seven days" line 13, be omitted, with a view to insert in lieu thereof the words "one calendar month."

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Senator DRAKE

- We come now to a question which has been very much debated already. I do not wish to say anything to deprive any honorable senator of an opportunity of expressing his opinions on the subject, but I hope it will not be found necessary to travel over all the same ground again. When this matter was before the committee last, I said I would have a clause printed defining a periodical ; that clause has been printed and circulated to honorable senators. To recapitulate what I said before, the desire is that in connexion with all these publications, whether daily newspapers or papers published only once a month, there should be rates charged which would at all events be fair and uniform for the different classes of publications. In Great Britain the definition of a newspaper was, a publication that came out at intervals of not less than a month or 30 days. That, it was found, would not work, because it brings within the definition a great number of publications of a very different character. We know what a newspaper is in the ordinarily accepted sense of the term - daily papers and generally weekly papers containing a recapitulation of the news which appeared in the daily papers. But when we go outside the seven-day limit we come to a number of publications of a very various character. I had a deputation to see me the other day representing a number of these periodicals. They include first of all the small temperance, philanthropic, and religious magazines, which are very light in weight, and come out perhaps once a month. Then, we get papers like the trade journals, in which the interests of iron workers and other special trades are dealt with, nearly full of advertisements, and of pretty considerable weight ; and then we get again the magazine which has been frequently referred to in this discussion, the Review of Reviews, reaching fully ten ounces in weight. This is a very heavy magazine, and hitherto, as it has come within the 30 days in the matter of publication, it has been passing as a newspaper. We say that in making these distinctions we first of all want to have a rate for newspapers in the ordinary sense of the word, and then we want to be able, in dealing with periodicals, to discriminate by weight between the small papers, published fortnightly or monthly, and heavy papers, such as the literary magazine I have referred to. For certain very obvious reasons it is quite impossible for me to discuss rates at this juncture. Of course we are providing under the Bill for rates to be framed by the Governor-General by regulation, and with the consent of both Houses of Parliament. I think it is reasonable that we should have an opportunity in fixing rates for this particular class of postal matter, to discriminate between papers coming out at intervals of a week and papers coming out at longer intervals, from beyond a week to a year. "The CHAIRMAN.- Does the Minister wish to propose an amendment ?

Senator DRAKE

- I have a new clause to propose, but I think Senator Staniforth Smith withdrew an amendment at my request.

The CHAIRMAN

- His amendment is still before the committee.

Senator STANIFORTH SMITH

- The Postmaster-General quotes Great Britain as his authority for reducing the limit in the definition of a newspaper from one month to seven days. I

It is perhaps the only country from which he can get such an illustration. If we take the United States, and I believe Canada, or if we take the rule which has been in force in every State in Australia, we shall find that the definition of a newspaper is a publication coming out at intervals not greater than one month or a little longer than that. In the United States the definition of a newspaper is a publication that comes out at least four times a year. Is it not a far better analogy for us to take the United States and Canada, which embrace enormous territories, and correspond therefore very much more nearly to Australia than a little place, as regards area, like Great Britain ? It matters little to publishers in Great Britain whether the rates are higher or not, because the farthest distance to which they have to send their publications is only a few hundred miles. In Australia or the United States, the distances are very great. Of course we do not ' know what rate the Postmaster-General proposes to put on those publications which come out once a month or once a fortnight, but we can infer that it will be greater because that is his object in making this division. I am told that if they' are taken out of the classification of newspapers the rates to Queensland may be

increased by nearly three times. That is a wrong principle' to go upon. We should not reverse what has been the custom throughout Australia, unless there are very good reasons for it. We ought to endeavour to give some encouragement to what I might call the higher Australian literature - to such newspapers as United Australia, which I believe is about to come out once a month, and, therefore, . will come under this definition, the Review of Reviews, and many social and moral periodicals that generally come out once a month.

Senator Drake

- We are going to give them protection as against outsiders.

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Senator STANFORTH SMITH

- I understand that the object of the Minister is to differentiate between those publications and newspapers. I contend that to merely judge a newspaper by the intervals at which it comes out is altogether illogical, because if the Review of Reviews, or other papers with exactly the same reading matter were to come out once a week, they would be deemed newspapers. The only logical way of dealing with newspapers is to class them in the same way as letters, that is by weight. But the Postmaster-General -would allow the Australasian, which weighs, I suppose, as much as the Review of Reviews, to go as a newspaper, not because it contains news of the day, but because it happens to come out once a week. The only reason which can actuate the Minister in introducing a separate class is that it will enable him to charge higher rates. We are only dealing with Australian literature, and I contend that monthly literature is generally of -a higher character than daily or weekly literature. We want to encourage such publications as United Australia and the Review of Reviews, and unless my amendment is carried we shall put them at a distinct disadvantage.. There are many journals dealing with social topics, such as temperance, which come out once a month simply because they have only just started, and their proprietors have not sufficient capital to publish them more frequently. Therefore, without my amendment, we shall place at a distinct disadvantage those publications which are not issued once a week. I sincerely hope that honorable senators, if they will not give any encouragement, at any rate will not endeavour to place obstacles in the way of the publication of what I might call the higher literature of Australia.

Senator PEARCE

- I trust the amendment will be carried, and that the proposed new clause will be negatived.

Senator DRAKE

- If this amendment is carried I shall not go on with the new -clause.

Senator PEARCE

- If we are to make a -distinction between the two classes of periodicals or newspapers, then it ought to be made in favour of the publications which come out once a month, because as a rule they are the higher intellectually, and the weaker financially. The powerful dailies are well able to take care of themselves from the financial point of view. I trust that the committee, if it is going to make any exception, will make it in favour of those financially weak journals which come out monthly.

Senator WALKER

- I intend on this occasion to support Senator Smith. I have received communications on this subject from all parts of Australia, and, with the permission of the committee, I shall read one or two extracts.

Senator Sir Josiah Symon

- We have all had them.

Senator WALKER

- If that is the case I shall refrain from reading them. The Postmaster-General has not told us whether he proposes to make the postage only a little more for the monthly than for the weekly publications, Of course, if the rate is to be only a little more, it will weaken one's objection. If one takes the weight of a daily newspaper for a period of 30 days, it will be found that it gives the postal authorities a great deal more trouble, and involves more expense for delivery, than a monthly magazine* My sympathies are very largely with those persons who live in outlying districts. To them monthly magazines like, for instance, the Pastoralists' Review, or religious journals, are of very much more importance than daily newspapers. I have been asked to support this amendment by several persons.

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Senator CHARLESTON

- I have been somewhat puzzled to understand the motive for the Postmaster-General's advocacy of this clause. I fail to see why he should desire to distinguish between the publications in question. It is strange to me that a paper published for an educational purpose - to give a certain class of people who are interested in a particular subject, whether it be religion, philanthropy, or politics, certain information once a month - should be penalized, simply because the proprietors cannot afford to publish oftener. These papers are usually worked at a loss ; and «hy should the Postmaster-General seek to impose heavier burdens upon them than upon the successful daily and weekly papers 1 If it is a question of making publications pay for services rendered, let that policy be pursued towards all papers ; but why attempt to deal differently with various classes' of publications t The Postmaster-General has given the Senate no reason for so doing. The great dailies and weeklies are issued practically from the same office. They are usually powerful and wealthy papers, commanding a great deal of political influence. I am sure the Postmaster-General would not adopt the course he is pursuing because of the great influence such papers might exert on the Government or upon Parliament. The honorable senator would not be influenced by any such sordid motives. Therefore, I am puzzled to understand why he pushes his proposal as he is attempting to do. Many monthly publications are, I am sure, quite as educational as our daily newspapers, and then- carriage does not entail greater loss upon the Government than the leading journals. Why then should heavier rates be charged upon them 1 These papers are looked forward to by people in the country as advocating their special ideas. Though the readers of them may not be numerous, their purpose is educational. A daily newspaper may appeal to a larger constituency, but I fail to see why it should be treated differently to papers which devote themselves to special work. It has been pointed out by Senator Smith that many journals, like the Review of Reviews, as well as various commercial papers, are of great value to the community, although some of them may only appeal to a certain section, whether it be mercantile or industrial. The people interested in them derive great benefit from them ; and the news which is of such value to the various branches of industry and commerce ought to be carried as cheaply as if it were published in weekly or daily journals.

Senator DRAKE

- I hope this discussion will not be prolonged. I would sooner have the matter decided quickly, one way or the other ; because probably we shall be able to deal with it by regulation. The way I have looked upon the subject is this : Newspapers in some of the' States are being carried for nothing, and in other States at very low rates. I know that very strong pressure will be brought to bear upon the Postmaster-General, and also upon members of the Senate, for the purpose of getting the rates cut down as low as possible.

Senator Charleston

- Consistent with what ? .Senator DRAKE. - Consistent with anything or nothing. There will be pressure to have the rates cut down very low. The proprietors of newspapers are already saying that they are prepared to pay something for the carriage of their journals, but they point to the number of periodicals that have come in under the newspaper rates, but which are not newspapers in the strict sense of the term. When the question of fixing a low rate for newspapers is brought under consideration, it will be a very important element if under the heading of newspapers we have to carry all sorts of periodicals. That is the point I wish to have borne in mind. Supposing we enlarge the definition to enable all periodicals to come in as newspapers, the next point will be to fix a rate.

Then the newspapers and periodicals that have been allowed to come in as newspapers will unite to bring pressure to bear upon the Senate to have the rate fixed as low as possible.

Senator Walker

- We can all stand by the Minister then.

Senator DRAKE

- I can assure the committee that there will be a great deal of pressure of the same character as is being used now.

Senator Sir Josiah Symon

- Standing by the Postmaster-General means that we will all fall together !

Senator DRAKE

- It is probable that honorable senators will all fall upon me ! This all means a diminution of revenue. It comes back to the question - Are members of the Senate desirous of achieving universal penny postage as soon as possible 1 It is a matter of revenue, and I ask honorable senators to bear in mind when they

are exerting themselves to cut down the revenue, that they are really working against a reduction of the rates upon letters.

Senator Staniforth Smith

- What is the amount of revenue involved?

Senator DRAKE

- I cannot give any figures upon the subject. Three -of the States are carrying newspapers free and three at a very low rate. I believe that when the half -penny postage rate for papers was introduced in Queensland, it made a difference of about £12,000 a year to the revenue. I do not want to do any injustice to any class of postal matter, but I think newspapers and periodicals should pal some fair rate, and I desire to have it equalized, so that there shall be no undue pressure upon any class of periodical.

Senator Charleston

- Does the Postmaster-General mean to say that newspapers shall pay full rates for the cost of carriage.

Senator DRAKE

- I do not know what the honorable senator means by full rates.

Senator Charleston

- Rates upon winch there will be no loss to the department.

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Senator DRAKE

- We are bound to have a loss, seeing that in three of the States papers have been carried for nothing and in three others at a very low rate. I do not anticipate such a charge as will enable us to make a profit upon the carriage of newspapers ; but the question is, how much we are going t. lose on that class of postal matter 1 I desire that the loss shall be minimized. If this amendment is carried, it means that I shall not proceed with the other clause upon the subject. It will mean that the department will have to carry anything and everything that can come under the definition of a newspaper at a rate - whatever it may be - which may be fixed. When we come to discuss the question of newspaper rates, we shall be told that they ought to be. made very low, and that we ought not to carry a whole lot of periodicals that are not properly newspapers. No Postmaster-General can discriminate. It has been tried in the States in the past I have no doubt, and every Postmaster-General who has tried it has absolutely failed. As long as a paper with a certain amount of printed matter in it - a few articles or clippings on local subjects - is published, it has to be registered as a newspaper. It is not because the Postmaster-General has not the courage, but because he does not want to do any injustice, that he never refuses to register. Therefore everything that bears the appearance of a newspaper is registered. If we are to carry every tiling, whether published daily weekly, or monthly, at newspaper rates, the rate must be fixed high. That will have to be borne in mind when we afterwards come to discuss the rates to be charged. All my desire is that this particular class of postal matter shall bear some fair charge that will approximate to the cost of the work that is carried on. If we do that I can see mj' way in the near future to reduce the rates upon letter matter. But if we are to yield to the pressure that is continually exercised in the direction of inducing the Government and Parliament to consent to postal matter being carried at very low rates or altogether free, then it is absolutely hopeless to expect to reduce the rate on letters.

Senator WALKER

- We do not want papers to be carried free.

Senator DRAKE

- They have been carried free in three of the States, and in New South Wales, the most shocking example of all, the State has paid for special trains for carrying free newspapers to their destination. I hope the committee will bear that in mind. I know that pressure will be put upon them by persons who are interested in these matters. My only desire is to have such rates fixed as will be fair to everybody and enable us to reduce the postal charges.

Senator Lt Col NEILD

- I should have been much better pleased if before resuming his seat the Postmaster-General had been a little more logical in his proposition. He desires an equitable price for carrying printed matter. That is his allegation. But he piloses to achieve that object, not by charging according to weight, but according to the number of times that a publication is printed. Could anything be more illogical? With all respect to the honorable and learned gentleman, I think there must be something behind the scenes which is inducing

him to maintain an attitude that is positively illogical. Apparently if a document weighs 10 ounces, and is published once a week, it may go as a newspaper, but if it is published once a month and therefore only puts the Commonwealth to one-fourth the expense, it must bear a higher rate. Is that equitable? The honorable and learned gentleman has referred to the Review of Reviews. That is a publication issued once a month, and the Postmaster-General very reasonably takes exception to it being carried at just the same rate as a single sheet. He does not propose, however, to meet the difficulty. He simply says that if a paper is published once a week, it can go as a newspaper, but if it is published once a month, it must pay something extra. The Commonwealth is to be penalized to the extent I have indicated. I venture to submit that a small, light publication, which costs very little to carry, should at least have as good a show at the hands of the Commonwealth distributing department as a very heavy publication receives.

Senator Drake

- I said I would take such publications at lower rates.

Senator Lt Col NEILD

- That could be done. I think, it is illogical to charge for letters and correspondence by the half-ounce while there is to be no difference between the small publication which weighs perhaps an ounce and another document which weighs 10 ounces.

Senator Drake

- I have said just the reverse.

Senator Lt Col NEILD

- That appears to be the position.

Senator Drake

- Pardon me. The honorable senator has not been present all the time.

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Senator Lt Col NEILD

.- I listened attentively to- the honorable and learned gentleman's speech.

Senator Drake

- But I have said I will discriminate in the matter of weight.

Senator Lt Col NEILD

.- If the honorable and learned gentleman intends to discriminate in weight, then he gives his whole case away, because if the charges are to be according to weight that is what I imagine the majority of the committee desire to see, and, therefore, in voting for the amendment I shall be absolutely supporting the Postmaster-General, who says that he wishes to charge according to weight and irrespective of the number of publications.

Senator PULSFORD

- The position taken up by the Postmaster-General is one with which I have considerable sympathy, because I have had a good deal of experience, and have considerable knowledge, of the trouble which the Postmasters-General of the various States have had in reference to this subject. As Senator Drake has told us, it is absolutely impossible to satisfactorily define what a newspaper is. I do not know that it has been mentioned, but I may say that one of the great troubles has been - at least so far as New South Wales is concerned - that business firms, by the addition of some slight items of information, have succeeded in having their business circulars and advertisements, and extensive quotations, sent broadcast through the post as newspapers. That is the great trouble which the postal authorities have to meet, and it is because of this that they have to take up a position which seems hard and ungracious to proprietors of small publications, which are issued with no mercenary object, but purely for the purpose of doing good.

Senator Sir Josiah Symon

- Why should the Insurance and Banking Record, for instance, go free ?

Senator Walker

- It will go at so much per ounce ?

Senator PULSFORD

- It is carried now as a newspaper; but under the Bill it would be among the publications which will have to pay a somewhat higher rate. What I would suggest to Senator Drake - and I understand that he has before to-day said something in this direction - is, that he should make it clear that monthly publications

fairly limited in weight will be carried at the rates at which newspapers are carried. If that were understood there would really be no further trouble in the matter, and it would satisfy the interests which are represented by the amendment which has been moved by Senator Smith.

Senator DRAKE

- That is my idea, but I am not justified in discussing- rates here. What I have pointed out - and perhaps Senator Lt. -Col. Neild will give me his attention for a moment - is, that newspapers, as they are generally understood, are papers which are published daily, and also papers published weekly, that are practically a recapitulation of the news which appears in the dailies. That is the general understanding of what a newspaper is, and I want such papers to be carried at the one rate. When we get beyond the seven days' rate, and come to newspapers published at intervals of more than seven days and less than one month, we find that they are of a varied character. They comprehend small monthlies issued in the interests of religion, temperance, and philanthropy.

Senator Walker

- And education.

Senator DRAKE

- And education. They include also a vast number of trade circulars and prices current, containing a few illustrations - such as Senator Pulsford has referred to - and items of news clipped from newspapers, and in this way they come in as newspapers. If the Senate agrees to this suggestion of allowing the clause to go as it is and assenting to the clause I propose with regard to periodicals. I intend to discriminate in the matter of weight with regard to periodicals, so that a publication of lightweight, such as 6oz., 7oz., or 8oz., may be carried at one rate, similar or approximating to the newspaper rate, and other periodicals which are heavier shall be carried at a rate higher than the minimum charge. That is what I want to see. , Senator Staniforth Smith. - Why is that not done with weekly newspapers?

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Senator DRAKE

- - Because they are a recapitulation of the news which comes out daily. They are newspapers which were intended to be helped by the very low . rates. That may not have been good policy, but it was the intention, although there may not be anything behind it. When we come to hear the claims of the newspaper proprietors to have their newspapers carried free, or at something approximating free carriage, we shall find that they ask for the transmission of their papers at a very low rate on the ground that they serve very important purposes ; that they have an educational influence and assist in the administration of the Government. A number of arguments of that kind are used which do not apply to the other classes of periodicals that I have referred to - publications which are issued at intervals longer than one week. I wish to place these in classes. Let the newspapers which have hitherto been well treated be in one class, and let us do justice to them. Then let us have these periodicals which are of such a diverse character, placed in another class so that we may be able to discriminate as to weight, having a certain charge for those which are of small size and something higher for those which are heavier.

Senator STEWART

- I do not think the Postmaster-General is dealing fairly by the committee. The honorable and learned gentleman ought to tell us what he is going to do.

Senator Drake

- Does the honorable senator mean in reference to rates 1

Senator STEWART

- Yes.

Senator Drake

- I cannot do that. That is a matter for the Governor-General in Council subject to Parliament to deal with.

Senator STEWART

- Surely the Government have some idea of what they are going to do.

Senator Fraser. - The honorable senator cannot expect to hear that now. . Senator STEWART. - Why not?

Senator Fraser

- Because the Postmaster-General does not know it himself.

Senator STEWART

- If the honorable and learned gentleman does not know it he ought to know it. This is information which

ought to be before the committee. The Postmaster-General asks us to place certain publications in particular classes. How is he going to deal with them 1 Does he intend what he calls newspapers to go through the post free of charge 1

Senator Drake

- I am not in favour of that.

Senator STEWART

- But the honorable and learned gentleman knows the pressure that will be brought to bear upon him ?

Senator Drake

- Yes ; but I am not in favour of the free carriage of newspapers.

Senator STEWART

- I think the committee ought to have some distinct statement. I protest against passing legislation of this character without having a statement from the Government in regard to what they are in favour of and what they are opposed to. I am not in favour of the free carriage of newspapers. There has been a great deal of discussion as to what is news. We have heard of the transmission of price lists through the post as newspapers. Perhaps Senator Sir Frederick Sargood issues a price list:

Senator Sir Frederick Sargood

- No.

Senator STEWART

- If the honorable senator was in a large retail business he would probably issue a price list, and. that list would be news to a vast number of people ; of much greater consequence perhaps than that which is contained in the daily papers. The Postmaster-General says that it is claimed on behalf of newspapers that they are educational and necessary. I admit that we would not like to do without our newspapers.

Senator Drake

- I only said that was one of the arguments used.

Senator STEWART

- Yes. That is one of the arguments put forward for low rates. But tea and sugar and beef and bread, are much more necessary to the average citizen than his newspaper is. He can live without one, but not without the other. If we are going to institute a system of low carriage let us begin with the necessities of life.

Senator Staniforth Smith

- Is not mental food as necessary as physical food 1

Senator STEWART

- We may feed the mind as much as ever we like, but we must feed the body first. The honorable senator bears outward evidence that he fully understands that principle.

Senator Dobson

- What has that to do with postal matters?

Senator STEWART

- We are discussing the differentiation between what are commonly called newspapers and what are called periodicals. I am trying to point out that if the State is prepared to go in for cheap or free carriage of any article, there are other things than newspapers which may be carried free.

Senator Dobson

- The Minister tells the honorable senator that he wants to charge for newspapers.

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Senator STEWART

- The Minister will not commit himself. I know that the honorable and learned senator has said that he wants to charge for newspapers, but he does not say that the Government are in favour of that. I want a Ministerial statement on the subject, because we know the pressure that will be brought to bear on the Government by all the big dailies. I believe that all the big dailies are in favour of free carriage of newspapers, whether in Brisbane, Sydney, Melbourne, Adelaide, Perth, or Hobart. They will all be in favour of free carriage of newspapers, and I want a statement from the Postmaster-General as representing the Government, and not from himself alone. I take the statement he has made to mean that the Government are going to carry newspapers free.

Senator Glassey

- Oh, no.

Senator STEWART

- Now this matter has been discussed in the Cabinet. It is a matter which involves a large amount of revenue, and will the honorable senator tell me that the men who are in charge of the finances of this country have not considered this question. The thing is ridiculous. The honorable senator knows that it has been discussed, and why does he not come forward and tell us the result of that discussion. I know that when the Cabinet meets no minutes are taken, and no one is supposed to carry their secrets outside.

Senator Drake

- Then what are you asking for ?

Senator STEWART

- Because this should not be a Cabinet secret. If these daily journals are to be carried free somebody has got to pay the piper. I hear of the tax that is going to be put on sugar. We will have newspapers carried free while the sugar of the working men is taxed. I request a Ministerial statement from the Postmaster-General on this subject before we go any further. I do not want the honorable senator to say what the rate will be, but simply to say if the Government are going to charge for the carriage of newspapers or not. When we have that information we will be in a position to discuss these other questions more intelligently than we are able to do at the present moment.

Senator DRAKE

- Just a word in reply to Senator Stewart. He has admitted, and he must know perfectly well, that I cannot make any statement of the kind he asks for here'. I have said two or three times before during this discussion that I cannot discuss rates at the present time. Under the Bill as it stands they have to be fixed by the Governor-General, and are to be laid on the table of both Houses.

Senator Stewart

- I do not ask the honorable and learned senator to discuss rates.

Senator DRAKE

- I am and have been in favour¹, as Senator -Stewart knows, of a postal rate upon newspapers, and in 1891 I refused to join with others in fighting for the free carriage of newspapers. What I am doing at the present moment is this, and I think members of the Senate ought to see it : I am trying to reduce the amount of pressure that will be brought to bear in favour of the free carriage of newspapers, because the wider we make this now by extending the definition from seven days to a month, the greater pressure there will be to get us to carry all these periodicals free. Honorable senators refer to the loss of revenue, but I do not think that will weigh against the weight of the pressure that will be brought to bear. If the clause goes through as it is now we shall only have to stand the pressure of the newspapers pure and simple, while if 'it is carried in the amended form, we shall have to stand the pressure not only of the newspaper proprietors, but of every one interested in' every one of the little papers that are published monthly. That is a matter to be considered. I do not want to delay the decision longer than the committee desires. I am quite willing to take a division. If the committee desires this amendment to be made it will be made I suppose, but the responsibility will not rest upon me.

Senator Sir FREDERICK

SARGOOD (Victoria). - I rise to state that I am quite prepared to support the position taken up by the Postmaster-General. The discussion we have had so far clearly proves that it is necessary to make a distinction between what are understood as newspapers by 99 people out of every 100, and what are understood as periodicals. It is right that newspapers should be carried at a low rate, but, like the Postmaster-General, I am clearly of opinion that a charge should be made for all newspapers.

-Senator Staniforth

Smith. - Irrespective of weight.

Senator Sir FREDERICK SARGOOD

- Irrespective of weight, because they are on a different footing altogether from periodicals. The Postmaster-General then proposes a graduated scale for periodicals, which appears to me to meet the equity of the case. I cannot shut my eyes to the fact that there are a considerable number of publications called newspapers which are nothing more or less than trade circulars. Some of them are very heavy publications.

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Senator Staniforth Smith

- They will be published once a week then.

Senator Sir FREDERICK SARGOOD

- I think there is a great deal of force in the remark of Senator Stewart that we are asked to legislate very much in the dark. It is a novel experience to me to have to deal with a Post and Telegraph Bill without having attached to it a schedule of the rates proposed to be charged. If the usual practice had been followed in the present instance we would have known exactly what was going to be the charge for newspapers, and for each of the different classes of periodicals. It is because we do not know what is intended that Senator Stewart and other senators are doubtful as to the safety of passing this amendment, and subsequently passing finally clause 19, which will really leave the whole matter in the hands of the Cabinet.

Senator DRAKE

- No, clause 19 as amended leaves it in the hands of the Parliament.

Senator Sir FREDERICK SARGOOD

- What is the use of talking about it being left in the hands of Parliament when an Order in Council is signed by the Minister and a copy laid on the House and no one ever sees it. I intend on recommitment to endeavour to secure that that matter shall be dealt with by the Bill, and not by regulation. In the meantime I think the proposal made by the Postmaster-General is a perfectly fair one.

Senator MCGREGOR

- The Postmaster-General has to a great extent weakened his position, because if Ave limit the pressure only to a few publications such as the daily newspapers, and their attendant weeklies, that pressure being the strongest that can be brought to bear, it is likely that influence will be used to have all these publications carried free, and as has been clearly pointed out the general taxpayer will, have to make up the loss. As to discriminating between newspapers and periodicals I do not know how far we ought to go, but I am in favour of the amendment proposed by Senator Smith that the seven days should be extended to one calendar month. My reason for that is that there are a number of - small publications that really would never become a burden upon the Postal department, and yet are of very great importance to sections of the community, so small in themselves, though in- the aggregate they may be numerous, that they scarcely have a voice or any great individual influence, and we, collectively, ought to endeavour to protect their interests. The Postmaster-General has told us that these publications that are issued between the seven days and a month should have a certain, discrimination exercised in connexion with them, and those which are not so heavy will probably be carried at the same rate as ordinary newspapers. To come back to the seven days' definition, we will find that there are some publications issued daily, bi-weekly, or weekly which vary so much in weight that it would be almost necessary that some discrimination should be exercised in connexion with them also. Bags of waste paper would be sent from the offices of these daily and weekly journals and distributed all over the country, which thousands of people would never look at, while some important issues of papers coming out only once or twice a month would have to pay such a rate as would almost make it impossible for those concerned in their publication to circulate them at all. I do not see why the newspapers should make such a fuss about low rates, because the proprietors never pay them. I have never come across any newspaper proprietor who sends out his paper post free to the subscriber. If there is a postal charge the subscribers have to pay it. You can go into any of the States to-day where there is a postal charge on newspapers, and I find the proprietors get nearly the lot, because, whether in the country or in the city, if you buy a separate newspaper you have to pay exactly the same price. I should like to see news matter circulated as cheaply and expeditiously as possible, but I do not wish to discriminate between papers issued once a day, and once a month. I am, therefore, going to support the amendment for extending the seven days to one calendar month.

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Senator Sir JOSIAH SYMON

- In the course of this discussion, some of our minds have undergone a degree of change. At first I felt very strongly in favour of the view the Postmaster-General put before the committee. It seemed to be an absurdity, to talk of a newspaper in the ordinary popular acceptation of the term, as a publication issued long after the news must have got stale, and to describe as a newspaper, a publication issued weekly, or

within a less period than a month, but looking at the clause I am rather disposed 'to think that my honorable friend Senator Smith is right. This clause is merely an arbitrary definition for the purposes of legislation. Inserting a month will not alter its arbitrary character. We might put in six months in the same way. It does not define what a newspaper is at all. In fact it is doing violence to our ordinary understanding of what a newspaper is. I was under the impression that the clause contained a definition and that it had something to do with rates; but upon examination I find that it has nothing whatever to do with rates.

Senator Drake

- It will have.

Senator Sir JOSIAH SYMON

- No : because what is there to prevent the regulations which deal with the subject of rates from differentiating as to newspapers published daily and weekly, and those other publications called newspapers and published once a month. There may be a differentiation as to time and as to weight. Nothing that I can see in the clause affects the rates, and we have been discussing something which does not help us in the practical interpretation of the clause at all. It merely gives an arbitrary definition of what a newspaper is, and leaves it entirely to the Postmaster-General by regulations, to impose what rates he thinks fair, subject to the approval of Parliament.

Senator Lt Col Neild

- Make the clause apply to daily papers only. That would be' sensible.

Senator Sir JOSIAH SYMON

- The Postmaster-General very forcibly says that the real reason why the monthly publications are not included as newspapers is to prevent the pressure that may arise in regard to the leading newspapers being more potent by reason of a number of other publications being included in the definition newspaper. I confess that this argument has rather influenced me the other way. 'I am rather inclined to take the view that if we put these trade circulars, and all these magazines like the Review of Reviews and other periodical publications, in the same category, we will immediately introduce a body* of influence against the carrying of ordinary newspapers free that will be exceedingly potent to maintain the revenue. That is what has struck me, and that is an argument which induces me at the eleventh hour rather to change my opinion on the subject. So far as the clause is concerned, it does not matter two pins whether we make it seven days, two months, or six months, because it does not affect the rates. There are some newspapers which, to my mind, ought not to be carried at the same low rate as the daily newspapers. Their very bulk ought to preclude that. The post-office is merely an ordinary carrier carrying postal matter, and it seems to me that the Herald, published in Melbourne, or any daily newspaper, ought not to be put on the same footing as some bulky weekly newspapers, which impose a heavier burden upon the Postal department. My view is that what we are really discussing is perfectly immaterial, as if the seven days were extended to a fortnight or a month, it would still be left to the regulations to say what the rates shall be. We are to have faith that the Post-office department will impose such rates as will be just to the community and to the revenue. If all are put in the same category, the Postmaster-General will rather be assisted than hampered in fixing the rates.

Senator DRAKE

- I would point out one other consideration after the remarks that have fallen from Senator Sir Josiah Symon, because I think he has not satisfactorily solved the difficulty. If the proposed amendment is carried, of course the new clause I propose will not be inserted, and then all periodicals published at any interval up to a month will have to be carried as newspapers. There is a definition of what a newspaper is, although it is somewhat loosely worded, and up to the present time all sorts of publications have been allowed to go as newspapers, but the time may come when there will be a Postmaster-General, who will set himself to discriminate more closely than has been done in the past as to what is really a newspaper. And then, supposing this amendment is carried, and the other clause goes out, and we have the 30 days definition, so long as a publication is issued within the 30 days it will go as a newspaper at the newspaper rate, whatever that may be. But if the Postmaster-General decides that it is not a newspaper within the definition, it will be carried only at printed matter rates.

Senator Sir Josiah Symon

- Cannot the Minister discriminate ?

Senator DRAKE

- I believe that I can discriminate, but I do not know that that would give satisfaction, after having fixed this class, and put in the definition of a newspaper as any periodical fulfilling certain requirements, and published within a month. I do not want to express a very positive opinion on this point, 'but I know that it will give a great deal of dissatisfaction if I attempt, in the face of that, to make a distinction between a paper published weekly and one published monthly. What I wish to impress on the committee is that, as I propose it now, a publication which is issued within a limit of seven days is a newspaper, and goes at newspaper rates. Supposing that the amendment is carried, and everything that fulfils the definition and that is published at any time within a period of one month becomes a newspaper, a much larger number of publications will be brought in as newspapers, and if the Minister wants to exercise his discretion then as to what is or is not a newspaper, if he decides that a particular newspaper is not a newspaper, it does not then become a periodical to be carried at the same rate, or perhaps a little more, but it becomes printed matter, and is carried at a very much higher rate. Those who are thinking more particularly about some of these monthly periodicals, which I, for one, do not desire to stop or hamper in any way, have to bear in mind that if they do not strictly come under the definition of a newspaper they will be thrown out, and will be liable to be carried as printed matter. The magazine which has been quoted more than any other publication in this debate is exactly a case in point. If the Postmaster-General at any time should decide that it was not a newspaper, then it would have to pay printed-matter rates. During the early period of the debate it was said that if this definition were altered that magazine would then have to pay three times the rate it had been accustomed to pay. That argument means that if the time limit were altered so as to put that magazine within the category of newspapers it would have to be carried as printed matter. I meet that by my clause, by saying that if we cannot carry it as a newspaper we shall carry it as a periodical at an intermediate rate. I think that is a very fair thing.

Senator Walker

- The Minister can still have the 30 days, and have a periodical class.

Senator DRAKE

- There is no place for a periodical class if we put in the 30 days here. All these periodicals right up to monthlies are then included in one category. If the Minister decides that any magazine or monthly is not a newspaper strictly within this definition, then he can refuse to carry it as a newspaper, and if the periodical class is not there it will have to go as printed matter at about three times the rate it has paid.

Senator GLASSEY

- Before we go to a division I wish to ask the Postmaster-General to consider whether a copy of the newspaper I hold in my hand - the Railway Times - which is brought out once a month, and is registered as a newspaper - will be called a periodical if this clause is carried ?

Senator Drake

- Yes.

Senator GLASSEY

- That is exactly what I do not want. This newspaper is brought out almost exclusively in the interests of our railway men in the great State of Queensland. From every part of the world news is gathered relating to railway questions, such as the condition of labour, accidents, and train wrecks. How would it be possible to gather all that information in a week, and circulate it over our vast territory? It cannot be done. When we have 6,000 persons who depend largely on this monthly journal for literature of this nature, is it fair that it should be put out of the category of newspapers and described as a periodical?

Senator Drake

- It will not hurt it.

Senator GLASSEY

- What standing will it have if it is called a periodical? It is now well established and has acquired a high reputation. Supposing that Reynolds' Newspaper which has been published for the last eighty or one hundred years were proposed to be brought within the category of a periodical, what would be the effect? The owners would very properly oppose the proposal with all their might and main. Again, if a Minister were to bring in a Bill to destroy the name of a firm which had been trading for many years in Sydney or Melbourne, strong opposition would be offered. As a representative of Queensland I decline to allow the

prestige and influence of a newspaper such as the Railway Times and others which might be named, to be cast on one side by being called periodicals. It is an unfair proposal. It will act most injuriously on a number of newspapers which have been struggling to maintain a position for many years.

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Senator KEATING

- I am heartily in accord with the amendment. We have had in the several States Postal Acts which have recognised one by one that a newspaper so far, as the time limit is concerned is a publication issued at intervals of not more than a month. And now it is proposed to legislate in an entirely different direction. So far as all the other qualifications of a newspaper are concerned, we leave them practically as they were before, but so far as regards the interval of publication, we wish to limit it absolutely to seven days. I do not agree with the arguments which were adduced on a previous occasion, when some honorable senators addressed themselves to the question of what is or is not a newspaper in the technical or the literal sense of the word. We are here to - legislate in the Postal Bill from the point of view of the administration of the machinery which is intrusted to us, and we have to define a newspaper. We have not to confine ourselves strictly to what a newspaper may be, judging it from either a technical or a purely literal stand-point. We have to say what shall be a newspaper from the purely postal stand-point. And seeing that the practice in the past has been to pass through the post periodicals that appeared at intervals of not less than a month and contained what might be current news for those whom they purposed to serve, I do not think there is any wisdom in this proposal to limit the time for those particular periodicals which come under the definition of newspapers to a period of seven days. We must have regard to the fact that we are legislating for a country which is entirely different from the old country from whose legislation this clause I believe has been drawn. We must recognise the fact that we are legislating for a country whose territory is very vast and whose population is very small, and if we wish to improve this country and to assist those sections of the people who are engaged in any trade, science, or calling, we must encourage them as far as we possibly can. And having regard to these facts, we cannot follow precisely on the same lines as are laid down to us in a country like Great Britain, where the territory is small and the population very dense. But we must endeavour to introduce as much progress as is possible in every art; every science, and every branch of industry in whose interests a newspaper may be issued. If a periodical is issued, even though it be quarterly, in which attention

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is particularly directed to matters which peculiarly concern those who are engaged in any avocation or calling, to 'all intents and purposes, so far as those persons are concerned, it is a newspaper. Senator Glassey has referred very graphically and emphatically to one or two periodicals that have appeared in Queensland. He must have convinced honorable senators that, so far as concerns those by whom they must be read, in order that they may keep in touch with what is going on throughout the world in their own calling, those periodicals are just as much newspapers as the journals which appear from day to day, and which honorable senators read for their politics. With the hopes we have of developing this large territory and its small population, it is our duty to give every encouragement to every walk and vocation in life, and if a trade newspaper is brought out we must recognise the fact that the paucity of our population necessitates its infrequent issue. We cannot expect that it shall appear from week to week or from day to day. I earnestly hope' that every honorable senator who has at heart the development of the industries of the Commonwealth will see that any newspaper, no matter how infrequently it appears, that is brought out for the sole purpose of advocating or instructing those engaged in any industry shall receive the same facilities for transmission through the post as a newspaper containing the ordinary news of the day and political articles. I have very much pleasure in supporting the amendment.

Question. - That the words " seven days " proposed to be omitted stand part of the clause - put, The committee divided -

Ayes 9

Noes..... 16

Majority 7

Amendment agreed to.

Senator DRAKE

- I have a small amendment to move, for the suggestion of which I am indebted to Senator Charleston. A

small misprint has crept in. I move -

That the word "convenient," line 38, be omitted, with the view to insert in lieu thereof the word "inconvenient."

Amendment agreed to.

Clause, as amended, agreed to.

Postponed clause 61 -

1) 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.

In this section "document" shall be deemed to include documents relating to the parcels post.

Senator DRAKE

- When the Bill was previously in committee, Senator Walker expressed the desire that telegrams should not be destroyed until after they had been kept two years. I have no objection to making an amendment of that kind, except that which I mentioned previously - that it will cause an accumulation of waste paper in the office. With the view of carrying out Senator Walker's suggestion, I propose to make a few small alterations. I move -

That, after the word "any," line 2, the word " telegrams " be inserted.

Amendment agreed to.

Amendments (by Senator Drake) agreed to.

That the word " telegrams," line 3, be omitted.

That the words " the same," line 8, be omitted, with the view to insert in lieu thereof the words : - "Such telegrams have not been written within the period of two years prior to the date of any such order, and that such books and other documents."

That after the word "any," line 13, the word "telegrams" be inserted.

Clause, as amended, agreed to.

Postponed 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

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

Senator DRAKE

- When the Bill was previously in committee, it was suggested by Senator Walker that it would be desirable to provide that postal notes should be payable at the General Post-office at anytime.

Senator Walker

- That is, at the General Post-office of the State on which they are drawn.

Senator DRAKE

-Yes. I think we can make that amendment, and very much simplify the clause by leaving out the provision with regard to poundage. I propose to make the clause read as follows : -

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 at the General Post-office in the State in which it was issued.

Senator Walker

-No, the State in which it was made payable. For instance, if a note was drawn at Menzies, Western Australia, after six months it would be payable at Perth, Western Australia.

Senator DRAKE

- We are treating it as a postal note that has failed in its mission, and which comes back to the sender.

Senator Sir Frederick Sargood

- Take the case of notes that come from Western Australia to Victoria. It would not do to make them payable in Western Australia. They should be made payable in the State where the sender intended them to be made payable.

Senator DRAKE

- Of course, it all depends on the way you treat the matter.

Senator Walker

- A note is payable to bearer.

Senator DRAKE

- Yes, within six months. If after the word " only " we strike out all the words to the end of the clause, and then add a few words, I think Senator Walker's point will be met.

Senator Walker

-And I believe that it will be a very good thing for the Government.

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Senator DRAKE

- I move -

That all the words after " only," line 4, be omitted, with a view to insert in lieu thereof the words "at the General Post-office in the State in which it is made payable."

Amendment agreed to. 2266 Post and [SENATE.] Telegraph Bill.

Any person who without the licence of the Postmaster-General (the proof of which licence shall be on the person charged) -

sells offers or exposes for sale any postage stamp ; or

Senator DRAKE

- It was suggested previously in committee that, following the English Act, the word " sells " in paragraph (a) should be omitted and the words " deals in " substituted. I am informed that the term " deals in " has a clearly defined meaning.

I therefore move -

That the word " sells," line 4, be omitted, with a view to insert in lieu thereof the words "deals in."

Amendment agreed to.

Clause, as amended, agreed to.

Postponed clause 124 (The erection or maintenance of telegraph lines without authority).

Senator DRAKE

- I do not know why this clause was postponed, but I believe that Senator Sir Frederick Sargood requested its postponement until after Part 4 of the Bill was dealt with.

Senator Sir Frederick Sargood

- I think it bangs upon Part 4.

Senator DRAKE

- The committee may as well let it go, and it can be' recommitted afterwards if necessary.

Clause agreed to.

Senator HARNEY

- In regard to clause 119, has the Postmaster-General considered the point to which I directed attention, that the term of seven years' " imprisonment " there mentioned would be " penal servitude " in some of the States 1 The honorable senator said he would look into the matter and see whether the word " imprisonment " was rightly used.

Senator DRAKE

- There is no such thing as penal servitude in some of the States, which have no penal establishments. Therefore the term penal servitude has been omitted all through the Bill.

Senator Harney

- That is a sufficient explanation.

Postponed clause 142 - (.1) When any electric lines or works are used for the generation, use, or supply of electricity in such a manner as to injuriously affect any telegraph line of the Postmaster-General, the Postmaster-General may by notice to be served upon the person owning or using or entitled to use such electric lines or works require that such supply be continued only in accordance with such
In default of compliance with such conditions and restrictions the Postmaster-General or Deputy Postmaster-General may require that the supply of electricity through such electric lines or works shall be forthwith discontinued until such default ceases.

Senator KEATING

- So far as the State of Tasmania is concerned, we have in our northern capital, Launceston, a very efficient supply of electric lighting the electric wires run throughout the city. These wires are under the control of the municipal council. I suggest that the Postmaster-General should postpone the consideration of the clause, because I hold in my hand a telegram from the Mayor of Launceston, in which he says - Please see that our powers under the Corporation Act relative to electric lighting are not affected by the Post and Telegraph Bill.

I understand that the corporation of Launceston have, after a great deal of trouble, succeeded in supplying the city with a very efficient system of electric lighting. The wires for that purpose in many instances run parallel with and close to the wires used for telegraph purposes. The corporation is therefore very much concerned with regard to some of the clauses in this Bill. I believe they have already taken counsel's opinion, and they are assured that by some of the provisions of this Bill they are likely to be seriously injured if not altogether prejudiced, in what to them seems to be the very good work they have already done within their province in supplying light to the citizens of the city of Launceston. I hope the Postmaster-General will be able to see his way clear to allow this clause to be recommitted, and permit a very short postponement in order that further consideration may be given to such a class of cases as is illustrated by that of the city of Launceston.

Senator Drake

- I have got an amendment of clause 142, though the drafting of it is not yet complete, that I think will exactly meet what the honorable and learned senator wants.

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Senator KEATING

- I would point out that clause 136 will require amendment, too. It provides -

An electric authority shall not construct any electric line, or do any other work for the generation, use, or supply of electricity, whereby any telegraph line of the Postmaster-General is, or may be, injuriously affected.

Post and

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Telegraph Bill.

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I had not an opportunity of knowing of this difficulty when that clause was previously before the committee, but I am sure that the whole of the circumstances would be met by embodying in the clause, which I will ask the Postmaster-General afterwards to recommit for further consideration, a provision that no such line shall be constructed by an electric authority without the sanction of the Postmaster-General, and under such conditions as he may impose. The Postmaster-General has already intimated that he is prepared to submit an amendment to clause 142 which will meet the circumstances to which I have already referred, and I shall wait to hear that amendment.

Senator DRAKE

- I have not got that amendment drafted yet, and I think we had better take Part 4 before we amend clause 142. I have indicated already, with regard to that clause, that I will meet the wishes of the Municipal Association of "Victoria, by making an addition to the clause that the provision shall not apply in any case where work has been carried out with the consent of the Postmaster-General, and in accordance with the conditions required. We can discuss that matter when the Bill is recommitted. I may say, with regard to clause 136, that I think an amendment will not be necessary there. It has been copied verbatim from the British Act.

Clause agreed to.

Postponed 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 :

Provided that the Government railway authorities of each State shall have authority to erect and maintain within the railway boundaries telegraph lines required for the working of the railways, but except by authority of the Postmaster-General no such telegraph line shall be used for the purpose of transmitting

and delivering telegrams for the public. Where such, authority is obtained the revenue derived from such telegrams shall be divided between the department and the railway authorities in such proportions as may be mutually arranged.

Amendment (by Senator Drake) proposed -

That the following proviso be added to the clause : -

Provided also that any person shall have authority to erect and maintain any telegraph line which is wholly within and upon land whereof he is the proprietor or occupier, and solely for his own private purposes, if no part of such line is within twelve feet of any line of the Postmaster-General's.

Senator Sir FREDERICK SARGOOD

- I regret that in a matter like this the Postmaster-General did not see his way to carry out the suggestion which he has made to other senators, and have the amendment printed.

Senator Drake

- I could not get it through in time.

Senator Sir FREDERICK SARGOOD

- It is a very important amendment, and it appears to me that it does not at all meet the case.

Senator Playford

- It is a case of "thank you for nothing."

Senator Sir FREDERICK SARGOOD

- This amendment means that none of us can put up a wire on his own property, or even in his own private house or warehouse, without first going to the Postmaster-General to ask his permission. Is this not carrying red-tape and departmentalism to an absurd extent ? What is the advantage of it so far as the Postmaster-General is concerned ? Surely we are capable of looking after our own interests, and of putting up wires in our own warehouses. I join issue at once with this proposed amendment. It is not what I want, or what is wanted by those whom I am representing in the matter. I may say I have received a large number of communications on this point from Queensland and New South Wales, as well as from various parts of Victoria, all protesting against this interference on the part of the Postmaster-General with private lines. My proposition is to insert, after the word "lines," line 3, the words "other than private lines." And then, in clause 3, I propose that we shall define what are private lines. Those amendments, if carried, will take private lines clean out of the Bill.

Senator O'Connor

- T - That is the whole crux of the thing. How would the honorable senator distinguish a "private line" ? 1
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Senator Sir FREDERICK SARGOOD

- I do not think that even for a layman it is a very difficult thing to distinguish it. I should say, to begin with, that it is a line wholly upon private property, used for private purposes, and having no connexion whatever with public telephone or telegraph lines. Take my own case, in my warehouse I have lines leading to fifteen different places in the warehouse, not connected in any way with the Government system of lines, and why should the Postmaster-General bother himself about those ?

Senator Drake

- We do not want to interfere with them.

Senator Sir FREDERICK SARGOOD

- But the Bill would interfere with them. Do I understand that the Postmaster-General does not wish to include such lines in the Bill ?

Senator Drake

- We never have, and never shall interfere with lines wholly upon private property.

Senator Sir FREDERICK SARGOOD

- I mentioned a matter of the kind the other night, when I think the Minister claimed the right to interfere.

Senator Drake

- The honorable senator was speaking about crossing public roads then, which is a different matter.

Senator Sir FREDERICK SARGOOD

- That is certainly another matter, but if we are agreed that lines such as I have mentioned, lines upon private property, say, for private purposes only, are not to be interfered with, that is one difficulty cleared out of the way. Now, another difficulty is that with respect to lines to be put on stations, for instance, that

may be intersected by a number of roads, man)' of them practically unused, some of them used to a small extent, and some probably main roads. What is wanted in that case is to utilize existing lines and to get permission to cross the roads. In connexion with the crossing of the roads I recognise that permission should be obtained from some one to cross a road, and probably a small fee should be paid in recognition of that permission.

Senator Drake

- That is the rule in New South Wales.

Senator Sir FREDERICK SARGOOD

- The regulation in New South Wales on the subject reads as follows : -

On the completion of the line to the satisfaction of the Postmaster-General a licence to use it will be issued, no fee being charged where it 'does not extend beyond the boundary of the licensee's own land, where the line crosses such boundary or crosses a public road or park a licence-fee of £1 per annum payable in advance is charged irrespective of the length of the line.

I see no objection whatever to that. But the Postmaster-General indicated the other night that he thought there should be a charge of £1 for every road crossed, and that would certainly kill the whole thing.

Senator Drake

- That is a matter for re*gulations.

Senator Sir FREDERICK SARGOOD

- No. I can assure the honorable and learned senator that we have had quite enough of regulations. I mentioned the other day a case in Victoria where, though the heads of the department acknowledged that the regulation was absurd, they would not take the trouble to alter it. I wish to see a matter of this sort dealt with distinctly in the Bill itself, and that may be done by putting in the very words of the New South Wales regulation that I have just read. There would then be no question as to what private individuals are entitled to do. It does not impose upon the Postmaster-General any trouble whatever, and I know the present Postmaster-General wants to be saved all the trouble he can. I am voicing the wishes of a large number of persons who are interested in this matter all over the States.

The CHAIRMAN

- It will be necessary for the Postmaster-General to withdraw his amendment for the present, to enable Senator Sir Frederick Sargood to move the amendment he has suggested.

Amendment, by leave, withdrawn.

Senator Sir FREDERICK SARGOOD

- I move -

That the words " other than private lines " be inserted after the word " lines," line 3.

That is proposed with the understanding that we will subsequently define in clause 3 what a " private line " is, and later on we can deal with the question of crossing roads.

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Senator DRAKE

- I cannot agree to this amendment, because I think it would produce a condition of anarchy. I am not a despot, although I have been called a despot and socialist, and all sorts of things, but I recognise that in the matter of telegraphy it is necessary that there shall be some authority, and we claim that the authority should rest with the Postal department, as we have no body analogous to the Board of Trade in Great Britain. As I propose to amend the clause, the -matter will be left perfectly clear with regard to these private lines. We do not want to interfere with a private line upon a man's property, so long as the line is wholly on his property, but if it crosses a road, we desire to make a charge which shall be simply an acknowledgment of the rights of the Postal department. I think that to fix the charge irrespective of the distance of the line would be unfair, because the length of the line, and number of roads that it crosses, are elements that should be taken into consideration.

Senator Sir Frederick Sargood

- The additional length of line does not cost the department a penny.

Senator DRAKE

- It does not cost us anything, but if the honorable senator wants a line 100 miles in length, and crossing a number of road5, he ought to pay more than he would for a line that only crossed one road. I think the line mileage and the number of "roads crossed ought to be taken into consideration. In New South Wales they

have a regulation which Senator Sir Frederick Sargood says is entirely satisfactory. Perhaps it is because they only charge £1, whatever the length of line may be. In Victoria the charge is somewhat higher. I understood the honorable senator to say he thought it too high.

Senator Sir Frederick Sargood

- It is prohibitive.

Senator DRAKE

- It can hardly be said to be prohibitive, because there are a number of these private lines in existence at the present time. Surely, if we have two sets of regulations, the charges under one of which are considered high and under the other not high enough, the matter is one which may be easily equalized, and it should be dealt with by regulation. Before the committee deals with this matter I would like honorable senators to carefully attend to what I propose doing. I propose to add, as a proviso to clause 77 the words -

Provided also that any person shall have authority to erect and maintain any telegraph line which is wholly within and upon land whereof he is the proprietor or occupier and is solely for his own private purposes, if no part of such line is within 12 feet of any line of the Postmaster-General.

Senator Harney

- That only gives the right of erection, but not the right of transmission of messages. I think the word " use " should also be inserted. The provision should be to erect, maintain and use.

Senator DRAKE

- The committee will see that this is very nearly to the same effect as the amendment proposed by Senator Sir Frederick Sargood. At all events, we can easily mould the amendment I suggest so that it will have almost entirely the same effect, only that we provide that the line shall not be within 12 feet of a Government line.

Senator Sir Frederick Sargood

- I think the Minister will find that that is contradictory of a provision in another clause which limits the distance to 6 feet.

Senator DRAKE

- After clause 771 propose to insert a new clause, which has been circulated - '

The Postmaster-General may on such conditions as he deems fit authorize any person to erect and maintain telegraph lines within the Commonwealth anywhere, and to use the same for all purposes of and incidental to telegraphic communication.

Then I propose in clause 78, after the word person, to insert the words " for the Postmaster-General or for his own use," so that it will read as follows : -

The Postmaster-General or any person authorized in that behalf by the Postmaster-General may enter into a contract with any other person for the construction and maintenance of any telegraph line for the Postmaster-General or for his own use.

Senator Sir Frederick Sargood

- That rather contradicts a previous amendment, and a subsequent clause will be taken in preference to it.

Senator DRAKE

- I think not. It gives power to enter into a contract to construct.

Senator Sir Frederick Sargood

- Would the Minister mind reading the first part of his amendment again, or does he propose to circulate it

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Senator DRAKE

- If I have time to do so I shall. It reads -

Provided also that any person shall have authority to erect and maintain a telegraph line which is wholly within or upon land whereof he is the proprietor or occupier, and solely for his own private purposes, if no part of such line is within 12 feet of any line of the Postmaster-General.

Senator Sir Frederick Sargood

- I call the attention of the Minister to clause 138, under which the line will have to be within 6 feet.

Senator DRAKE

- That is a different matter altogether.

Senator Sir Frederick Sargood

- It shows that 6 feet is safe.

Senator DRAKE

- It is a mere matter of detail.

Senator Clemons

- Why does the Minister suggest 12 feet ?

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Senator DRAKE

- Why do I not suggest 10 feet or 13 feet! It is simply because something has to be stated.

Senator CLEMONS

- If it is all the same, -we would like it to be 6 feet.

Senator DRAKE

- I do not think it is a very important matter one way or the other. Six feet is rather close.

Sir FREDERICK SARGOOD

- I think the first part of the Minister's proposal will meet my objection. It will leave apparently to private persons the right to construct, maintain, and use telephones and telegraphs upon their own land, and the term "land," I understand, covers warehouses and so on. If that is so it is right, but why should we be limited to 12 feet from our border ? Surely we have a right to use our own property up to the border. I do not know what authority the Minister has to deprive me of my right to use 12 feet of my land if he wants to put up a telegraph line.

Senator DRAKE

- The wire will not be on the honorable senator's land.

Senator Sir FREDERICK SARGOOD

- If the Minister wants to put up a line for the public good, let him go 12 feet off my boundary, and not compel me to lose 12 feet of my land.

Senator Drake

- The wires might be already erected.

Senator Sir FREDERICKS SARGOOD

- I have already pointed out to the Minister that this distance of 30 feet which he proposes will simply mean the cutting down of hundreds of miles of trees. If he likes to construct his line at a distance of 12 feet, I am quite prepared to accept the first part of his amendment.

Senator Playford

- Twelve feet is unnecessary. They have their own wires on their own poles within a few inches of one another.

Senator Sir FREDERICK SARGOOD. The wire must not interfere with private property.-

Vice-President of the Executive Council

Senator O'CONNOR

. - suggest to Senator Sir Frederick Sargood that there is very little difference between us, and I shall point out to him a course which I think will save all difficulty. I understand from the Postmaster-General that if a private line is erected too near a public line it may affect the working by induction of the public line. It is quite clear, therefore, that in order to maintain the efficiency of the public line, the Minister must have the right to control the erection of electric lines alongside in such a way as not to interfere with it. I understand from my honorable colleague that 12 feet is the necessary distance to make a public line perfectly safe. I do not know that he is quite certain on that point. I would suggest that the amendment should be carried as it is, and my honorable friend will inquire from his experts to-morrow as to whether 6 feet is sufficient. If it is sufficient to work, I quite agree that the more free and unrestrained use an owner has of his property the better. I am quite certain that my honorable colleague has no desire to interfere with the use of private property any more than is necessary. He will make a statement to the committee after the inquiry is made, and, if necessary, recommit the clause to make the distance 6 feet.

Senator Sir FREDERICK Sargood

- Very well ; I have no objection to that.

Amendment, by leave, withdrawn.

Amendment (by Senator Drake) proposed -

That the following words be added to the clause : - "Provided also that any person shall have authority to erect, maintain and use any telegraph line which is wholly within or upon land whereof he is the proprietor or occupier and solely for his own private purposes if no part of such line is within 12 feet of any line of the Postmaster-General. "

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Senator Sir JOSIAH SYMON

- This amendment, I understand, contemplates an entirely private line on a man's private property quite unconnected with the Commonwealth property. The fatal objection to the amendment is that it practically enacts that a man may not do what he likes with his own. To put it in as a proviso in that way seems a very cumbrous and unnecessary way of doing it. Perhaps the Minister will find this plan simpler. After the words " the Postmaster-General shall accept," put in the words "except as to telegraph lines on private property," and then insert a proviso that such telegraph line shall not be within 6 or 3 feet of a public line, but do not put in a proviso which practically enacts that a man may do what he absolutely has the right to do now. It seems to me monstrous that we should even by means of a proviso acknowledge that a man cannot put up a private line entirely on his own. property. Of course it is a serious thing that a private line should be permitted to be so near as to perhaps interfere with the effective working of the public line. That undoubtedly ought to be prevented ; but the sole object we ought to have in view is to exempt from the operation of clause 77 in its enacting part lines which are or may be constructed on private properties ; but if it is put in by way of a proviso, it is in effect an enactment that a man may erect a line which acknowledges that some day or other the Commonwealth may step in and say, " Oh, we are going to abolish that proviso : that was a concession." I do not recognise this as any concession by the Commonwealth. Every one of us has a right to have a telegraph line from his stable to his house, if he likes. At least that ought to be recognised, and we should not depend on legislation for having that right, but we ought to depend on legislation for what Senator O'Connor has pointed out - a provision that the working of that private line shall not in any way interfere with the efficient working of the public line. If we put in that the Postmaster-General shall, except as to a. telegraph line on private property, have the exclusive privilege of working and maintaining telegraph lines, the thing is done, and we do not acknowledge that the State is making any concession to a private owner.

Senator O'CONNOR

- I - It will be necessary to have a separate section to protect the public line 1

Senator Sir JOSIAH SYMON

- No ; put in at the end of the proviso seven or eight words.

Senator O'CONNOR

- H - How 1

Senator Sir JOSIAH SYMON

- Provided that such private line shall not come within 6 feet of a public line or whatever it is, and then there is no recognition of any concession on the part of the Commonwealth that a man may do as he likes with his own property.

Senator FRASER

- I entirely agree with the last speaker, and I must support his view if it comes to a division. At first, I was prepared to support the Minister's view, but I really do not see why a private owner, whether it be at a mine or in a warehouse, or other place, should be obliged to submit to a clause of this kind. We have the right now to erect these wires, and let it remain intact ! Surely no harm can be done ? The Minister should make some reasonable provision for a line to cross roads.

Senator O'CONNOR

- T - That is dealt with in a later clause.

Senator FRASER

- That is right. I hope the Minister will agree to the suggestion of Senator Sir Josiah Symon.

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Senator HARNEY

- I consider that the amendment suggested by Senator Sir Josiah Symon to be really only a choice of verbiage, because I take it that the point he made is that what we want to> do is to exclude from the operation of the clause private lines. The Postmaster-General proposes to carry out the exclusion by

means of a proviso ; Senator Sir Josiah Symon proposes to carry out the exclusion, by means of an exception ; and the question is, what is the difference in the significance of exception and proviso tSenator Sir Josiah Symon says " if we do it by means of an exception we recognise an inherent right in individuals to erect and use private lines.. If we do it by means of a proviso we recognise the right of the Postmaster-General to control private lines, but we make him grant a concession." I at once apprehend the meaning of Senator Sir Josiah Symon ; but it seems to me a subtle and unnecessary distinction, because I know if I, as a lawyer,, were construing it drawn as he has said,, with the exclusion made by an exception and not by a proviso, I would still say that the Legislature excepted private lines from the operation of the section, and in an amending Act it may negative that exception just the same as it may when it is done by a proviso. The Legislature grafted this concession by means of a proviso on the power given to the Postmaster-General, and we may remove the exception by an amendment, so that really it is a distinction without a difference. I do not know if Senator Sir Josiah Symon follows me, but I certainly am at a loss to see where the real practical benefit comes in altering the amendment, which was drawn by the Minister, in order to effect the same thing by an exception to the general provision, rather than by a proviso to the general power which is granted to the Minister. I shall not actively resist either amendment because they seem to me to have the same meaning, but I think, if the Minister persists in his phraseology, there is no sufficient gain in using the phraseology suggested by Senator Sir Josiah Symon to induce us to depart from it.

Senator O'CONNOR (New South Wales Vice President of the Executive Council). - I think we all agree with Senator Harney, that really there is no need. to spend much time over the amendment. I recognise that as a matter of sentiment there is something in what Senator Sir Josiah Symon has said, and I should suggest that the amendment of the Postmaster-General, by the alteration of a very few words, will be made to carry out exactly the same purpose. Supposing it is altered to read in this way -

Provided also that nothing in this section shall lie taken to prevent any person from erecting, maintaining, and using any telegraph line which is wholly within or upon land whereof he is the proprietor or occupier, and solely for his own private purposes, if no part of such line is within 12 feet of any line of the Postmaster-General.

Senator Sir Josiah SYMON

- That comes nearer it.

Senator O'CONNOR

- I - I think my honorable and learned friend will admit that that carries out exactly the same purpose.

Senator FRASER

- It is near enough.

Senator O'CONNOR

- I - I think it is near enough, and it has the advantage of enacting everything we want in one clause.

Senator DRAKE

- I will, by leave, amend my amendment so as to put it in the form suggested by the Vice-President of the Executive Council.

Amendment amended accordingly.

Senator Sir JOSIAH

SYMON (South Australia). - I think

Senator Harney

has misapprehended the difference between the two amendments. There is no doubt that

Senator O'Connor's

alteration in the phraseology of that amendment does, if not altogether, at any rate to a large extent, remove the objection which seemed to me quite fatal to the amendment in its first shape.

Senator Harney

must observe that clause 77 as it now stands enacts that the Postmaster-General shall have something. Parliament gives him something, and the effect of the exception is simply to prevent the giving of that something taking away what we, as free-born individuals, already possess ; and I think it is very important that that should be excepted from the gift which Parliament gives to the Minister for the purpose of the Act. If the proviso, on the other hand, had stood as it was, the effect would have been exactly the opposite. It would have- had the effect of declaring in the enacting part of the clause that the Minister got

everything; and then came the proviso which enacted that the citizens of the Commonwealth should have something, given by the generosity of Parliament, which they already possessed. That is a situation which I do not think we ought to be in, and I agree with

Senator O'Connor,

as we are approximating to it very nearly in the amendment as altered, we ought to accept it.

Senator O'Connor

- I - It does not make the least difference in the world as to persons' rights.

Senator CHARLESTON

- I cannot grasp the meaning of telegraphs, because, the word includes telephones. Take a case where telephonic communication extends entirely within a warehouse. Perhaps it is carried from one department to another up to the highest part of the building, and at that point it may not be more than 3 or 4 feet from the wires outside the building. What effect would the clause have on the working of such a telephone ?

Senator O'Connor

- A - A man can carry 'the wires where he likes.

Senator CHARLESTON

- Would he be allowed to conduct the telephone within his own warehouse, seeing that the inside wire might not be more than 3 feet from the outside wire ? It is stipulated here that it must not be within 1 2 feet of the outside wire.

Senator O'CONNOR

(New South Wales - Vice-President of the Executive Council). - It is the distance of the private wire, and not the distance of the building from the public wire.

Senator Charleston

- Exactly ; the wire may not be more than 3 feet away.

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Senator O'CONNOR

- It will have to be taken 1 2 feet away. It is a very easy matter for adjustment. I take it that the expert of the private owner and the expert of the Government would find a way to do it. We cannot enact these little tilings.

Senator Sir FREDERICK

SARGOOD (Victoria). - The point raised by

Senator Charleston

is a very important one. It occurred to me while he was speaking that my own telephone, which radiates to fifteen places in the warehouse, is just inside the front wall, and if clause 81, which enables the Postmaster-General to attach his wires to my building, is passed, he may attach it | and compel me to upset all my arrangements. This is more important than it ' looks.

I Senator O'Connor. - The honorable senator cannot assume that we should have a malicious lunatic in the post-office.

Senator Sir JOSIAH

SYMON (South Australia). - Why should the line be solely " for his own private purposes " ? Suppose some visitor happens to be there - cannot the owner give permission to the visitor to use the telephone

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Senator Drake

- It would be " private purposes " if the owner allowed any person to use it, but it must not be used for profit.

Senator Sir JOSIAH SYMON

- Why should not the owner let any one use it 1

Senator Drake

- He can, if he does not make any charge.

Senator Sir JOSIAH SYMON

- Why should he not make a charge ? Suppose there is a run of 1,000 square miles, and there is a telephone upon that run, why should not the owner charge for the use of it 1 I do not know why we should limit the use entirely to the owner or occupier. Suppose there was an out-station upon which there was an agent buying stock, and he wished to communicate with the head-station, why should he not do it by

means of the telephone ?

Senator O'Connor

- T - That would be " his own purposes."

Senator Drake

- We might meet the honorable and learned senator's objection by leaving out the word " private."

Senator Sir JOSIAH SYMON

- That might do. If it is understood that owners of these private lines are satisfied I do not press any objection, but the provision seems to me to seriously interfere with the beneficial use of a line.

Senator ERASER

(Victoria). - I am satisfied with the provision if the word "private " be omitted. If a stranger comes upon a station we never refuse him permission to use the telephone and a charge is never made.

Senator Sir Josiah Symon

- It would be unlawful to allow a stranger to use it under this provision.

Senator FRASER

- But if the word " private " is struck out we need not split straws.

Amendment (by Senator Drake) agreed to.

That the amendment be amended by omitting the word " private. "

The Postmaster - General or any person authorized in that behalf by the Postmaster-General may enter into a contract with any other person for the contraction and maintenance of any telegraph line by such person.

Every telegraph line constructed or to be constructed within the Commonwealth shall be subject to the provisions of this Act and the regulations.

Senator DRAKE

- I move -

That after the word "person," line 5, the following words be inserted : - "For the Postmaster-General or for his own use."

Senator Sir Frederick Sargood

- What will be the effect of that amendment 1

Senator DRAKE

- It means that the Postmaster-General may contract with a man to construct a line.

Senator Sir Frederick Sargood

- That will not meet the case Senator Sir John Downer raised last week.

Senator DRAKE

- I think it will partly.

Senator Sir Frederick Sargood

- Senator Sir John Downer raised the point that it would be desirable to enable the Postmaster-General to deal with the States for the purpose of constructing lines that otherwise would not be constructed. I merely remind the honorable and learned senator of the point.

Senator O'Connor

- T - That is a big question.

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Senator Sir JOHN DOWNER

- It appears to me that it will be more convenient to provide for the point Senator Sir Frederick Sargood has mentioned in a separate clause. From communications I have had I do not think there would be much objection on the part of the Government to a clause enabling the postmaster of a State to construct a line subject to the Postmaster-General having power to veto it.

Amendment agreed to.

Senator Sir FREDERICK

SARGOOD (Victoria). - Sub-clause (2) raises the matter with reference to the crossing of roads. We have dealt with lines wholly on private property. Now we have to deal with lines upon property intersected by public roads. I have circulated an amendment which I have drafted somewhat hurriedly, and which I have no doubt will be improved upon by the legal members. For the purpose of having the matter discussed, I intended moving -

That the following proviso be added to the clause : - " Provided that where a private line has been or shall be constructed by a person who is the 2274 Post and [SENATE.] Telegraph Bill. owner of the land upon both sides of a road, railway, tramway, or creek, then such person shall have the right of continuing or carrying such private line across any such road, railway, tramway, or creek at a height of at least 18 feet from the surface of such road, railway, tramway, or creek." 'The object of this amendment is to continue the use of a private line across a public road, railway, or creek. This is not an unreasonable thing, although it has occurred to me whether the Postmaster-General has the right to grant power to cross roads, or whether that does not belong to the State, or in the case of Victoria to the municipalities.

Senator Drake

- D - Does the honorable senator mean to say that the department would have to get the permission of the municipality in order to put up a telegraph line? . Senator Sir FREDERICK SARGOOD. - I do not think the department would have to get permission to construct a telegraph line, but that is a different thing to charging the private owner for the use of a private line which crosses a public road. The first is absolutely necessary and would come under section 52 of the Constitution Act, which places it within the power of the Commonwealth to construct a telegraph or telephone line. But the case I am dealing with is different altogether. All I want is to get permission to cross roads and streets upon payment of a small fee, to recognise the legal right of the department.

Senator FRASER

(Victoria),

-r-

Senator Sir Frederick

Sargood's amendment is right enough so far as it goes, but it might shut out a number of equally good private lines. Supposing A is the owner of a block of land in a particular place, and B is the owner of a piece of land in another place, and that the two properties are intersected by a block of land which is not subject by statute to alienation. In that case this amendment would not apply. I suggest that if private lines do not interfere with public roads or with the Postmaster-General in any degree whatever, even if they cross a piece of land, including a road, they should not be penalized, subject to a small fee being paid for the right of crossing the road, and also subject to the control of the department.

Senator Charleston

- To whom should the fee be paid - to the State or the Postmaster- General ?

Senator FRASER

- It should be paid to the Department of Lands, or to those who have control of the roads. I would not be sure of that, because the post-office itself knows how to deal with such matters.

Senator MCGREGOR

- Senator Sir Frederick. Sargood makes provision in his amendment for the telegraph lines crossing a road, railway, or creek, or anything of that description, at a height of not less than 18 feet. It would be better for him to amend that provision in the direction of securing the approval of the Postmaster-General, because it might be necessary to carry the line underneath the ground. The provision should be made to read "or in such manner as may be approved by the Postmaster-General." Then if it was really necessary that the line should be carried under the ground, permission might be given.

Senator PEARCE

- Take the case of a city in which the land on both sides of a road is held by an individual who has the right to construct a telephone line. The people of that city might desire that all wires should be carried under ground. This Bill would override that local provision, because it would give an absolute right to take the line over the road. If Senator Sir Frederick Sargood accepted Senator McGregor's suggestion to insert some such words as " with the approval of the Postmaster-General," all that the honorable senator desires to obtain would be gained.

Senator DRAKE

- Senator Sir Frederick Sargood has omitted all provision with regard to. the payment of a fee.

Senator Sir Frederick Sargood

- I did that purposely. I left the point to the Postmaster-General.

Senator DRAKE

- -I move -

That the following proviso be added to the clause : - "Provided that where a private line has been or shall be constructed by a person who is the owner of the land upon both sides of a road, railway, tramway, public reserve, Crown lands, or creek, then such person shall have the right, on payment of the prescribed fee, of continuing or carrying such private line across any such road, railway, tramway, public reserve, Crown lands, or creek at a height of at least 15 feet from the surface of such road, railway, tramway, public reserve, Crown lands, or creek, or otherwise, as approved by the Postmaster-General."

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Senator STANIFORTH SMITH

- This is a matter which should receive serious consideration. For instance, with regard to reserves, it would be quite possible for a person owning land at Roeburne and at Eucla to run a telegraph line 1,000 miles between those places, because it would cross Crown lands. Then it is provided that public reserves may be bisected by wires owned by private persons. I think that should be excepted. It is also provided that wires may cross a road. Would that provision also apply to a street ? If so, suppose a person ' owned property on one side of Bourke-street or Collins-street, and more property on the opposite side, would there be anything to prevent him running a wire across that street ? Then the amendment says "at a height of at least 18 feet above a creek." Does that mean above flood level, summer level, or what? I support Senator McGregor's proposal that no telegraph or telephone line should go across a road, street, or tramway or railway, unless the consent of the Postmaster-General has been previously obtained. Otherwise a great deal of difficulty may be caused, and I think the power might easily be abused in the country districts.

Senator FRASER

- It is more likely to be abused in the town than in the country.

Senator O'Connor

- T - The clause will be recommitted.

Senator STANIFORTH SMITH

- I am aware of that, but there is no harm in pointing out these matters, because, if the amendment is not very carefully drafted, great abuse might arise in connexion with station lines. There are some very large reserves in the pastoral districts, and private owners on each side of a reserve may build a line across it.

Senator FRASER

(Victoria). - There is no clanger about the reserves, there is more danger that the power will be abused in cities than in townships. Men are not going to erect private lines . at great expense for nothing. If a reserve is a mile or two across that does not matter where the line is constructed at an owner's private expense and for his private use. I can understand, however, that this might be abused in townships and cities, and I am prePared to SuPport the Minister in preventing any abuses of the kind.

Amendment agreed to.

Clause, as amended, agreed to.

Postponed clause 79 -

Any person acting under the authority of the Postmaster-General may for the purpose of this Act enter upon any land and survey and take levels thereof and dig, fell, remove, and carry away from the land any earth, stone, gravel, sand, or other soil or timber or trees required to be used in constructing or maintaining a telegraph line or the works connected therewith.

Senator Walker

- The Postmaster-General said he would be prepared to amend this clause.

Senator DRAKE

- On consideration I do not see how I can meet the views of Senator Walker in this particular clause. I think that what he suggested was that some proviso should be put in to say that the entry should only be when it was convenient. We could not provide that, because we might find that it would never be convenient. We might never be able to get at the proprietor, and he could always say that it was not convenient to allow his land to be entered upon. I believe that with any such amendment the clause would be entirely unworkable.

Senator WALKER

- The Sydney Chamber of Commerce has asked me to bring this matter forward, because the clause confers almost unrestricted power upon the Postmaster-General without any proper safeguard so far as

private owners are concerned. I cannot pretend to draft the amendment they would like to put in, but I draw the attention of the Postmaster-General to the fact that the powers conferred by the clause are considered very arbitrary.

Senator DRAKE

- I think a power like this must be put into the Bill, and it is not at all likely to be abused. I have given the matter some consideration, and we might as well strike out the clause altogether as put in any words providing that the entry should be only when convenient to the owner.

Senator CHARLESTON

(South Australia). - I wish to ask if there is to be any compensation paid to the persons from whose land trees and so forth may be removed by the Postmaster-General ?

Senator Drake

- He would have to pay for what he took.

Senator Walker

- Would the Postmaster-General have any objection to putting in the words " at all reasonable times " ?

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Senator O'Connor

- W - What do they mean ? He might want to enter at some time which the honorable senator would consider very unreasonable. We had better leave the clause as it is.

Clause agreed to.

Postponed clause 80 ("Works to be made on any land, <fcc.").

Senator Sir FREDERICK

SARGOOD (Victoria). - The clause has a provision with respect to wires or cords " crossing a road or water above the surface." I think it may be necessary to insert after the word " road" the words " railway or tramway." I just call the attention of the Postmaster-General to the matter.

Clause agreed to.

Clause 81-

A person so authorized may whenever " it is necessary for continuing or completing a ' telegraph line cause a wire or cord to be supported y affixing or annexing the same to in or upon through or against any part of a house, building, or other structure in a city, town, or village.

Provided that the wire or cord if serial is 18 feet at the least from the surface of the earth on which the house, building, or other structure is situate.

Senator Sir FREDERICK SARGOOD

- In this clause the Postmaster-General proposes to take enormous power. The matter came before us in connexion with the Electric Lighting Bill which was before the State Parliament a couple of years ago. A similar clause was introduced into that Bill, but we struck it out. It .seems to me that it is an unnecessary invasion of private property. I do not see why the Postmaster-General should have the right to attach a wire to my private property simply for his own convenience.

Senator Drake

- Not for his convenience, but for the public convenience.

Senator Sir FREDERICK SARGOOD

- Of course for the public convenience. So far, I may say, this power has been steadily .resisted so far as Melbourne and Victoria .are concerned.

Senator Drake

- But that was in connexion with electric lighting.

Senator Sir FREDERICK SARGOOD

- I think the principle is the same. This clause, however, goes further, and gives the Postmaster-General the right to carry a wire " through " a person's house.

Senator Drake

- Why not, if we do no damage ?

Senator Sir FREDERICK SARGOOD

- It will permit the Postmaster-General to carry a wire through my warehouse from Flinders-street to Flinders-lane. Surely the Postmaster-General should not have the right to do such a thing as that.

Senator O'Connor

- D - Does not the honorable senator think that he would be much more likely to carry it over the roof of the building ?

Senator Sir FREDERICK SARGOOD

- I think that would be even worse, because when workmen get upon the roof of a building they are likely to do more damage to it than in going through it.

Senator DRAKE

- I am sure the honorable senator will see that it is absolutely necessary that we should have this power in order to carry out the telephone system. It is altogether a different thing where we are dealing with electric lighting, and with cables carrying an enormous current of electricity. It is quite right that where such wires have to be carried to a great height, it should be on Government posts. But if the telephone system is to be carried out, we must have some lofty position from which we can start our wires to buildings in different directions. We carry a great number of wires in a cable underground, and then when we come to some particular point we have to carry the cable up to a considerable height, and from that high position start the wires in various directions. Let honorable senators consider the buildings here in Melbourne, and ask themselves how we are to have telephone communication with a lot of those buildings if we are not to have the right to fix our wires to the sides of a house.

A Senator. - Yes, but the clause permits the wire to be taken " through " a house.

Senator DRAKE

- Yes, and I know of many cases in which that has been done, and no harm whatever has arisen. You must take the wires into some of these buildings in order to supply the different people who may be living in them. Many of these large buildings have an enormous number of rooms and offices occupied by different persons, and unless we have the power to take the wires into such buildings we cannot put the tenants on to the exchange.

Senator Sir Frederick Sargood

- Could it not be provided that that could be done with the consent of the owner 1

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Senator DRAKE

- It is possible that he would not consent if he had the power to refuse, and why should he have the power to refuse, if his building is let to a number of tenants and some of them want telephonic communication ? As the thing really works no harm is done to private buildings, and it is the only way I can see in which we can distribute our telephone wires.

Amendment (by Senator Walker) proposed -

That the word "through," line 5, be omitted.

Senator Glassey

- I wish that the rights of property advocates in this Chamber would let the Bill go on.

Amendment negatived.

Clause agreed to.

Postponed clause S2 - (.1) Such trees or underwood as obstruct or in the opinion of the Postmaster-General or other officer duly authorized by him are likely to interfere with the proper working of any telegraph line, if growing upon Crown lands or upon any road street or highway may be cut down or lopped as may be deemed necessary b3' the said Postmaster-General or such officer, and if growing , upon private lands within twenty feet of any such line then the proprietor or occupier of such private lands shall cut down or lop the same as and when required so to do by the said Postmaster-General or such officer, and upon default the said POSTmasterGeneral or such officer may enter upon the said private lands and cause such trees and underwood to be cut or" lopped as may be deemed necessary.

This Act shall be sufficient to indemnify the

Postmaster-General and his officers servants agents and workmen and all other persons whomsoever for what lie or any of them shall reasonably do by virtue of the powers by this section granted.

Senator Sir FREDERICK

SARGOOD (Victoria). - I understood that the Postmaster-General was going to reconsider this clause.

Senator Drake

- I will not object to putting in an amendment adding to the first sub-clause a proviso that seven days' notice shall be given by the Postmaster-General.

Senator Sir FREDERICK SARGOOD

- That will not do. Surely the Postmaster-General is not serious in saying that all trees within a distance of 30 feet of any line he chooses to put up shall be cut down ?

Senator Drake

- It is only if they are dangerous to the line and likely to interfere with its proper working.

Senator Sir FREDERICK SARGOOD

- I have pointed out before that around St. Kilda and Elsternwick the pathways are 12 feet wide, and if at any time the Postmaster-General chooses to -put up a telegraph line' or telephone line on the edge. of those pathways, any trees that may be within 30 feet of the line will have to be cut down.

Senator McGregor

- - It is only if they injure the telegraph wire.

Senator Drake

- And are likely to interfere with the proper working of the line. It is all governed by that.

Senator Sir FREDERICK SARGOOD

- Who is to be the judge of that ?

Senator Drake

- Somebody has got to be the judge, and the telegraph authorities should decide.

Senator Sir FREDERICK SARGOOD

- It is further provided that if trees are growing upon private land within 20 feet they may be removed. I take it that the Postmaster-General will have the power under this clause to cut such trees down. My attention has been called to the fact, by the municipal authorities in a large number of cases up country, that this provision will necessitate the destruction of miles upon miles of avenues of trees that have been growing for the last 30 years. The other night I gave an instance of my own property, where I have an avenue of trees that have been growing for 30 years. If the Postmaster-General erects a telegraph or telephone line on the edge of the pathway there, I shall have to cut down the whole of those trees.

Senator O'Connor

- A - A similar section has been in force in South Australia since 1891.

Senator Sir FREDERICK SARGOOD

- I cannot help that, and with all due deference to the honorable senator, I think if he was on this side he would not consider that a good reason.

Senator HARNEY

- I think Senator Sir Frederick Sargood is unnecessarily apprehensive, because, as I read the clause, the 20-ft. limit is rather for the benefit of such gentlemen as Senator Sir Frederick Sargood. If that limit is not inserted, the clause will provide that the Postmaster-General shall be at liberty to cut or lop any trees likely to interfere with the proper working of the telegraph line. We might say that that is only natural, but there is a safeguard inserted for the benefit of gentlemen like Senator Sir Frederick Sargood. It is provided that although they may have trees which are injurious to the working of the telegraph line they will be safe if they are not within 20 feet of it, so that considered properly, the limit, instead of being a restriction upon the rights of private owners, is a concession to private owners over and above the lights given to the public.

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Senator KEATING

- I fail to see the argument of Senator Sir Frederick

Sargood, because the object of the clause is really to provide that trees which obstruct a telegraph or telephone line shall be cut down. And if the trees are growing on private land, within 20 feet of any such line, the proprietor shall cut down or lop those trees as and when required so to do by the Postmaster-General. It does not follow as a matter of course that if they are growing within that limit he shall be bound to cut them down. It is only as and when he is required so to do by the Postmaster-General. It is obvious that the Postmaster-General would not ask the proprietor of private land to cut down the avenue of trees so graphically referred to by Senator Sir Frederick Sargood. The honorable senator would not be asked to cut down those ornaments to his estate, unless they were actually in the terms of this clause obstructing the use of the telegraph or telephone line. The clause goes on to provide -

And upon default the said Postmaster-General or such officer may enter upon the said private land, cause such trees or underwood to be cut or lopped as may be deemed necessary.

Of course if the Postmaster-General exceeded his powers in any particular instance under this clause, the matter must come under public notice, and I think with Senator Harney that Senator Sir Frederick Sargood is unnecessarily apprehensive with regard to the powers which will be exercised by the Postmaster-General. The whole object of the clause is to provide that trees shall not be allowed to interfere with telegraphic or telephonic communication. If they grow upon private land to within 20 feet of the line itself, the private owner may be asked, if it is necessary to cut or lop them, in order that the obstruction may not occur, and if he does not cut or lop them, then the individual authorized by the Minister may enter upon such land and cut or lop them, as may be deemed necessary. If there is, as the Minister suggests, in many instances an avenue of trees which has been planted for many years, no doubt the authorities, in constructing telegraphic or telephonic communication that will pass by the side of the trees, will have due regard for that fact, and will put the wires at such a distance that the obstruction which may be anticipated under the clause will not be experienced. I think Senator Sir Frederick Sargood will see that it is only a clause which gives permission to the Minister to have his telephonic and telegraphic communication uninterrupted and undisturbed, and that it is not a clause which is framed for the express purpose of giving the Minister or any one under him authority to unnecessarily entrench on the private rights of any person. Under these circumstances, I think he will readily see that the clause should pass as printed.

Senator Sir FREDERICK

SARGOOD (Victoria). - I referred just now to the fact that a similar clause had been submitted in an Electric Lighting Bill, and was withdrawn. I find that I was misinformed. It was a Bill introduced by the Postmaster-General of Victoria two years ago, which contained the same clause as affecting telegraphs ; and the representations which were made to him by the Melbourne City Council were such as to induce him to withdraw the clause. It has been pointed out to me, within the last few minutes, that if this clause is passed it will necessitate, probably at the freak of some Minister or officer, the cutting down of a number of trees in the city of Melbourne.

Senator MACFARLANE

(Tasmania).As the object of the Government is only to protect public property, I would suggest that 10 feet might be substituted for 20 feet.

Senator O'CONNOR

- T - That is giving the Government more power.

Senator Sir Frederick Sargood

- Ten feet will do very well.

Senator CHARLESTON

- All the power given in the clause is to remove an obstruction. The rights of private owners are practically not interfered with beyond that which is necessary to carry out a public work.

Amendment (by Senator MACFARLANE) proposed -

That the word "twenty," line 0, be omitted, with the view to insert in lieu thereof the word " ten."

Senator DRAKE

- I do not like to consent to the amendment, because it is for a very good reason that the distance of 20 feet is put in. It is supposed to be the limit of safety.

Senator Sir Frederick Sargood

- The limit of safety is 6 feet in one clause.

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Senator DRAKE

- That is a different kind of safety. I should think that 10 feet will be ridiculously small, considering the great distances to which branches will spread out at a height of 18 feet.

There should be, at all events, 20 feet clear. It should be borne in mind that trees grow to a great height sometimes, and it is not desirable to, have branches overhanging telegraph lines.

Senator Sir JOSIAH SYMON

- There is one thing which may well be considered. Of course, a good deal of this difficulty has arisen from the fact that under the Bill we deal with telephone as well as telegraph lines, and what is very proper

for a telegraph line is not so proper, convenient, or fair in relation to a telephone line. On the hills at Mount Lofty there are many instances where the telephone lines pass through gardens. Under the Bill, telegraph lines mean telephone lines, and the probability would be that, if there was a likelihood of interference in the working of a line - it might be fairly arrived at on the part of any officer - we might find that the trees would have to be cut down, or the proprietor, if he did not wish to have his trees cut down, would have to discontinue the use of his telephone. I could mention several instances in my own neighbourhood on Mount Lofty where that position would actually occur. I can see how the confusion has arisen. Of course, these clauses are taken from Acts dealing only with telegraph lines, which are not restricted to private property as a rule, and which do not cross private property or pass through gardens. The South Australian Act, from which this provision is taken, has to do with telegraph lines and not with telephone lines. I ask the Postmaster-General to consider seriously whether 20 feet is not the proper distance as regards telegraph lines. When it says 20 feet, what is meant? Does it mean from the trunk of the tree or from the branches? If it is from the trunk it is not a bit too much.

Senator Drake

- From where it is growing?

Senator Sir JOSIAH SYMON

- So far as regards telegraph lines it would be a very proper provision, but immediately we come to consider it in connexion with telephone lines it is a very different thing, because we shut them out of all private property in the country. They pass through gardens and so on.

Senator Staniforth Smith

- Except when required by the Postmaster-General.

Senator Sir JOSIAH SYMON

- That is very proper in relation to telegraph lines. This provision especially, as it is extracted from the South Australian Act, ought to be carried without exception, but when we come to apply it to a telephone line the situation is very different.

Senator Drake

- Which is to give way - the telephone system or the trees?

Senator Sir JOSIAH SYMON

- That is the difficulty which I think the Minister will find himself in. Supposing that an officer reported that the trees in a garden interfered with the working of the telephone line, the occupier would have either to discontinue his line or to submit to his trees being cut down. It seems to me the solution is to consider whether an amendment might not be introduced to say that certain of these provisions should not apply to telephone lines, or else apply certain limitations.

Senator Drake

-5 - It is of no use putting up a telephone line if there are trees in the way.

Senator Sir JOSIAH SYMON

- I could mention scores of instances on Mount Lofty, and I dare say there are many others near Melbourne and other places where a telephone line passes through very tall trees, and we might have an officer say they did interfere with the line. I am not making the suggestion with a view to qualifying it in any way as to telegraph lines, because that may seem perfectly proper, and the original provision was intended to apply to them only: but when we have to deal with telephones we are brought face to face with a different situation. These clauses have not been considered in relation to telephone lines, but have been adopted under a definition which says that telegraphs shall mean and include telephone lines, when in many respects they are totally inapplicable. I suggest that the better way will be for the Minister to reconsider the provision, and see whether something may not be done to meet the case of telephone lines in the altered circumstances.

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Vice-President of the Executive Council

Senator O'CONNOR

honorable and learned senator is really answering a good deal of his argument by pointing out that 20 feet is not unreasonable in the case of telegraphs. Both telegraphs and telephones are dealt with in the Bill, and unless we devise some means of separating the clauses dealing with one from those dealing with the other, it seems to me that this clause is just as it should be. I would remind my honorable and

learned. friend that the Postmaster-General here is taking, no doubt, rather extreme "powers. AH through the Bill he will find instances of very extreme powers given to the Minister. But it always must be taken that as these powers are to be used in the interests of the public, the Postmaster-General will not do any wanton mischief or damage to private property any more than is absolutely necessary.

Senator KEATING

- He has discretionary power in the clause.

Senator O'CONNOR

- Y - Yes ; it is only whether these trees or whatever growth it is, in the opinion of the Postmaster-General or other officer, that obstruct or is likely to interfere with the proper working of the telegraph line, I take it, that the department, in carrying out a clause of this sort, will very likely arrive at some general view founded upon the scientific interest of the position, in regard, to telegraph lines, a certain distance of clearing is necessary, and in regard to telephone lines, a much smaller distance is 060688017. All we do here is to give authority to the officer to determine which in the particular circumstances ought to be left. I think the last speaker will see that after all this is only one out of a hundred very large powers given to the Minister. If these powers are to be exercised unreasonably, then undoubtedly a great portion of this Bill ought to be excised. If, on the other hand, we are to trust the Postmaster-General to use these powers in the interests of the public, I think this is a power which might very well be left to him. 'Amendment negatived.

Senator Sir FREDERICK SARGOOD

- Will the Minister make inquiries and see whether 10 feet will be sufficient ?

Senator Drake

- I will.

Clause agreed to.

Postponed clause 83 agreed to.

Postponed clause 84 -

The Postmaster-General or any person authorized by him may place and maintain any lines, or pipes, tunnels or tubes, for purposes of telegraphic or pneumatic communication or despatch under any street or public road, and may alter or remove the same, and for such purposes may break up any street or public road and alter the position there under of any pipe not being a main for the supply of water or gas.

.Amendment (by Senator Sir Frederick Sargood) agreed to - >

That after the word " being," in line 8, the words "a sewer or drain, or" be inserted.

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Senator Sir FREDERICK

SARGOOD (Victoria). - My attention has just been called by the representative of the Melbourne City Council to the necessity of putting in the words "electric supply."

Amendment (by Senator Drake) agreed to -

That the words " or electricity " be inserted after the word " gas," line 9.

Senator STANFORTH SMITH

- It reads -

Any pipe, not being a sewer, drain, or main for the supply of water or gas.

It is necessary to put in the words " or sewer." after the word " gas."

Senator O'Connor

- N - No.

Senator STANFORTH SMITH

- A sewer is not used for the purpose of supplying water or gas.

Senator O'Connor

- I - It says the main. It is put in in the right place now.

Amendment agreed to.

Clause, as amended, agreed to.

Postponed clause 86 (Postmaster-General may resume possession of private lines).

Senator WALKER

- Is it proposed to have any provision rendering the department liable for damages for wrongful acts, or is it already in the Bill?

Senator Sir JOSIAH

SYMON (South Australia.) - No provision is required, because if any unlawful act is committed the right to bring an action exists.

Clause agreed to.

Postponed clauses 87 and 88 agreed to.

Postponed clause 89 (" Order of" transmitting telegrams ").

Senator Sir FREDERICK

SARGOOD (Victoria). - I have given notice of on amendment providing that telegrams may be transmitted by the route prescribed by the sender, at the tariff for that route. This amendment is in accordance with the proposals of the Berne Conference. The object of it is to enable those sending telegrams to elect the route by which they are to be sent. It may be by the existing route, or by the Pacific route, whenever the line is constructed, or by way of the Cape, or before long it may be by way of - the Cape and straight north when the Cairo line is opened.

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Senator Drake

- I understand what the honorable senator means. The amendment applies to cable routes.

Senator Sir FREDERICK SARGOOD

- Yes. 4

Senator DRAKE

-I intend to ask the Chairman to,report progress now.

Progress i reported .

SUPPLY BILL (No. 3). .Bill received from the House of Representatives, and (on motion by. Senator O'Connor), read a first -time.

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22:45:00

Senate adjourned at 10. 45 . p.m.