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1901-08-14

HouseofRepresentatives.

Mr. Speaker took the chair at 2.30 p.m., and read prayers.

#### PETITIONS

Mr. DEAKIN presented a petition from certain adherents of the Lydiard-street Wesleyan Church, Ballarat, in favour of the retention of clauses 54 and 55 of the Post and Telegraph Bill.

Sir GEORGE TURNER presented a similar petition from persons worshipping at the Independent Church, Malvern-road, Prahran.

Mr. KNOX presented similar petitions from persons attending the Kew Wesleyan Church and from residents of Prahran and South Yarra.

Mr. CLARKE presented a petition from citizens and residents of the State of New South Wales, protesting against clauses 54 and 55 of the Post and Telegraph Bill.

Mr. MAUGER presented a petition from the Women's Christian Temperance Union of Victoria, in favour of a conscience clause in the Defence Bill, and against the conscript system.

Petitions received. adjournment:

State of Public Business

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Mr Watson

- I desire to move the adjournment of the House to call attention to a definite matter of urgent public importance, viz., " the present state of public business."

Five honorable members having risen in their places,

Mr WATSON

- I think it is necessary to briefly call attention to the present position of public business. At the rate of progress -which, we have made during the three months that we have been sitting, it is not likely that we shall pass this- session any of the- really important measures involving questions of high policy which the country reasonably expects from us. We have been sitting since the middle of May, and all that we have done is to pass the Public Service Bill, the Customs Bill, and two or three smaller Bills.

Mr McColl

- We also had a long debate on the Address in- Reply.

Mr WATSON

- Yes; but. the actual business done is confined to the non-contentious machinery measures which I have mentioned. If the statement of the Government, that we are to adjourn about Christmas time, is correct, only four months of the session remain in which to deal with the Tariff the measures which have come from the Senate, and a number of other measures which are on the business-paper. -Judging, by the experience of Tariff discussions in the State Legislatures, it will take us at least seven or eight weeks to deal with the Tariff.

Mr HUME COOK

- More than twice, as long as that.

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Mr WATSON

- I am taking, the most hopeful view. Deducting that time from the four months at our disposal, very little is left for the consideration of other measures in which honorable members and the country are interested. I think a large number of honorable gentlemen will agree with me that it is more necessary to pass measures dealing with the black labour problem, and providing for any possible contingency in connexion with election matters, than to pass measures dealing with questions which can very well continue to be dealt with under the existing State laws until it becomes convenient for the Federal Parliament to deal with them. I submit that the matters dealt with in the Defence Bill and the Post-office Bill might very well be left for the present under the existing legislation of the States. Not only have we those measures before us, but we have also the Inter-State Commission Bill and a variety of other measures, which I do not think there is any possibility of passing this session. I am prepared to make every allowance for the difficulties with which the Ministry have been confronted. Any Ministry occupying their position would have had to introduce a number of machinery Bills, such as have precluded us from

dealing, with other matters as fast as- we might have desired ; but a&gt; considerable" part of' the delay which has- occurred has been, due to the lack of method on the part of the Government. The House has had before it first, one Bill and then another, with the result- that- honorable members have not had an opportunity of making, themselves acquainted beforehand with the business brought forward for discussion,, and this has inevitably caused, delay. I therefore suggest to the Government that the}" should declare definitely what measures, in addition to the Tariff, they intend to push to a conclusion this-session. It will' be too late if they leave the decision until towards the end of the session, because the House is not likely to pass- any measures in- a-haphazard fashion- without proper' consideration'. We must also remember that there is another branch of. the Legislature which must be allowed a fair amount of time to deal with the measures submitted to it, and its members will probably claim that ; so that in any allotment of the time remaining, to us we must consider how much time will be required for the discussion in the Senate of the measures sent from this House. I am quite prepared to allow the Government to take Friday for Government business, and to sit on Friday morning. Hitherto, Friday has been devoted to the discussion of abstract motions ; and, although this has been of service in providing opportunities for ascertaining the opinions of honorable members in regard to various questions of importance, I submit that, in view of the necessity of passing a certain number of highly important measures within the next few months, honorable members should be prepared to forego the right of abstract discussion in favour of the consideration of matters upon which their determinations will have some practical result. I am prepared to meet at half-past ten o'clock on Friday mornings, and to allow Government business to occupy the whole of the day ; and, if necessary, I would' be prepared to -sit during another' day in the week. But,, in the meantime, the- Government should come to a clear- and definite understanding with, the House as- to the measures that, are to be taken, and the order in which, they are to be dealt with. If! this were done I think -there would be a fair opportunity of passing at least some of the important measures on the notice paper. I shall not be satisfied with the work of the session unless we have done something tangible in regard to the black labour question - both in the way of providing for the immigration of coloured people generally, and in the way of dealing specially with the kanaka labourers. Dire results are likely to follow from delay in dealing with these matters, and especially from delay in dealing with the kanaka question, because industry must be very largely hampered until the decision of Parliament in regard to them is known. I think these measures are almost, if not. quite, as important as the passing of the Tariff, in relation to ordinary commercial affairs, and in their effect upon the life of the nation they are of greater importance.

Mr JOSEPH COOK

- The Prime Minister says that they are part of the fiscal proposals of the Government.

Mr Barton

- What I said was that it was advisable that, before honorable members dealt with the Pacific Island labourers' question, they should know what the fiscal proposals of the Government were.

Mr WATSON

- I do not think that even the members of the Opposition can take exception to that suggestion. In the' method we are now following there" is no likelihood of dealing successfully with general matters of policy apart from the Tariff, and I therefore earnestly urge upon the Government to make a clear and definite statement of their intentions in regard to the business before the House, and to make a change in the conduct of business, so that we may concentrate our attention upon one subject at a time, and, if necessary, take further time for Government business. I am prepared to make any reasonable sacrifice in order to insure that being done, and I believe I shall be backed up in that by the majority of honorable members.

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Minister for External Affairs

Mr BARTON

. - No one can quarrel in any degree "with the motives which have actuated the honorable member who has brought forward the motion, and I welcome it, so long as we can dispose of it without spending very much time, as giving me an opportunity for making a statement on this subject. It has been impossible in the past for Ministers to bring forward the Bills which are under discussion and take them one by one, proceeding from the second reading into committee until the consideration of the Bill is completed. We

are not dealing with one State only, but with six States, and the necessity for explanation is not confined to the limits of the place in which we are now residing or staying, but it extends to the whole limits of the Commonwealth. Now it follows from that that when a Bill is explained on the second reading there must be a reasonable adjournment to allow of the purport of that Bill being understood throughout the whole of the Commonwealth, and for that reason we have always followed the practice, which we have regarded as a matter of duty, of explaining the Bill on the second reading, and then allowing a reasonable period to elapse before further dealing with it. That is a proceeding which is inevitable, and which is inseparable from the matters with which we are dealing, which are of far wider and vaster concern than any of us have had to deal with heretofore. If, in regard to the matters of importance dealt with in some of the Bills that have been introduced, we had gone on with the second reading debate, and then straight into committee, we should, of course, have been tackled by the whole of the press of Australia on account of the precipitancy with which we were dealing with subjects of such grave concern. It is necessary for us to pursue a procedure of this kind, as those who may succeed us in office - if I may venture to look so far ahead - will find out. That practice must be continued with regard to Bills, and I can make no promise to abandon it. There has, however, been something more said in respect to which the honorable member for Bland has, if I may be allowed to say so, more nearly touched the point - that is that there has been a necessity for making a change in the order of Government business. That is admitted. But why has it been so? The very conditions under which the Government have been working have caused some of the Ministers to fall into ill-health, and have prevented them from going on with the Bills under their care in the order in which they have been introduced, and that very consideration which the honorable member kindly gives us, and which I readily acknowledge, must be invoked by any Government leader under such a condition of things. We cannot escape from these conditions unless we kill Ministers outright. Short of that, we must be prepared to put up with alterations in the order of business. We have heard complaints that Ministers are not always in the chamber, but I would point out that there is always a Minister in the chamber conducting the business before the House, and I am always in the room opposite the entrance. The necessity has fallen on me at various times of conducting two or three departments, and with the mornings only available for office work, it is totally impossible for me to do all that is required, even by working at night after the House has adjourned, which I have often done. It is essential that Ministers should be away from the chamber a good deal, but not from the precincts of the House, when, as far as their connexion with the business of the House is concerned, matters are proceeding smoothly and safely, and they can be summoned at any moment. More than that, matters often get into an even worse state. Yesterday I had to sanction the absence of the Minister for Trade and Customs and the Treasurer at the Custom-house, because the work of dealing with the Tariff is becoming so pressing that it cannot be accomplished in the mornings. Therefore, there is necessity for Ministers being absent from the chamber sometimes, and this necessity presses as much on my colleagues as on myself. I hope honorable members will understand what I have stated in dealing with what might otherwise appear to be lack of method in conducting Government business. Now, with regard to Friday sittings, I desire to say that instead of taking Friday altogether, it is my intention to ask the House not to sit on Friday for a week or two for the reason I have disclosed, that in connexion with the Tariff, with which the Treasurer and the Minister for Trade and Customs are now deeply engaged, it will be very shortly possible - I hope next week - for the Cabinet to enter into the close consideration of the subject. When that time arrives, the hours now available to Ministers out of the chamber will not be enough. After the Tariff is presented, I shall ask honorable members to resume sitting on Fridays, and give up the whole day to Government business, on the understanding that we will do our best to facilitate private members' business before the session closes. I think I shall have the concurrence of honorable members in that. There is now an opportunity for honorable members to forego the abstract discussion of some questions, so that more time may be given for the practical discussion of public business. Of course there is another point - namely, that this House contains a large number of gentlemen who have had distinguished public careers, which they are rightly desirous of continuing. In the course of those careers they have been prominent members of their respective Legislatures, and it has been necessary for them as such members to speak at length. Therefore, it is only natural that they should desire to address themselves fully to the various questions which arise in this Chamber. Still, we can pass with each other a self-denying ordinance, and I hope that honorable members, however natural the course adopted in the

past may have been, will agree with me in the policy of short speeches for the future in order that we may get through our business before Christmas. Honorable members will observe this : that unless necessity has arisen, Ministers have consistently refrained from speaking, or at any rate from speaking at length. Now as to the order of public business. To-day the Distillation Bill will be explained ; then we shall go on with the Post and Telegraph Bill. Afterwards the Defence Bill will be taken, then the Service and Execution of Process Bill, and the Immigration Restriction Bill will follow as soon as possible. I wish honorable members to distinctly understand that nothing I have said is for a moment to raise the inference that we do not intend, if possible, to carry out the whole of the programme on the business paper before Christmas.

Mr Crouch

- Has the Prime Minister not promised that the Pacific Island. Labourers Bill shall be dealt with before the close of the session?

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Mr BARTON

- I have not promised that, but that is , my intention. I would like to remind honorable members that this House met really on the 21st May, because we adjourned until that date, after the opening ceremony, and the debate on the Address in Reply occupied until the 11th June or later. Therefore there has been for the transaction of Government business only a period of two months, and if honorable members make a computation of the number of clauses that have been passed through this House they will see that instead of our business having proceeded slowly, rapid. progress has been made with the bodies of the Bills, and that the only complaint is that they have not yet been passed into law.

Mr BRUCE SMITH

-Many of the matters dealt with in the Postal Bill ought to have been provided for by regulation.

Mr BARTON

- That is the honorable and learned member's opinion; but supposing that we think that the majority of the clauses in the Postal Bill should be passed into law, it will be for the House to decide to the contrary, if they differ from us. We have got through so much business in the two months that have been really available for Government business that when honorable members consider that before Christmas there will be nearly four and a half months, no -one need despair of doing more than twice as much business in the future as we have done in the past. If we do that, there is every prospect of completing the programme on this paper, or at any rate getting very far on towards the enactment of the whole of it. It is impossible, four months before the close of the session, to ask Ministers to define all the business they will go on with. Subsequent events alone can disclose the ability of the Government to go on with business, and very much will depend upon the co-operation of members in shortening the consideration of measures by addressing themselves only to those matters which they consider material.

Sir WILLIAM McMILLAN

- I think the Prime Minister must allow that whatever may have been the hindrance to public business, there has been no obstruction on this side of the House.

Mr Barton

-Hear, hear; we quite admit that.

Sir WILLIAM McMILLAN

- On the 1st January this year this Commonwealth was founded, and on the 9th May Parliament assembled. It seems to me that what ought to have run through the whole policy of the Ministry was the idea of completing the Commonwealth union as soon as possible. That union depends upon the free commercial inter-relations of the whole of Australia, and it seems to me that the guiding principle that ought to have governed the Ministry was to allow as little business as possible to intrude itself before the Customs Bill and the Tariff, which would give substantial effect to Australian unity. Honorable members on this side of the House have been in this peculiar position : that although it may be perfectly right for each Minister to explain the Bill he had in hand, we have never known from week to week or from day to day exactly what business was to be proceeded with. We have had four or five first-class measures at their second-reading stage, and although some men may be endowed with very high faculties, I think I may appeal to the House to agree with me when I say that no honorable members can keep in their minds the special features of the three or four measures upon which they may desire to speak during the

second-reading debate. The discussion that has taken place this afternoon may have the effect of so ordering matters that we shall be able to carry on the business in a more convenient way, and under conditions which will enable honorable members to know what is to be gone on with. It seems to me that in regard to each Bill upon which the Minister has made his second reading speech, we ought to go on to the point of completion before we take up any other business, and when Parliament has passed the Customs Bill and other measures connected with the control of that department nothing ought to interfere with the introduction of the Tariff. I assume that it will not take very long for the other Chamber to pass these measures, which are purely machinery Bills, and I think we ought to have a distinct pledge from the Government that the moment these Bills are passed by the Senate the Tariff will be introduced without further delay. There is no doubt that there is a tremendous feeling of unrest throughout the whole of Australia, because the people have been looking forward to the great relief that will be afforded when all restrictions throughout the borders of Australia are done away with. This has been the one central idea of the Commonwealth agitation, and people have been looking forward to the time when we shall be one people socially and commercially throughout the continent. The Prime Minister has referred to the matter of Ministers not remaining on their benches during the debates, and I think that it will be well for the Government to consider whether, when Parliament is dealing with serious questions of legislation, the whole of the Ministers ought not to be in their places.

Mr. Barton. - If they were, the whole of the departments would be unadministered.

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Sir WILLIAM McMILLAN

- I do not think that would happen. We can have no better guide in this matter than the House of Commons, from which we derive -most of our parliamentary institutions, and it -seems to me that the spectacle of empty Treasury benches, when most important legislation is going on, is not in conformity with the ordinary ideas of legislative assemblies.

Mr McCay

- The front opposition bench is very often empty too.

Sir WILLIAM McMILLAN

- The front opposition bench has no responsibility in these matters. .But, whatever members are responsible in this House - and we are all responsible more -or less - there is an added responsibility on the part of Ministers of the Crown. Speaking, therefore, as a man who has been in public life for -some 3'ears, and with a due regard to those things which constitute its best aspects, I say that Ministers , ought to be in their 'places during the sitting of Parliament. I think, however, that these remarks will suffice to let Ministers- understand that we desire not to curtail them in their,privileges as to putting before us, according to their own wisdom, the measures -which should first be submitted, but to concentrate their efforts upon those .Bills which are absolutely essential, and to bring in the Tariff without any unnecessary delay.

Trade-and Customs

Mr KINGSTON

. - I have listened with interest to the observations which have: fallen from the honorable member for Wentworth. He has assumed two things - first, the freedom from all responsibility of the leaders of the Opposition -to be in their places at . any time, and secondly, the right to criticise Ministers for their absence from the House. I do not hesitate to put the position that there is a responsibility to be here on behalf of the . leaders of the Opposition, and indeed of all sections of this House. But the difference between the Opposition and the Government is that the absence of the leaders of the. Opposition" is -unexplained, and cannot be explained upon the ground -of attention to public business, whilst the absence,of Ministers is explained solely by the fact that they are giving their very-best attention to other public -matters, which require the most earnest consideration, in order .that the House may at the earliest possible moment be afforded an opportunity of dealing with them. That is the reason why Ministers have been absent from this Chamber. Can honorable members upon 11 k 2 the other side of the House give an equally satisfactory explanation of .their. absence ?

Mr. -Glynn.- There is a very great difference -between the -salaries paid.

Mr KINGSTON

-I imagine that the acceptance -of the salary requires our attendance here. Further, it .requires in the case

of Ministers the discharge of Ministerial work, and it seems to me that that Ministerial work is of more importance than that it should be put aside in order that we might sit -idly here. For honorable members to complain of our absence when such absence is caused by attention to Ministerial duties seems to me to be assuming a right to complain, when no such right exists. It is suggested, I imagine, by the tone of the 'honorable member for Wentworth, that Ministers are in some degree to blame that there has been delay in dealing with certain matters, an absence of diligence, and that - work has been neglected. I claim to know as much about the preparation of the Tariff as any man, and I do -not hesitate to state, without the slightest fear of contradiction, that greater diligence could hardly have been exhibited by Ministers generally in the preparation of that Tariff for the consideration of this House. Let us .look at the nature of the task upon which they have been engaged. This is the first session of our national Parliament, and it is necessary therefore to -pass a variety of machinery Bills. Then there is the Tariff, which is one of the most .important matters with which we have to deal. But what is essential as a preliminary to the introduction and carrying of the Tariff? What is the good of .having uniform duties if we are collecting them under varying conditions in different States ? Why, it is declared within the four corners of the Constitution Act itself that upon the adoption of uniform duties .of customs and' excise, the State laws imposing those duties shall cease to operate. That means that when we have uniform duties the whole of the present machinery will be practically gone. It is necessary, therefore, to have something to take its place. We have been doing all we can to substitute that machinery.

Mr Glynn

- The mistake of the Government is in having too big a programme.

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Mr KINGSTON

- If .we had had a small programme I should (have liked to hear what the honorable .and learned member would have said. We have passed the Customs Bill, the Beer Excise Bill, and in a few minutes I hope to move the second reading of the Distillation Bill. Then notice has been given of a further Excise Bill. All these Bills are necessary, but there will not be one moment's delay in pressing them on to a legitimate conclusion, nor will there be a single minute wasted in the preparation of that which is really the work of the session, namely, a uniform Tariff. We do not complain of what has been said by the mover-

Mr Reid

- The right honorable gentleman has not got the pluck.

Mr KINGSTON

- We have the pluck to do what is right, and honorable members on the opposition side of the House know that every word which I have said has been absolutely justified.

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Mr BRUCE SMITH

- The speech which has just been delivered is about the best specimen of what huntsmen speak of as drawing a red herring across the trail that I have ever heard. Whether that sort of address from a Minister answers its purpose in the State from which the right honorable gentleman comes I do not know ; but he will certainly find a very different kind of mettle to deal with here from that which can be influenced by an utterance of that kind. He has not ventured to touch the subject of complaint made by the honorable member for Bland. The Prime Minister complains that it is impossible to tell what business is going to be dealt with in this House. The Government have framed a programme which reminds me of a menu that has been put together for the purpose of satisfying a large number of gourmets. Every conceivable measure that this Parliament is capable of passing has been put into this menu. An attempt has been made to please every section of the House. Promises are made right and left to enable honorable members to go to then1 constituents and say, " We have this promised, we have that promised, and we have something else promised." It is a very great treat to see, for the first time during the sittings of this Parliament, two Ministers address themselves to the same question. Hitherto we have had the unusual spectacle presented to us of one Minister introducing a Bill, while, to all appearances, not one other member of the Cabinet understood anything about it. If the Government have one characteristic, it is that not one of their measures seems to. have undergone what I may call corporate criticism. How many large Bills have passed this House ? Only two of importance up to the present time. We have passed the Public Service Bill, and I ask any honorable member if he can recollect, in his experience in any State

Parliament, a case in which a Bill was so often recommitted as was that Bill. Four times that Bill was reconsidered. We have also passed the Customs Bill. Honorable members know what happened to that measure. Then my attention was particularly drawn to the Bill introduced by the Attorney-General - a Bill of a very simple character one would think, a mere copy of the Bills existing in all the States - for the shortening and interpretation of Acts. That Bill was submitted here and recommitted three or four times. When the Attorney-General found himself in a difficulty with regard to any clause, the best explanation which he could obtain was, "This exists in New South Wales or some other State." ' The Bill had been so carelessly drawn, and was so ill-considered by the Government in its corporate sense that this House was delayed three times as long as it need have been in the passing of that measure. I am satisfied that each Minister has his own Bills to prepare. He prepares them and takes his chance with them. The honorable member for Bland, in moving this motion, drew attention to two things. First of all he complained of the want of method adopted by the Government in submitting their proposals to the House, and, secondly, of their unpreparedness to let the House know which measures they think are the most important. As an instance, let me take the case of the Inter-State Commission Bill, which was submitted to this House for its second reading five or six weeks ago - certainly five weeks. The Minister in charge of it spoke of it as a very important measure. I have come down to this Parliament for two or three weeks specially prepared to criticise that Bill, but in every case I find that, without any notice whatever, and despite the fact that the Minister in charge of it told us definitely that it would come on for discussion, it has been put off. I suppose that the Prime Minister will say that its discussion is delayed in order to give people in the different States time to criticise it. The Government programme is so large that I have ' no hesitation, from my parliamentary experience, in saying that it is utterly impossible for that programme to be got through this year. Some of the measures upon the business paper are indispensable, but there are others of a character which it is possible to postpone. It is the duty of the Government to arrange their business, as soon as possible, in such a rotation that those measures which are most indispensable shall come on for consideration first, whilst those which are optional shall come last, so that at the end of the year we shall have got through the Bills which are most important to the Commonwealth as a whole. I differ a little from some honorable members as to the absolute necessity, at all events this session, of passing either the Immigration Restriction Bill, or the Pacific Islands Labourers Bill.

Mr Fisher

- We anticipated that.

Mr BRUCE SMITH

- I suppose that every honorable member has read the report upon this question which was called for by the Government. Unless the gentleman who made that report - and I know nothing of him personally - has deliberately attempted to mislead his readers, it is quite clear that the very serious condition of things with regard to black labour is a distinctly declining factor from year to year.

Mr Mauger

- They have said that for ten years past.

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Mr BRUCE SMITH

- The figures in the report show it. Unless the honorable member is prepared to combat those figures, it is made perfectly clear by the report that this " scourge " - as some people call it - is a declining factor just as is Chinese immigration. Whilst I am not prepared at present to combat the necessity of a measure of this kind, I do say that it is not necessary this year, because it is certainly not so important as are some of the Bills on the business paper. I think I can claim for my honorable friend, the member for Wentworth, and also for the leader of the party, that not the slightest obstruction to the Government, in their desire to get on with the business, has been shown by this side of the House. In fact, I think it would be possible to show that on one or two critical occasions the Opposition have done their best to make the course of the Government as easy as possible, because they considered that the questions involved were either matters of administration or matters upon which the sympathy of the whole House should be with the Government. Therefore, when a complaint comes from this side, I consider we should be credited with a large amount of sincerity in making it. I say for myself that, if this sort of course is going to be pursued, difficulties must arise. Honorable members behind the Government who go to their homes at night, and to their business or professions by day, and come to the House in the evening, ought to take into

consideration that a great many honorable members come from Western Australia and Queensland and New South Wales. The representatives of New South Wales sit principally on this side of the House, and it ill becomes the Minister for Trade and Customs to twit honorable members of the Opposition with not being in their places. I know that the ideal condition which the right honorable gentleman would like to see prevailing on this side would be that of absolutely empty benches. Does he suppose that every honorable member on this side of the House has no occupation? Does he not know very well that unless we are going to make a profession of politics those of us who come from Western Australia, or South Australia, or New South Wales, and have to follow our particular occupations, must go backwards and forwards. It is absurd to suppose that we can keep up this sort of thing for twelve months without striking a permanent blow at our means of livelihood. Ought that not to be taken into consideration? Ought not the Prime Minister and his colleagues, who are safely provided with about £2,500 a year each, to remember that there are other honorable members on this side of the House who have a home to maintain, and a profession or business to keep up, and that it is a very serious thing for us to find that we are required to come down here from time to time for a period of twelve months? I should like to say for myself that if it had appeared that this session was going to last only three or four months, I should have given no honorable member on the other side of the House any reason to complain. If I had felt that three or four months' attendance in this Chamber would have completed my obligation to my constituents I should have been in my seat night after night. As soon as I saw how the business was going on, however, and that the deliberations of the House were going to continue for twelve months, I certainly looked to my home; I looked to my own welfare and that of my family: Therefore, I am giving a much more intermittent attendance, with the prospect of twelve months before me, than I would do if the whole session were not going to occupy more than three or four months. I do not want to prolong this debate. I certainly have felt the inconvenience to which attention has been drawn by the leader of the labour party, and I am very glad of the escapement which the motion has afforded me. In my opinion there are measures in the Government programme which could be postponed until next session. It is the duty of the Government to inform the House of the rotation and importance of the measures on the programme, and the programme should be kept a fixed one, so that we may know from week to week what is going to be discussed.

Mr Barton

- That has never been done in a State Parliament, and cannot be done. How much less can it be done in the Parliament of the Commonwealth?

Mr BRUCE SMITH

- I can only say, with quite as much Ministerial experience as the Prime Minister, that it has been done over and over again in the State Parliaments. Unless for some unforeseen circumstance, it is quite possible to take a measure, as suggested by the honorable member for Wentworth, and see it through, from start to finish. What I complain of, is that we are having a go-as-you-please programme. One never knows what is coming up. Things are postponed for the convenience of Ministers. It is a little too much to expect men of any experience to accept the explanation which has been offered, namely, that Ministers "must be in their departments." Honorable members know very well that the public never think of going to a public office after 4 or 5 p.m..

Mr Barton

-. - The public go to the public offices in the morning, but they take up time which must be devoted to public business, and which has to be made up later on.

Mr BRUCE SMITH

- I know all about that. The right honorable and learned member must not think he is talking to a complete novice.

Mr BARTON

- I thought I was talking to a sensible man.

Mr BRUCE SMITH

- I have had charge of one of the largest spending departments in New South Wales for three years, a department which involved a large number of public applications and appeals; and, speaking from experience, I can say it is a poor excuse for a Minister to offer for not being in his place at night that he has to attend to the department over which he presides.



Mr Watson

- Some of the Ministers have inexperienced officers.

Mr BRUCE SMITH

- I have no doubt that not only the departments, but the Parliament itself would be better if: people were more experienced. What I would ask the Government to do, if I were in a position to speak personally, is to let us know, sooner or later, the order of importance of the measures in the Government programme. Let us have the indispensable ones disposed of first. Do not let us rely on the expectation of the Prime Minister that we are 'going to get through, this programme in this session. I am perfectly certain- that we shall not, and so long as there is a difference of opinion upon the question it will be more becoming, and more in- the order of business, for the Government to put these measures' in, rotation, according to their importance; They should, let us know what we are- going to do. Those of us who come from the other States at very great loss and inconvenience to ourselves, should know what we are going to be called upon to debate. We should not be expected to carry three or four second - reading speeches in our heads at the one time. If the Government will place the- measures in their order- of importance, and . will\* adhere to that rotation, it will conduce very much to the convenience of the House, and to the character- of the legislation that is passed.

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Mr O'MALLEY

- I want to say just a word or two on this matter. Under the homestead law of- this House I secured at few Fridays, and now I find that the honorable leader of the equal rights party desires to prevent me. from exercising my legitimate functions under that law. If the Prime Minister will give me a promise that before the session closes- I shall have an opportunity of giving him positive instructions for. the future, I shall be only too delighted, to give up Fridays to Government business. I make short speeches, and is it fair that I should have to forego the Fridays that I have pre-empted, while at the: same time other honorable members take up a lot a time -in making, long speeches which they might condense if they only tried. I ask. the Prime Minister will he agree- that before the session is over I shall have an opportunity of bringing on my several motions, because! hold that they embody questions which are of very great importance to the people of Australia and especially to my class, the working people 1

Mr Barton

- My trouble is that the honorable member's programme is longer than that of the Government.

Mr G B EDWARDS

- I entirely agree with the contentions raised by the honorable .member for Bland. In vulgar' parlance, the Government have "bitten off more than they can chew." They have put a programme before- us which it is utterly impossible to get through this session; It would be much better if' the Government would only act ingenuously in this matter- and tell us that they recognise the fact that there are certain Bills - such as the Defence Bill, about which there is a great difference of opinion, and which must lead to protracted strife when we get into committee - which can stand over till they have got rid of more important measures. There is also the Conciliation and Arbitration Bill, and the Inter-State Commission Bill, in regard to both of which there is a variety of discordant opinions. It is utterly impossible to imagine that all these measures can be put through without a considerable amount of talk. In view of that fact, I think it- is plainly- the duty of the Government, if they are going to be as patriotic as they desire the Op1 position to be, to intimate at once that some of these measures shall stand over,, and that other more important Bills shall be taken in their place. No doubt the public idea was that the first session of Parliament should be given up to the consideration of the Customs Bill and then the Tariff. Even allowing that the preparation of a Tariff requires a great deal of- consideration, I think the Government have been wanting in energy in not putting it forward more rapidly. Their energy has been dissipated upon a number of matters which the country would willingly allow to stand over.

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Mr REID

- I think the Government will see that so far as the Opposition are concerned the responsibility for moving this adjournment rests with another- section of the House. The members of the Opposition have refrained absolutely from moving the adjournment of the House -during the present session, making the one allowance in regard to the motion put forward by my honorable friend the member for Illawarra, and which

was moved in consequence of a masterly manoeuvre on the part of an honorable member on the Government benches; who submitted a motion in regard to bicycles on the previous day. With that one exception, the Opposition have not endeavoured to obstruct' the business of the Government during the whole session. I think that is a very fair' and honorable record for the Opposition to show; I wish; as far as I am concerned, to cultivate that friendly way of carrying on the politics of the- Commonwealth which' has hitherto prevailed in this House, and . which is not always so manifest; perhaps, in some other political bodies, in the Commonwealth. I was a little unused to it at first, coming, as I ' do, from the\* stormy latitudes of .New South Wales, but I have tried to bring myself down to the tranquility and judicial atmosphere of this Chamber. T must frankly confess, that it is an attitude and an atmosphere to be preserved. I feel that in this new Parliament perhaps the very first lesson which we should wish to learn is that of fairness- to those who are opposed to us, and moderation in our criticisms. The Opposition have been able to show that disposition during the present Parliament. So far as I can see the Opposition can be very well satisfied with the progress made by the- Government in the wrong way while they are left to themselves. It is perhaps in that respect that we have not been tempted to interfere. We might be very well satisfied at the result of our abstinence from interference. Now that this matter has come UP, however; I think I might be allowed to make a few remarks. I should like to point out that the criticism which I understand to have been levelled at the Government by the honorable, member for Bland mainly referred to the fact that so much time has been taken up in this Parliament, in both Houses of this Parliament, with two subjects, the Post and Telegraph Bill, and the Defence Bill'. Of course we have not yet. seriously addressed ourselves to the Defence Bill, but it is perfectly evident that its consideration will occupy a considerable period of time in both Houses if it is proceeded with this session. I ventured long ago to express the opinion that, inasmuch as the Commonwealth was not forced to take over the Post and Telegraph department and the defences upon the inauguration of federation, that step might well have been delayed until comprehensive and well considered measures for dealing with the departments had been passed. The Government, however, thought it well to take another course, and that other course has thrown more important and pressing business into arrears. I think that the impatience of honorable members whose homes, and in some cases whose businesses, are at a distance from Melbourne -can well be sympathized with, even by honorable members opposite who have the good fortune to live in this city. I have heard that the Prime Minister stated to-day that the Cabinet hoped to address themselves closely to the Tariff within a week or two. I received that statement with profound amazement. I think the intelligence that a Cabinet which has been in existence for seven months, and whose members knew that the framing of a Tariff overshadowed in importance all other matters, and were aware of the multitude of difficult problems which . must be solved in connexion with it and the vast amount of inconvenience which must be suffered every day by reason of the uncertainty caused by delay, has not yet devoted itself to its close consideration, will be received throughout Australia with grave indignation.

Mr Barton

- The Government has to :give all the consideration" it can to the Tariff ; but the matter had first to be considered by the Minister for Trade and Customs, and afterwards by him in conjunction with the Treasurer. Until they have finished dealing with it, the Cabinet cannot deal with it item by item - and those were the words I used.

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Mr REID

- I am perfectly aware that all those stages had to be followed, and my regret is that the Minister for Trade and Customs and his colleague the Treasurer were not able to present their proposals to the Cabinet at an earlier date. We were told at a public meeting a few days ago that the Tariff was practically framed. When we hear of a tiling being' framed, we are quite prepared to learn that it is to be hung up, and I understand now the choice of language made by the Prime Minister when he told the people of Bendigo that the Tariff had been framed. Now we learn that it has been hung up, and that the Cabinet are not yet to be permitted to have even a sight of it. I should say that' in framing a Tariff for all Australia, the critical stage . would be when the united experience of the Cabinet was brought to bear upon the more or less crude and unintelligible proposals of the Minister for Trade and Customs. Giving, as we must, the Minister and his colleague the Treasurer the greatest credit for their undoubted sagacity and ability, a satisfactory

stage will not have been reached until all the very able gentlemen who compose the Cabinet have an opportunity to bring their combined experience to bear on their proposals. It is a profound disappointment to me - and I think to many other honorable members - to learn that the Cabinet has been busy with a number of other matters, and has not yet considered the Tariff. I, and I think most other honorable members, would have been prepared to forgive the frequent absences of Ministers from the chamber if they had told us that they were due to the sittings of the Cabinet on the Tariff. We might, under such circumstances, have been prepared to waive the old-fashioned prejudice in favour of Ministers of the Crown being conspicuous, not by their absence but by their presence, when Parliament was in full deliberation : but we now find that Ministers have not had that excuse for their absences, but that they have been due to the frequent visits of gentlemen who are anxious to give their services to the Commonwealth - because I expect that the majority .of the interviews which have taken place have been of that nature. The time of Ministers would have been of infinitely more benefit if devoted to the deliberations of the House. We have a strange view of political proportion when it is thought that the presence of interviewers in public offices is sufficient excuse for the absence of Ministers from the Treasury benches when Parliament is sitting. No one would wish that all the Ministers should be chained to their seats in this House, and one could make allowance for the absence of half the Ministers. One of my reasons for believing that the consideration of the Tariff was the cause of the absence of Ministers was the fact that they left the only free-trader in the Cabinet at the table of the House. I thought that was why the honorable member for Tasmania, Sir Philip Fysh, was put in charge of the Post and Telegraph Bill, but I find I cannot give the Cabinet credit for such a sensible arrangement. I have said more than once that considerable allowance must be made for the first Federal Ministry, because they have so many subjects to grapple with ; but there is no excuse for some of the things which the Government have done, and some of the promises which they have made. I admit that it was a perfectly fair and legitimate thing for the first Federal Ministry to express their opinions in a manifesto upon all the large public questions of the day ; but, when we came to business upon the opening of Parliament, we found some of the measures promised, which largely affect and excite the interest of the public, are measures with which the Ministry now admit they cannot deal for years to come. Was it not a thoroughly wrong thing to put into the mouth of the Governor-General a promise of an Old-age Pension Bill, and thus excite the hopes of tens of thousands of destitute aged persons throughout Australia, that the Commonwealth would come to their rescue ? We find now from the Prime Minister, that the bookkeeping sections of the Constitution, which were patent for every schoolboy to read, provide the unexpected and unthought of obstacle in the way of the introduction of a great national measure of relief. Is it not an insult to the intelligence of the people of Australia for Ministers to put forward that as an obstacle ? But there is a still greater obstacle. So long as the section with which the name of the right honorable member for Tasmania is associated stands in the Constitution, it will be impossible to have a Commonwealth system of old-age pensions.

Mr Watson

- Why?

Mr REID

- I understand that the Ministry have made it perfectly clear that the broadest line of their fiscal policy - and I approve of it-is not to introduce direct taxation.

Mr Barton

- That is the right honorable member's policy, too.

Mr McDonald

- Then both parties are wrong about the matter.

Mr REID

- I do not mean to say that I would forbid any sort of direct taxation ; but I am opposed to direct taxation of a serious character.

Mr Fisher

- We could have direct taxation for old-age pensions.

Mr REID

- The Government knew that on their policy they could raise money only through the Customs-house, and that of every £1 raised, 15s. must go back to the States, so that if £1,000,000 a year were raised to provide an Australian system of old-age pensions,

£750,000 a year would have to go back to the States. I admit that, on the policy of honorable members of the labour party, the difficulty could be solved by the imposition of a land tax, and they can, of course, put forward that proposition in answer to what the Prime Minister has said. But they were not blind. They knew when the Government promised an old-age scheme that the money must be found through the Customs-house.

Mr Barton

- I pointed that out in my speeches, and I said that we should not be able to introduce any scheme of the kind for some years to come.

Mr REID

- Exactly ; but why did not the right honorable gentleman, when the public of Australia were listening to every word that fell from his lips at Maitland, tell these aged men and women that the thing was to be done some years hence ? What a flood of ridicule would have been thrown over his proposal then.

Mr SPEAKER

- The time allotted to the right honorable member by the standing orders has now expired.

Mr McDONALD

- It has been said that the Opposition have not wasted much time by moving the adjournment of the House, and the reflection has been cast upon the party of which I am a member, that we have taken up a considerable amount of time in doing so.

Mr Reid

- Not at all; I think this is a most justifiable motion.

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Mr McDONALD

- The adjournment of the House has been moved four times altogether - twice by the leader of the labour party, once by a member of the Opposition, and once by a Government supporter - so that I think honours are equally divided. One honorable member stated that there were a number of unimportant measures on the business paper that might very well be left out, and that one of these was the Pacific Islands Labourers Bill. I desire to impress on the House the fact that Queensland has spoken in the most emphatic way on this matter, and that not a solitary man who expressed himself in favour of black labour was able to secure a seat in the Senate. I admit that there are one or two representatives in this House who are in favour of black labour. I understand the honorable member for Oxley is one.

Mr.R. Edwards. -No

Mr McDONALD

- I understood the honorable member was, but now I must come to the conclusion that Queensland voted solidly against black labour so far as both Federal Houses are concerned. The Government of Queensland, in conjunction with the society of which the Premier there was President, ran six candidates for the Senate in favor of black labour; and not one of them was able to obtain a seat. Further than that, the labour candidates who were opposed to it headed the poll by a majority of some thousands. Under these circumstances, it will be seen that Queensland regards the black labour question as a very vital and urgent one, which should be dealt with at the earliest possible moment. Just as in the case of the Tariff, there is a strong desire throughout the States to have the matter settled as soon as possible, so, in regard to the sugar industry, even those who are in favour of employing kanakas wish that the matter of black labour should be decided as speedily as it can be, in order that the industry may be placed on a sound footing. It is stated that the financial institutions do not care to advance money to people engaged in the sugar industry whilst the present state of uncertainty exists, and honorable members can therefore understand the importance of the matter. At the same time I think there are a number of measures on the business paper which should have been left out - such as the inter-State Commission Bill, the Judiciary Bill, the High Court Procedure Bill, and others, which might very well have been dealt with next session. I hope, however, that whatever is done, this Parliament will be prepared to sit until most of the legislation now on the programme has been passed. I sympathize with those honorable members who have to go back to their businesses, but I would point out that many of us have been compelled to relinquish our business altogether. We recently saw a statement in one of the newspapers that the Government desired that the House should be adjourned for a fortnight to enable them to consider the Tariff.

Mr Barton

- The Government never said so themselves.

Mr McDONALD

- On being questioned in the House the Prime Minister disclaimed any intention of adjourning, but now he says that in the course of a fortnight he is going to ask the House to abandon Friday sittings so that the Government may deal with the Tariff. I was always opposed to making Friday a private members' day, because I thought it resulted in a waste of time. I think if the Government allowed private members business to take precedence from, half -past 2 until half-past 6 on Fridays, and then sat on to take Government business in the evening, it would be a far preferable course to adopt.

Mr Barton

- There would be only one difficulty - we should have to go on without a quorum.

Mr McDONALD

- I do not think so. If honorable members are sent here to conduct the public business they ought to be here, and it is the duty of the Government to keep a quorum. If I were leader of an Opposition I would take care that the Ministry kept a quorum. If the Opposition were properly organized and always prepared to vote, the Ministry would be compelled to keep a large number of their supporters always on hand. I have always held that if an honorable member is not prepared to sacrifice his private business to his public duties he has no right to be here.

Mr McCOLL

- The members of the Opposition have seen fit to make a series of charges against the Government, under cover of a motion for adjournment, which was not intended as an attack on the Government at all. The matter which has been discussed is of the very greatest importance, and has forced itself upon the consideration of every thoughtful member of this House. The slow progress of legislation has engaged the attention of legislative assemblies all over the world, and the great trouble at the present time is to devise some method of expediting public business.

Mr Cameron

- Honorable members should not talk so much.

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Mr McCOLL

- That, is no doubt one of the methods by which public business could be expedited. The discussion on the Defence Bill lasted for three weeks, and honorable members went on to the end of the debate as if they were the first speakers on the Bill, and repeated what had been said over and over again. It has been urged against the Ministry that their Bills have required a great amount of recommitment, but that has been due to our standing orders, which prevent amendments being made on the third reading. The only reflection cast upon the Government by the mover of this motion was that the Government had been incomplete in its method of dealing with public business. Certainly we have seen a little slackness, but that has not frequently occurred. It has- also been urged that Ministers are too often absent from the Treasury benches. It is always gratifying to the House to see the Treasury benches- well filled, but that is not always possible even in ordinary Legislatures and- in ordinary sessions. During- the\* two months we have been engaged in practical legislation, an enormous amount of work has- been, put through this House,, and I do not think there is any special cause for complaint, especially when we consider that a good deal of time has been unnecessarily taken up in debating the same matter over and over again. I was astonished to hear the honorable- member for Wentworth, and the honorable and learned member for Parkes, cast reflections upon Ministers owing to their frequent absence from the Treasury benches. The circumstances under which Ministers have to work are extraordinary, and if Ministers are in the chamber throughout our sittings, they cannot possibly get on with their departmental work. I think the honorable member for Bland has done good service in bringing this matter forward, and I hope honorable members will take the matter to heart and curtail their speeches.

Mr WILKS

- The honorable member who has just sat down has charged the Opposition with having taken advantage of the opportunity afforded by the motion to attack the Government, but I do not think, that any more serious charge could be brought against the Government than that levelled at them by the honorable member for Bland, who accused them of having been wanting in method. The members of the Opposition have been altogether too generous with the Government, and much of the time that has been

spent in connexion with the Public Service Bill, and other measures, has been occupied by honorable members, on the Government side of the House. So far as the Opposition is concerned, they have abstained from those obstructive tactics which have caused so much waste of time in the State Parliaments, and cannot be accused of any fractious opposition. This attitude on their part has been so marked that they have been exposed to reproach in their own States' on the ground that they have not been sufficiently active in the discharge of their legislative duties. We had a repetition of State parliamentary procedure in connexion, with the Governor-General's speech by the Prime Minister, who indulged in the practice of what Ls called "dressing the shop window"; and although we may forgive him for that, we cannot pardon him for putting on the business paper a number of measures which are nothing but political dummies. As honorable members do not wish to sit here all the year round, I hope we shall soon have a declaration of the intentions of the Ministry. I hope the motion will have the effect of giving the House some idea as to what business is to be gone on with. I think that the suggestion to follow the example of the Senate in sitting upon Wednesday, Thursday, and Friday in each week is a good one. Such a practice would meet the convenience of many honorable members from the other States, and would certainly remove the objection raised by the honorable and learned member for Parkes.

Mr Watson

- We should not have quite, as much time then as now.

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Mr WILKS

- If such an arrangement were made, honorable members from the other States could arrive in Melbourne on the Wednesday, and the House could meet at half-past ten on Fridays, as does the Senate. There are a large number of professional men from the adjoining States in the Senate, and they find that the practice which I have mentioned works admirably. AVith regard to the absence of Ministers from the chamber whilst Parliament is sitting, I merely wish to say that if one or two of them, in addition to the Minister in charge of the Bill engaging attention, had remained in the House, they would on many occasions have probably exercised a controlling influence over their supporters, and thus have curtailed debate. I do not say that the Opposition is a model one, but certainly it cannot be charged with having obstructed the progress of public business. I have no desire to see the practices and tricks which are resorted to in our State Legislatures repeated in our national Parliament. I will never lend my assistance to mere factions opposition. As the business people of Australia are so intensely concerned to know what the Tariff will be I trust that this debate will have the effect of hastening its introduction to the notice of this House.

Question resolved in the negative.

QUESTIONS

PARCELS POST WITH AMERICA

Sir LANGDON BONYTHON

asked the Minister representing the Postmaster-General, upon notice -

Whether the latter will take steps to establish a parcels post between Australia and the United States of America ?

Minister (without portfolio)

Sir PHILIP FYSH

- The answer to the question is as follows, :-

Several attempts have been made from time to time by some of the States now forming the Commonwealth to establish a parcels post with the United States of America, but the conditions insisted upon by the Postmaster-General at Washington could not be accepted. The Postmaster-General would be pleased to arrange for such a service on the same conditions that obtain with respect to the parcels post system between Australia and the United Kingdom.

POST-OFFICE CONSTRUCTION

Mr CRUICKSHANK

asked the Prime Minister, upon notice -

Whether he is aware of the fact that many additions to and alterations of post and telegraph offices and construction of telephone offices already promised cannot be proceeded with for want of funds ?

Whether the Government will say when action will be taken to raise the necessary funds ?

When may it be anticipated that these funds will be available ?

Mr BARTON

- The answers to the questions are as follow : -

Parliament has. already voted a sum of money under the Department of Home Affairs, and any urgent cases coming within the scope of the vote are being dealt with. Provision will be made in the Estimates in chief to meet cost of public works generally.

DISTILLATION BILL

Second Reading

Mr KINGSTON

- In moving -

That this Bill be now read a second time,

I intend to be as brief as possible, in pursuance of the good resolutions which have been practically unanimously agreed to by both sides of the House in a recent debate. We pass from the consideration of beer to that of spirits, and I suppose that I shall not be taking the House too much into the Government's confidence when I say that, so far as imported spirits are concerned, there will very probably be some duty upon them. In this connexion, of course, the question of the local production of spirits "naturally arises. AVE have in various States at the present time Distillation Acts in operation. This Bill is intended to replace those Acts, and to provide for a uniform practice. I may say that the Distillation Acts of the various States are utilized to different degrees. In some of the States, where considerable encouragement is given to the local product, we find a substantial production of local spirits. In others, where no such encouragement is given, the local spirit is practically conspicuous by its absence. I take it that Australia is eminently fitted for the production of spirit, whether we have recourse for the material to wines or to barley. We have already shown that in various places that we are able to produce wine and spirit of a quality which is second to none. Our spirit is good in itself for home consumption, and it is good enough also in that it can be applied to various arts and sciences. So far as it is local produce, of course it gives encouragement to those who are engaged in vine growing, barley growing, and in the production of other material. Tasmania, New South Wales, and Western Australia at the present time produce no spirits. Queensland, South Australia, and Victoria have distilleries. During the last five years in these three States, spirits to the extent of 1,400,000 gallons have been produced, and the duty which has been collected in respect of this product, amounts practically to an average of .£135,000 annually.

Mr Reid

- Meaning a loss to the revenue of what?

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Mr KINGSTON

- I have not brought down those figures, but I. am sure that the right honorable and learned member will desire to see our local industries encouraged. The question of what duty shall "be levied, of course, is not in the slightest degree raised by the consideration of this measure. This Bill applies only to the distillation of spirits on which any duty of excise is imposed by the Parliament. After the imposition of that duty, it applies to the exclusion of all State Acts regulating the distillation of excisable spirits. Two modes are provided in which spirits may be distilled - at least two modes of any importance. One is by means of a distiller's licence, in which case the distiller pays a larger fee and has the right to distil as he pleases : and the other is by means of a vigneron's still, which permits vignerons to distil spirit for the purpose of fortifying wine. There are also test stills provided for, which are of a small and unimportant character, but in respect of which, however - as they may be used for the purpose of distilling spirits - it is just as well that the Customs should know all about them, in order that an eye can be kept upon them.

Mr Watson

- Would this Bill permit of the licensing of a portable still ?

Mr KINGSTON

- Yes; there is express provision in the regulations contemplating the probability of vignerons especially having recourse to the assistance of a portable still - clubbing together for the purpose of purchasing and using one as their various needs may require.

Mr V L SOLOMON

- It does not touch oil stills ?

Mr KINGSTON

- No ; because there is no proposal here at present for an excise upon oil, and I take it that our power to regulate distillation - seeing that it is not a matter of Inter-State trade - is connected with the necessities of the Commonwealth in regard to the regulation and protection of excise. Right through the Bill it is made perfectly clear that we are aiming only at the regulation of the production of excisable spirits. I may say that I had, when drafting the Bill, included manufacturing stills ; but upon reconsideration of the question, and seeing that these stills could not be used for the purpose of distilling spirits, I took it that we had no right to interfere, but ought to leave the matter as now, to State legislation. For instance, we ordinarily find in distillation Bills a reference to the regulation of salt water stills, or what are generally known in Western Australia as condensers. It struck me - and further consideration confirms my opinion - that to attempt to regulate those stills would be assuming a right to interfere in a matter which did not concern us, and accordingly the provision was struck out. I confess that when I first looked at the draft material for this Bill which was submitted for Ministerial consideration, I stood almost aghast. It is not an attractive subject by any means. There is a wealth of detail presented which is very troublesome. Having been at some pains to master it, I thought it would be well to put a clause in the Bill which at the earliest stage of its consideration would assist honorable members to an appreciation of the information which I have before me. Hence the appearance of clause 5, which declares for convenience in interpreting the Act, the present ordinary course in connexion with the distillation of spirits as follows : - (i.) The material is mashed in a mash tun. The liquor product is wort. (ii.) The wort is fermented in a back. The liquor product is wash. (iii.) The wash is distilled in a still by heating to evaporation and condensing the vapor. The liquor product is spirits and the residue of the wash is spent wash.

As regards spirits which are intended to be marketed, they go into a spirit store, where they are blended, or where whatever is necessary to turn them into completely marketable spirits is done to them. From there they may be removed to a warehouse on the distiller's premises, where they are kept under Customs lock and key, practically in the same way that spirits are kept in a Customs warehouse. From the warehouse at the distillery they can be cleared for home consumption, or removed to a Customs warehouse, where they can be dealt with in the ordinary way so far as dutiable spirits are concerned. Then there is a further provision in the last part of clause 5 - that when liquor has been previously fermented it can be utilized at once as wash. I think that a clause like this, which outlines the procedure generally, will be found of some use to honorable members in appreciating the provisions of the Bill. I may say that the clause has been carefully checked by those who bring to bear on the subject an expert knowledge, so that it is not likely to mislead, but will greatly assist the consideration of the measure by the House. It is unnecessary for me to deal further with the introductory part of the Bill. Part 2 refers to stills, and declares that no person shall, without the permission of the State collector, make, or set up, or purchase, or import a still. The fact is that the Customs ought to know all about these stills - where they are and what is being done with them. The fullest information on the subject is absolutely necessary, and by requiring the permission of the collector for transactions in stills we get all that is necessary.

Mr V L SOLOMON

- Does not that provision refer to stills which might be set up mainly for the distillation of oil?

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Mr KINGSTON

- It specially relates to any still used for distilling spirits. "Still " means any apparatus capable of distilling spirits or used in connexion therewith, while spirits include all liquor upon which under that name excise is imposed, whether distilled or in any stage of distillation. I do not think that this clause is at all too large, because we ought to have full information as to the whereabouts of all stills. Part 3 provides for the issue of licences to spirit makers, authorizing them to distil spirits from any material, for the issue of licences to "vignerons, entitling them to distil spirits from wine, and for test still licences. The provisions on page 5, Part 3, are practically those which were adopted in connexion with the Beer Excise Bill. Part 4 is an adaptation of the beer supervision clauses to the supervision of distilleries. Of course we require in this connexion to have some heavier penalties than we have in relation to the beer duties, and it is also necessary for us to go into greater detail. It is necessary, for the reason that while an escape from excise of a gallon of beer may only mean 2d. or 3d., a similar misfortune in connexion with a gallon of spirits may mean a loss of revenue running from 10s. to 15s., or even of more varied range. No doubt in



connexion with spirits there is a greater temptation to smuggle ; there is the greater reward if the smuggler is successful, and therefore the 'penalties are heavier, and' the details which we prescribe in the Bill are more particular and strict. Part 5 deals with the removal of spirits. I think from what I have said that honorable members will note that the distiller 'may, if he likes, store the spirits in his -warehouse at the distillery, &gt;but 'he cannot get them away from there, unless for the purpose of export, or for removal to a Customs warehouse, except on payment of the duty. There are a variety of provisions regarding the mode in which the amount of "duty payable is to be ascertained, and in which it is to be paid. Part '6 deals with vigneron's licences. We have' provided that these can only be taken up by vigneron's having at least ten acres of vineyard in bearing.. ' The attention of the Government -has been drawn to complaints by proprietors of wineries, who may not own vineyards, but may buy grapes . and make the wine, that they have-not the same facilities afforded them in regard to the fortification of wine as are allowed to proprietors of vineyards. That matter will require a little further consideration ; but at the present moment we have not .gone beyond existing legislation. I propose to hear not only what is to 'be 'said on the -subject, but to require a little further information before .the Ministerial mind is absolutely made "up to ref use the request of the proprietary wineries. There are &lt;i variety of ways of complying with it, and the subject undoubtedly is one worthy of consideration. The advantage of a vigneron's licence, -as compared with a distilling licence, is that it can be obtained for a less if ee, and on less security, 'but the purposes for which it is used are 'naturally much more limited. Honorable members will note that the 'fee 'for a spirit maker's licence is £50 ; a vigneron's licence costs £5, while a test licence can be obtained for £1. Part 7 provides full powers for officers. Part S contains a variety of penal provisions", and Part 9 'provides for some -other small matters, chiefly in regard to the making of regulations.

Mr Glynn

- Would clause 72 operate prospectively ?

Mr KINGSTON

- I think there is no doubt about that. The form of the clause is an innovation to some -extent, but an innovation of which I heartily approve, although I am not the author, as it tends to that simplicity in our legislation which we should desire, and which the Government are striving after. Schedule 3 contains a variety of provisions with reference to distillation, and various forms are provided for. Something has been said by one honorable member in reference to the provisions relating to vigneron's licences, and particularly in regard to portable stills. In clause 105, of schedule 3, page 24, we have provided that two or more vigneron's having each a vigneron's licence may by permission use a portable still, to be removed from time to time to the licensed premises where its use is required. These are generally the provisions of the Bill. It follows to a very great extent on the lines of the usual excise legislation. I trust that I have given honorable members such information as will assist them in its consideration. I shall be happy to supplement it with any other information they may desire.

Debate (on motion by Mr. V. L. Solomon) adjourned.

POST AND TELEGRAPH BILL

<page>3730</page>

In Committee(consideration resumed from 13th August, vide page 3670) :

Clause 10 (Future telegraph messengers to retire-on attaining age of 18).

Sir PHILIP FYSH

- A discussion arose last evening upon this clause when it was suggested by the honorable member for Corinella that there was a possibility of its provisions being hampered by clause 32 of the Public Service Bill, and which allows of the employment of certain messengers. In order to meet the point raised by the honorable and learned member, I suggest that the clause be negatived, and I shall, later on, propose in substitution for it the insertion of the following provision -

Every person taken into the employment of the department as a telegraph messenger, after the commencement of this Act, shall immediately on attaining the age of seventeen cease to be so employed.

Clause negatived.

Clause 13 -

No duty or toll payable at or in respect of any pier, wharf, quay, landing place, bridge or ferry, or at any turnpike gate or bar, or at any other gate or bar on a public road, shall be demanded or taken from or in respect of -

Any person employed to perform any duty of the department when on duty.

Any person engaged in the conveyance of mails.

Any vehicle or horse conveying mails or postal articles.

Any telegraph messenger or line repairer when on duty.

Any vehicle or horse used or employed by such telegraph messenger or line repairer in the performance of his respective duties.

Any material or tools used or employed in the construction or repair of any telegraph line, and any person who demands or takes any toll contrary hereto shall be liable to a penalty not exceeding £5.

Mr GLYNN

- I submit that the clause should be negatived. I do not see the fairness of the exemptions which are set out in its various paragraphs. It is a relict of the old idea that everything must give way before the Royalmail.

Mr THOMSON

- -Is it intended that the clause shall apply to private tramways and ferries, and to wharfs leased by private individuals ?

Sir Philip Fysh

- The phraseology of the clause bears that interpretation.

Mr THOMSON

- If that is so, I would ask if the Commonwealth Government can demand to be allowed to use a wharf without payment of any charge, where that wharf has been leased by the State to a private individual? I would also point out that paragraph (f) would permit telegraph wire imported by private firms to come in free of wharfage, and I would therefore suggest the addition of the words " the property of the department."

Mr BRUCE SMITH

- There seems to be an idea that economy is obtained by exempting one department of a Government service from paying for the conveniences which are provided by another department, but, if the matter be looked into, it will be seen that there is no saving, and that, as we are always endeavouring to ascertain what the actual cost of the departments is, it is necessary that all who use the facilities which they provide should pay for them. I understood the honorable member in charge of the Bill to say that the clause would apply to tramways. If that is so, we may, if we pass it, run upon a constitutional snag, because the point may be taken that it is beyond the powers of the Commonwealth to enact that the railways, tramways, wharfs, and jetties of the States shall be used by the Commonwealth free of duty or toll. In the State from which I come there are many cases in which the officers of one department are permitted to use the conveniences of another department without paying for them. For instance, a great many of the departments are allowed to use the water provided by the Water and Sewerage Board free of charge; but surely it is not conducive to the accurate statement of the financial position of the departments that this should be allowed? The legal difficulty to which I refer seems to me a more serious matter. Is the Minister, after consultation with the Attorney-General, of opinion that the Commonwealth has power to arbitrarily claim certain privileges in respect to State property without paying for them? If we have not, the clause must beultravires.

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Mr CONROY

- I suggest that this clause, like clause 2, should be postponed. If we decide not to repeal the State Acts specified in the first schedule, the clause will be unnecessary; but if we decide to repeal those Acts, we shall be confronted by the question - "Have we the power, under the Constitution, to pass the clause with which we are now dealing"? am not at all sure that it can be satisfactorily argued that it is necessary for the carrying on of the post and telegraphic services of the Commonwealth that we should have this power.

Sir Philip Fysh

- Later on, I intend to propose, with regard to clause 2, that, instead of there being an absolute repeal of the Acts specified in the first schedule, we shall provide that they shall cease to apply to the Post and Telegraph department of the Commonwealth.

Mr CONROY

- If the provision that no duty or tolls shall be payable in respect of any pier where materials, the property of the Postal department, are landed, is to apply to privately owned or leased piers, it will be very unfair. It would be a very different thing to provide that the Commonwealth Government shall have the right, upon payment of dues, to use any such pier where the owner is not prepared to allow its use.

Sir JOHN QUICK

- I think that this and other clauses are likely to give a considerable amount of work to the High Court. I understand that the question has been considered in another place, but we should have some vindication of the clause from the Government. In my view, it involves an interference with the rights of a number of State institutions, such as Harbor Trusts. The question is whether the Federal Parliament has power to exempt certain federal services from the payment of tolls and dues. The proposition is that certain federal materials and articles shall have the advantage of State services free of charge.

Mr Thomson

- Could we not, on the same lines, enact that our mails must be carried free on the State railways ?

Sir JOHN QUICK

- Another question is raised, namely, as to whether it would not be advisable as a matter of policy for each department to pay its own way instead of asking for free services. I do not see any reason why the Post-office should not pay for services rendered as well as exact payment from other departments for services rendered by it.

Sir WILLIAM McMILLAN

- If I understand the attitude of the Minister in charge of the Bill now, it is that because the Constitution gives us power to provide for the carriage of mails, we should ride roughshod over all the States ; but if we attempt by this ultra vires legislation to demand certain privileges from the States, we shall put them in a state of antagonism. We know that there will be numerous matters that will have to be the subject of friendly negotiation, and surely it will be better for us to deal with a matter of this kind by negotiation, and to recognise the supreme rights of the States within their own domain. We should put nothing in the Bill that we have no absolute right to include in it, and I think, under all the circumstances, it would be better for us to negotiate, so that we may have these privileges granted as a matter of grace instead of as the result of our demanding them as a matter of right.

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Mr PIESSE

- There are two matters to be considered in connexion with this clause, and one is the element of mutuality. I understand that the Postmaster-General intends to charge all State departments for services rendered by his department, and surely it will be fair for the Postal department to pay for such services as may be rendered to it by other departments. Then again, section 114 of the Constitution provides that the Commonwealth shall not impose any tax upon property of any kind belonging to a State. Now, in Western Australia the wharfs and piers used for shipping purposes belong to the State, and a charge is levied upon all goods or luggage landed thereon. If the clause is carried in its present form, it will practically say that the Government of Western Australia must render service to the Postal department of the Commonwealth without the payment that is exacted from others, and to that extent it seems to me that the clause runs contrary to the provisions of the Constitution. It is a question, therefore, whether the clause should remain in the Bill or not.

Mr. HIGGINS(Northern Melbourne).I join with other honorable members in suggesting that the clause should be reconsidered, notwithstanding the fact that it has run the gantlet of criticism in the Senate. Under the Victorian system wharfage rates are collected by the Melbourne Harbor Trust, and one-fifth of the dues goes to the Government. I desire to know what right the Postmaster-General would have to interfere with the Trust in collecting those rates? The States have reserved to them all the rights which are not expressly taken away from them by the Constitution ; but the object of this clause is to enable postal officers and postal matter to go freely throughout the Commonwealth without any charge. If it is allowable to dictate that the State shall not get wharfage rates, surely it is allowable to dictate to the State Parliaments that an officer of the Federal Government shall not pay income tax.

Mr Deakin

- A federal officer would not pay State income tax on his federal salary. That is the law in America; although there is no provision in the Constitution, the Federal Government cannot tax a State officer's

salary, or a State Government tax a federal officer's salary.

Mr HIGGINS

- At any rate, with regard to wharfage rates, I do not see what right we have to make the provision in the clause. It is not desirable that we should at this stage raise any question which might have the effect of infringing the powers and privileges of the States. I know there is an unfortunate tendency even now to a feeling of jealousy, and we must make our powers known gradually, without causing any more friction than we can help.

Mr KIRWAN

- I hope the clause will be struck out, because besides the objections that have been raised by several honorable members, it seems to me that it is quite inconsistent with the Act. The Bill is based upon the assumption that the Postal department should be run on commercial lines, and if the Postal department is going to charge all other departments for the work performed by it, the Postal department should be equally prepared to pay for the services of which it receives the benefit.

Mr ISAACS

- I think the whole clause ought to be withdrawn. I believe that if we choose to exercise it, we have the power to do as the clause proposes ; but I think we ought to bear steadily in mind the distinction between two different principles. I think that while it has been held in the American courts that the Federal Government - here the Federal Parliament - has power in relation to the matters within its jurisdiction - and while it might be held that we have jurisdiction over every foot of Australian soil, and over every Australian citizen- we should exercise that power, so far as the Postal department is concerned, so as to prevent any obstruction of the national service. We are bound to see that no State, no State official, and no private citizen shall, in any way, lay an obstruction in the path of the services relating to posts and telegraphs. But when we pass that line, and say that private individuals and States shall render services to the Commonwealth, in relation to the Post and Telegraph department, for? nothing, I think we go too far. It is, to my mind, an improper thing to exact a service from others without any remuneration. I have failed to hear any justification for the clause, and until I do so, I counsel the Government to withdraw it.

Sir MALCOLM McEACHARN

- I would call the attention of the Minister to paragraph (f), which has been referred to by the honorable member for North Sydney. The Minister will see that very great difficulty is likely to arise if this paragraph is allowed to stand in its present form. It means that any material or tools used or employed in the construction or repair of any telegraph line will be free from wharfage duty or from other charges of a similar nature. I wish to point out that wire, which might be said to be needed for a telegraphic line, would be included in this paragraph, and it might not be so used. There is nothing in this provision to make it clear that it is intended to apply only to such material as may be used by the Government.

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General - Ballarat

Mr DEAKIN

. - The justification of this clause from the Post-office point of view, is first that a provision of this kind exists practically in every State. What no doubt has been overlooked is that in each State the Government has thus, as a rule, simply provided that one department shall not make charges upon another department, while now when a new Government is created it does not follow that the same principle can be applied. But there is a second justification which ought not to be lost sight of, although from experience in this State one is not able to suggest any instance in which any difficulty has occurred. The principle of the clause is that there must be no obstacle not only to the transaction of postal business in general but to the speedy and expeditious discharge of the duties cast upon that department. There must be an absolutely free passage for His Majesty's mails, and this clause provides that officers of the Postal department are not to be "held up" by reason of the levy of tolls or charges of that kind. If the committee scrutinize this clause they will see that its operation is narrower than they might glean from a general reading. It relates to duties or tolls payable only on wharfs, in the one case, and on ferries or turnpikes in the other. All the paragraphs except one relate only to the person carrying the mails or to the horse or the vehicle. These charges throughout the Commonwealth will really be inconsiderable. The important paragraph is paragraph. {/}, which is worded in a way that might give rise to some difficult and delicate questions. But, as it seems to me, the main objection which can be urged against the clause is

that it does not make the provision that is afterwards made in regard to railways. Clause 16 gives some such exemption with regard to railways as is here conferred with regard to piers, wharfs, and turnpikes. The object of clause 16 is to give free passage to His Majesty's mails, and the object of clause 17 is, that having secured that free passage, the Government shall not take it without paying a proper price. There appears to be no subsequent clause which bears the same relation to clause 13 that clause 17 is intended to bear to clause 16. It is, however, possible to supplement the proposals contained in clause 13.

Mr Thomson

- Clause 13 specifically says that tolls shall not be paid.

Mr DEAKIN

- But there is nothing to prevent a general arrangement being made in respect of the privileges of Post-office employees. A similar provision in the Imperial Act is of a very much more drastic character, dealing as it does with private persons and private rights.

Mr BRUCE SMITH

- But Parliament is supreme there.

Mr DEAKIN

- That is another point. The clause in the Imperial Act would operate more harshly in regard to private interests than this does. We need have no apprehension if there were that power of compensation which most honorable members who have addressed themselves to this question appear to think should exist.

Mr Glynn

- How can we secure the jurisdiction t

Mr DEAKIN

- We can do anything necessary to secure in the Post and Telegraph department the efficient discharge of its duties. That efficient discharge implies that the mails must not be capable of being stopped by any question of toll, fare, or rate, but we ought at the same time make some general arrangement for payment for that service. We should thus secure efficient service, and pay for it, so that no one would actually suffer. However, the proposal that this clause shall be postponed, with a view to the consideration of this compensation question, is a reasonable one. With a view to obtaining further information from the Post-office itself my colleague has therefore agreed to the course suggested. This discussion will not have been idle if it leads to the clause being inserted in a more equitable form. There can be no question of constitutionality.

Clause postponed.

Clause 14 (Arrangements may be made, for British or foreign mails).

Mr HUGHES

- I move -

That the following paragraph be added to the. clause : - " Provided that in respect of the transmission of mails no arrangement or contract shall be made-, with the Postmaster-General of the United Kingdom, or with any other person, company, or corporation, that directly or indirectly employs, coloured labour for carrying out such contract."

An amendment to accomplish practically the same object was moved in the Senate when this Bill was under discussion, and I understand that it met with considerable opposition, not only by the Government representative, but by other honorable senators.. So far as the Government is concerned the objection urged in the Senate can only be re-echoed. That objection was that the Government, while finding members in hearty accord with the idea, were regretfully unable to accept the amendment. Senator O'Connor furnished quite a number of reasons why-

The CHAIRMAN

- I call the honorable, member's attention to the fact, that under the standing orders he cannot quote from or allude to any debate which has taken place in the Senate.

Mr HUGHES

- Am I to understand, that the objection is that I cannot refer to. the Senate or to a Senator by name ?

The CHAIRMAN

- The honorable- member can neither quote from a debate in the Senate nor allude to the Senate.

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Mr HUGHES

- It was said elsewhere, that one reason why this proviso should be inserted was that it was an admirable proposal. It was said elsewhere also by a representative of the Government that the one reason why it should not be accepted was that although it was very admirable, it would be very unfortunate in its effects, that it would be a highly unfortunate thing to enforce it; and what is more, that if it were in force it would have no practical effect. It was asserted by nearly all who opposed- the proposal elsewhere, that the British race, so far as they were employed at sea, were deteriorating and dying out. It was urged with all the force of a gentleman who had discovered one of the primal laws of nature, that the lascar is a British subject. If a man had suddenly discovered a sixth sense, or had tumbled upon the fourth dimension, he could not have announced the fact more triumphantly than these honorable gentlemen announced that the lascar was a British subject. But something more was wanted, in refutation of such an amendment as this, than the bald assertion that India is part of the British Empire. We know that it is. I understand that one honorable member, of another place, said that we in Australia, and our fellow British subjects in India, are on precisely the same footing. I utterly deny that. If any honorable member is impatient of achieving at once an eternal glory and a life-long exclusion from the walls of this gilded chamber, let him go outside and make that statement. Let him point out that the gentlemen who comes round with a vocabulary of from sixteen to 22 words, and asks us to buy anything from a bottle of pickles to a highly embroidered petticoat is on the same footing with us. Let him tell that to the highly intelligent elector, and although he may be broad-minded, yet so surely as he makes that statement will the elector relegate him to where such statements deserve to place him. An honorable member of another place said he regretted that there had been intruded into this debate an amendment which threatened to disrupt the British Empire. It was mentioned by these gentlemen, as one of the arguments against such a proposal, that the British Empire would totter to its fall if this proposal were incorporated in the Bill. I want to urge some reasons against such a contention. I have pointed out on several occasions - and, indeed, when before my constituents, I was at some pains to show that it was essential, if we were to have any sort of defence force by sea in time of danger - that our mercantile marine should be recruited from the white nations of the world, and if possible, from the British race. Lord Brassey has pointed out the melancholy, but undeniable, fact that the British mercantile white marine has decreased 50 per cent. in the last 25 years. Twenty-five years ago there were 200,000; their number is now 1 00,000. We do not propose now to compel any company to employ white labour. All that we ask is that when we ourselves subsidize a shipping company that that company shall employ only white labour. Even if the British Government refuses to enter into an arrangement with us in these circumstances, we shall be no worse off than we are now, because every steamer is compelled to carry mails. The only thing that the contract does is to provide that the mails shall be carried within a specified time. We can send our mails by any steamer we like.

Mr Thomson

- But not from the other end. We cannot compel the companies at the other end to carry our letters.

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Mr HUGHES

- The honorable member does not see what I intended to infer, namely, that the mere fact of signing a contract with the Postmaster-General of the United Kingdom does not open up any new avenue along which our mails can be sent, but simply provides that along one of these existing avenues they shall be carried at a certain rate of speed. It has been pointed out that if this proviso were inserted in the Bill it would not be at all mandatory ; that mails could still be carried on other lines whether they employed coloured labour or not. It is only the line which we subsidize that will not be able to employ coloured labour. I do not think it is necessary to advance reasons why we should replace the lascar by the white sailor. It is true that the lascar is a British subject, but that is a poor consolation to the white mariner of Australia or Great Britain whose avocation is taken away from him, whose wages are reduced, and his whole industry threatened, by his fellow subject in India. I do not see the force of such an argument. It may be urged that if such a proviso is inserted in the Bill it will be vetoed. I understand that the Queensland Sugar Works Guarantee Bill, which provided that no Japanese should be employed in the mills, was vetoed. I think that we should understand what the limits of this power of veto are. We were told before federation that if we federated we should become a nation, with one flag and one destiny. But now

it would appear that we are to be much in the position of a kitten which is allowed to gambol at the end of a piece of ribbon, and permitted to go a certain length and no further. If we pass legislation which is to be vetoed, we waste our time, and therefore I should like to know, with regard to this proposal, whether the British Government will veto it. I admit that the lascar is a British subject, and I accept the doctrine of the brotherhood of man. But, in the domestic circle, there is sometimes a brother whom one regards regretfully in that relationship; and that is very much the position of the lascar. The British Empire has not been built up by the aid of the people of India. India is a dependency of the Empire, although her people are allowed a certain amount of self-government; but we should not be prepared to permit the pruning down of our powers of government on their account. In everything but name we are an independent nation, though we choose, for the purpose of mutual benefit, to remain part of the British Empire. We have, therefore, a perfect right to demand that conditions which we regard as essential, and which do not affect the British born subjects of Great Britain, shall be so regarded by the Home Government. If one goes on board the steamers of the Messageries Maritimes, he will not find, with the exception of the West Africans in the stoke-hold, any but Frenchmen there, and if one goes on to the steamers of the Norddeutscher Lloyd, he will find that the men are all Germans, and so with all foreign subsidized lines. It is a matter of common knowledge that we are the only nation in the world that employs men without regard to their nationality. I have this much patriotism, that I wish to restrict my patronage, when it is synonymous with the expenditure of my money, to the employment of my white fellow-countrymen. It may be argued that my proposal, if carried into effect, would disarrange the existing conditions regarding the methods of conveying mails to and from the Commonwealth. But, when we subsidize lines of steamers, we have a right to make what conditions we please in regard to the service, and, no doubt, if we asked the directors of the Messageries Maritimes or Norddeutscher Lloyd to carry our mails, and to employ white labour only, they would cheerfully accept the contract. While every other nation is providing against the hour of danger, we are acting what is certainly not the part of wise men. We know the lascar seamen to be unreliable in time of danger, and there is on record an outrage committed by lascars after the wreck of the Quetta on the coast of Australia, some few years ago, which was of so atrocious a character that it cannot even be mentioned. I admit that they are more biddable than British seamen, but we must remember that the virtues which have made the achievements of our race possible are inseparably bound up with the obstinacy and the restlessness under discipline which mark, and sometimes disfigure, the members of it. But the steamships which ply between Liverpool and New York are manned by white labour, and no complaints are made against their discipline; while, as a proof of the endurance of our race, I would point out that the British men-of-war are stoked through the tropical belt by white stokers, and, as every one knows, the task of stoking a man-of-war is worse than that of stoking a merchant steamer, because the ventilation is not so good, and other conditions make it more arduous.

Minister for External Affairs

Mr BARTON

- Before the amendment is proposed, may I ask the honorable member to take into consideration a reason why it should not be moved just yet? I agree with a great deal that he has said, and no one is less inclined than I am for the employment of coloured labour in connexion with any of our mail contracts. I indicated that the other night. We should not be embarrassed in applying the honorable member's proposal to the conveyance of our inland and coastal mails. There is no difficulty in that; but the case is different with regard to our oversea mails. The contracts made with the P. and O. and Orient Steamship Companies for the conveyance of mails - and they are the principal companies involved - were made with them by the Imperial Government. The subsidy paid on this account in 1899 amounted to £170,000, of which the United Kingdom contributed £98,000, and the six States of Australia £72,000. That contract expires in 1905, and there cannot easily be a revision of it until that date.

Mr Watson

- The proposal of the honorable member for West Sydney applies only to future contracts.

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Mr BARTON

- Yes, but as these contracts were entered into by the Imperial Government, and we were allowed to participate in the benefit of them - that was the procedure - I cannot see any way of altering them unless we take the whole business into our own hands.

Our position depends very much upon the predominant partner and upon what arrangements he is able to make. If we do not make our future arrangements through the British Government, and if we go to the length of entering upon this matter ourselves, we shall have to count the cost of acting independently and without the participation of our present co-partner. It seems to me that there is a probability of our being driven to that if we abandon the present course of allowing them to be the chief contractors, we being participants upon terms agreed upon -between us. Our difficulty then would be that we should have to undertake over sea contracts of this character and accept the whole burden of any such arrangement ourselves. This would either place an intolerable financial burden on the Commonwealth, or else prevent us from making any contracts at all. Then the question of policy would arise - as to whether we should have arrived at such a stage that we could afford to do without a contract altogether.

Mr Watson

- I do not think we are far off from that.

Mr BARTON

- It may be that we are not far off, but under the arrangements I am suggesting we shall at least have time to turn round. As to action at the present moment, it seems to me that an opportunity presents itself of dealing with this matter in a different way, and the reason I ask that the amendment should not be put from the Chair is that I desire to have the clause postponed. The amendment would raise an issue which requires to be dealt with I admit, but I propose to put certain provisions in this clause in block and white, which, while making it clear that there shall be no intrusion of black labour into our land service, or into our coastal contracts, will insure that any future contracts for an over sea service shall be laid before Parliament, and shall not come into force until they have received the express approval of both Houses. That that will give Parliament an opportunity of expressing its opinion in all cases, and at the same time the provision will not interfere by anticipation with the contract to which we are already bound. It will give us a free hand in regard to those contracts in which we are the sole participants on the one side, while in regard to those in which we are not the sole participants, we shall have an opportunity of estimating what will be the burden, or whether -we should join with the United Kingdom or launch out for ourselves.

Mr BRUCE SMITH

- Would any company contract on such terms ?

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Mr BARTON

- I do not see that there would be any difficulty on that ground. The contract between the New South Wales Government and the company which runs the Vancouver mail service is carried out under conditions which require the employment of white labour, and seeing that during the whole time we have had the Orient Company's service until just recently the work in the stoke-holes has been done by white labour - as I saw myself when on the Red Sea - and when we know, as has been pointed out by the mover of this motion, that coloured labour is not used in the stoke-holes of our men-of-war, I do not think there should be any difficulty in our- securing a contract in the future under conditions requiring the employment of white labour only. I think this is a question that Parliament ought to have the power to decide for itself at the expiration of the present contract, or at such other time as the question may arise whether a new contract should be entered into in conjunction with Great Britain or by the Commonwealth purely in its own behalf. Assuming that the Parliament four or five years hence will be animated by the same spirit as this Parliament, I think an opportunity should be afforded for expressing approval or disapproval of any proposals that may be brought forward at that time. I do not want to do anything at the present stage that might force us into the position of either accepting a contract involving the employment of black labour, or undertaking a burden that would be entirely inconsistent with our financial position, and perhaps in the end leave us without any contract at all. No honorable member, I am sure, is anxious to see that result. We do not want to be put to the necessity of choosing such an alternative. It is preferable that we should have an opportunity of dealing with circumstances as they arise. It will be a sufficient protection if we provide that the contract, whatever it may be, shall be laid before each House, and that it shall not be accepted without confirmation by the vote of both Houses. I think there is the germ of 'a solution of this matter in that proposal, and, if the clause is postponed, I will, in the meantime, endeavour to frame a clause which I hope will meet with the views of the House.

Mr Higgins



- Does the Minister mean that all contracts, irrespective of whether we are the sole parties on the one side or not, shall be submitted to Parliament ?

Mr BARTON

- I mean to frame a provision which shall apply to every contract in which we are concerned, whether as sole contractors or joint contractors with Great Britain, and I propose that it shall be necessary to lay the contracts before Parliament for its assent before they can be carried into effect.

Mr WATSON

- While I admit that the Government are entitled to the time necessary to enable them to consider the position and to draft another clause to meet the difficulty, I think the suggestion of the Prime Minister falls a long way short of what is required. The idea of leaving the matter over until the present contract expires or until a new mail contract is made, seems to me to be altogether inadequate, for the reason that every year of delay will accentuate the difficulty of dealing with the subject, especially if, as seems likely from recent developments in connexion with the Orient Company, the number of lascars employed on the mail steamers is increased from year to year. At the present time the Orient Company have only one vessel on this coast manned by lascars, but their intention, as shown in the reply to a question put to the Postmaster-General in the British House of Commons, is, unless something extraordinary occurs, to increase the proportion of lascars employed on their steamers. The same thing will happen, in all probability, in connexion with all the other lines of steamers, because competition becomes keener with the employment of low-priced labour. Although the directors of the Orient Company have laid some stress on the drunkenness and lack of discipline of the white stokers previously employed, I do not believe that is altogether the reason for making the change. That is comparatively a small matter, and I think it is a question of wages for the most part. It is certainly peculiar that tramp vessels, that have not high-class engines or anything like the same ventilation facilities as the Orient boats, employ white stokers through the Red Sea and in all other parts of the world. Therefore it seems to me that the reason given is a preposterous one. All the other British over sea lines, except the mail steamers, are manned by white men, a very large proportion of whom are British subjects. I would like the clause postponed so that we may see whether it would not be possible, in addition to insisting on white labour, to require that a certain proportion of the men employed should be British subjects. In dealing with one aspect of the remarks of the Prime Minister, we have to consider that the difference between the steamers which come here from over sea is gradually being reduced so far as speed is concerned, and with the gradual increase of trade between the Commonwealth and abroad it is not to be thought that we shall suffer any serious delay in the delivery of our mails. I believe that within a few years from now we shall be able to do without the payment of a large subsidy, and to rely upon vessels carrying mail matter at the usual rates that are paid throughout the world for such services. That is another reason why I think this matter is not so serious so far as any possible refusal on the part of the Orient or P. and O. Companies is concerned, but I trust that the Government will see their way to go much further than the Prime Minister has gone this afternoon, because the main point is that we want to have a decision on the part of Parliament some time before it is necessary to renew the contract, so that the mail companies may know under what conditions they will require to 'work' if the contract is to be renewed. If that is not done they will probably put forward a number of conditions which, under the circumstances, may have some weight, and we may be confronted with the necessity of either having lascar labour or taking slower mails. When this matter comes on again, I hope that we shall come to a decision whether we are going to have these undesirable people in competition with our own men on our own coasts, or whether we are going to insist upon other conditions.

Sir WILLIAM.McMILLAN (Wentworth). - I think that as the Government have expressed their intention to bring forward a specific proposal, and the whole matter will then have to be gone into again, we should postpone our discussion for the present.

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Mr JOSEPH COOK

- I have no objection to the clause being postponed, as I think the request a reasonable one, but I wish to point out that the Prime Minister may see some difficulty in carrying out the views he has indicated. A fresh mail contract will require to be negotiated some two years before the expiration of the existing arrangement, because the steamship companies will want to know what the conditions of the new service are to be in order that they may make the necessary arrangements beforehand. The Prime Minister's

proposal will not meet that necessity, because it simply requires that a contract shall be negotiated and laid before Parliament for ratification before it is carried into effect. The result will be that the whole question will be submitted to the House with a distinct declaration from the Home Government on the question, and once the Home Government have declared themselves, we might not be able to induce them to reconsider their decision. That has been the difficulty which we have always encountered in connexion with this black labour question. On the last occasion we stood out strenuously till a cable was received from England stating that in no circumstances could Her Majesty's Government consent to the making of a contract which would confer a preference as between her individual subjects. It seemed to us, therefore, that nothing more could be done. We had either to go on with the contract or to negotiate a contract of our own independently of the Home Government. We should occupy precisely a similar position under the proposal of the right honorable gentleman. When this matter is reconsidered in committee, I think that we should definitely provide that our mails should be carried by white labour, and that such labour shall not be beaten off the boats by the coloured workers of other countries. The point we should insist upon is that it is the companies themselves who are making the preference. We are acting on the defensive in this particular matter. The sooner that point is made clear to the home authorities, the better chance shall we have of getting our own labour restored to these boats.

Mr. HUGHES (West Sydney).— The Prime Minister having suggested a postponement of the clause, I think that honorable members might very well agree to his proposal, and reserve their opinions as to the merits of the right honorable gentleman's suggestion.

Mr BROWN

- I have no objection to the postponement of the clause for further consideration, but I hold very strong opinions upon the question of employing coloured labour in connexion with our mail contracts. In times of national emergency, we must look to our mercantile marine to assist in fighting our battles. If the naval defence of these States were to be left exclusively to the coloured races, there might be some ground for the contention that only that class of labour should be employed on our mail steamers. But when trouble comes, I am afraid that the lascar will disappear, and we shall have to look to the British bulldog to fight our battles. As custodians of the ' public purse, we should see that the men employed upon mail steamers, which we subsidize, are those of our own race. They will thus be able to gain experience to equip them for service in our naval defence, should the occasion ever require it.

Mr McDONALD

- I offer no objection to the postponement of the clause, but I should like the Prime Minister to clearly understand that the labour party wish it to be definitely stated in the Bill that lascars or other coloured labour is not to be employed on subsidized mail steamers.

Mr G B EDWARDS

- The honorable member for Parramatta has referred to the time when the last mail contract was signed, and has stated that the objections of the home authorities to distinguishing between lascar seamen and white seamen could not be overcome. I would point out, however, that a considerable change of public opinion has taken place in the old country. Whether we postpone this clause or not there must be an understanding that some such provision is inserted. If we carry such a clause, it will have a great effect upon any future arrangements that Great Britain may enter into. Public opinion there is ripening rapidly in favour of the employment of only British white seamen on our mail boats, in order that we may keep the British marine as a part of the British nation.

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Mr WATKINS

- In common with other members of the labour party I wish the Prime Minister to distinctly understand that we want some such provision as is proposed definitely inserted in the Bill. The patriotism that has been exhibited by our colonists in the past has been recognised, and we want it to be known that if there is to be a nation upon this continent, it shall be a white nation. Even if we have to enter into fresh contracts at a little more cost in order to secure the employment of our own people upon these mail steamers, I think that we should readily undertake the task. Whilst I agree that there can be no harm in postponing the clause I hope that when the Prime Minister comes down with an amendment it will be such as will satisfy those who desire to see only white labour employed upon our mail steamers.

Mr MAUGER

- I feel very strongly that we ought not to throw the responsibility of determining this matter upon the Parliament which may assemble five years hence. We should ourselves declare in this Bill that in all future mail contracts the contractors must employ white labour.

Mr O'MALLEY

- I do not think that we ought to postpone the consideration of this clause. It seems to me that the present system is simply one of universal taxation for the killing-off of the white sailor and the advancement of the black man. The whole cry now is that the white man has reached the stage when he is absolutely useless, and it is urged that we must not interfere with the British subject. But to-day we are allowing the subsidized mail boats with their coloured labour to kill off our Inter-State navigation trade. With all due respect to the Prime Minister, I hope that we shall notify that the Commonwealth of Australia is not going to tolerate any scheme which has for its object the destruction of the white man and the elevation of the coloured man.

Mr PAGE

- I remember reading in all the newspapers throughout the Commonwealth a short time since, expressions of admiration of the way in which the British seamen assisted in the defence of Ladysmith. If the British sailors showed their loyalty to the Empire on that occasion, let the Commonwealth now show its loyalty to them by allowing them an opportunity to earn a livelihood. I hope that the Prime Minister will not shillyshally or dilly-dally in connexion with this matter, but will make it imperative that only white labour shall be employed upon our mail steamers. The honorable member for Parramatta pointed out that in two years' time we shall have to see about entering into fresh contracts. Therefore now is the time when this matter should be definitely dealt with. I hope that the Prime Minister will bring down a proposal that will suit not only the labour party,, but the whole of the people of Australia.

Mr. HIGGINS(Northern Melbourne).I quite agree that we should not postpone this matter for two or five years, but I think it would be eminently unreasonable to refuse to postpone the consideration of the clause. There is no danger of the Bill becoming operative until a clause has been inserted which will secure what we desire. The Prime Minister has undertaken to bring down a clause of which it will be for us to approve or disapprove, and I think we might well postpone the arguments about what the clause ought to be until then. I am strongly with those who have said that we ought to insist in this Bill that we shall not , be parties to any contract which allows black labour to be employed. I think this House is very strongly of that opinion. The Prime Minister will recognise that there are two distinct things to be provided for, one arranging with the British Postmaster-General in regard to the carriage of the mails, and the other being the contract with the mail steam-ship companies. I think that in the clause which the Prime Minister is to bring down there ought to be a condition that neither an arrangement with the British Government nor a contract with a mail steamer should be completed until it has been laid before Parliament and approved by it. I want that distinction to be drawn so that Parliament may have the control of this matter in its own hands.

Clause postponed.

Clause 15 postponed.

Clause 18 (Contributions may be accepted).

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Mr HUME COOK

- I would: ask the Minister in charge of the Bill what is the exact meaning of this particular clause. It appears to me that under its provisions, the Governor-General may make arrangements with the States or local governing bodies, for certain contributions towards the establishment of postal facilities. Are we to understand that the State departments are to get their postal facilities upon some small contribution, or are they to be charged the same rate as that fixed for private persons ? So far as I can see, the Commonwealth will be called upon to pay for every facility it requires, and on the other hand I wish to know whether it is to get some payment from the States in return for the postal facilities which it affords them ?

Sir PHILIP FYSH

- The Postmaster-General explained this clause in another place as being framed to meet the special cases which every Postmaster-General knows must constantly crop up. I have known, for instance, of a

particular locality, which did not warrant, by its size and the amount of postal business done, the erection of a clock tower in connexion with the Post-office, but the department might enter into an arrangement with such a district, under a clause of this kind, to build what it considered to be a suitable post-office, and to add a clock-tower or some architectural display, towards the cost of which the locality might be prepared to contribute. Then, again, an outlying district, where the number of residents would not warrant a special contract for the delivery of mails, might yet induce the Postmaster-General by paying some contribution from its local funds or by private contributions, to provide a special service. The clause would also enable persons, in cases where a postal cart is passing by their premises day by day, to make a special payment of £1, £2, or £3 per annum, and have their letters delivered in a postal box at their own gate.

Mr JOSEPH COOK

- Is there any similar provision in any of the State Acts?

Sir PHILIP FYSH

- I cannot say that there is, but I know it has been the practice in many of the States. The honorable member, when Postmaster-General in New South Wales, must have leant to that practice. I have felt justified in doing so, although there was no law to warrant it, and have always been supported by Parliament. The Postmaster-General would also be able, under this clause, to accept contributions towards a special service for an outlying district, which might be challenged in Parliament if the whole cost had to be borne by the Commonwealth. I think nothing special in the way of taxation will be demanded from these districts. Postmasters-General in the past have always been extremely liberal in dealing with them.

Mr. JOSEPH COOK (Parramatta).- I am afraid this clause means very much more than the honorable gentleman supposes. We can do every one of the things mentioned by him without a clause like this. What he has referred to are practices which are common in all the States. It has been the practice to require guarantees, for instance, in connexion with the construction of telegraph and telephone lines. My experience has been, however, that the department is very much better off without these guarantees, because they are rarely enforced. People enter into them lightly. When it comes to paying up there is generally some influence brought to bear, and the guarantee is either considerably modified or waived altogether. This clause is intended to cover, for example, Inter-State telephonic communication. If we wanted telephone communication between Melbourne and Sydney, it would be within the power of the Postmaster-General to require New South Wales and Victoria to give him a guarantee that the line would pay before he would undertake to construct it. He would thus undertake no risk in entering upon such an undertaking. I am not disposed to put a power like that in this clause into the hands of any Postmaster-General, and I hope it will be struck out.

Mr Isaacs

- What harm can it do?

Mr JOSEPH COOK

- It will give the Postmaster-General a statutory right to refuse to undertake any service without an absolute guarantee that it was going to pay.

Mr Isaacs

- He can do that now.

Mr JOSEPH COOK

- Of course he can do that now if Parliament will allow him.

Mr McCay

- This clause will not protect him against Parliament.

Mr JOSEPH COOK

- I do not want the Minister to be protected against Parliament. I want Parliament to have a fair say in the matter. I am strongly opposed to the proposition that the Postmaster-General should not authorize a service unless he receives an absolute guarantee that it is going to pay at once. There are such things as developmental communications. The Post-office exists for the convenience of the people, but this clause will enable the Postmaster-General to refuse to do anything except it will pay the moment it is done.

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Mr MAHON

- The committee is indebted to the honorable member for Parramatta for having drawn attention to this clause, and I think that his experience as Postmaster-General of New South Wales has enabled him to place the committee in a position to judge rightly as to its application. The Minister has to some extent confirmed the worst fears which were entertained concerning this provision, to which I gave utterance when I spoke on . the second reading. The clause provides that the Postmaster-General may call upon the local governing body of a district to indemnify him for any loss that may be incurred in giving that district postal or other facilities. If, for example, a district such as that which I represent, which now receives a fortnightly mail, should, six months hence, desire a mail twice a week, the Minister might or might not grant its request.

Sir Philip Fysh

- What would be the position of such a district if the Postmaster-General had not the power conferred by the clause, and refused to grant the facilities asked for ?

Mr MAHON

- I admit that there is a difficulty, and therefore I do not agree with the honorable member for Parramatta that the -clause should be negatived ; but a middle course should be discoverable. It may be urged that no Postmaster-General would be so inconsiderate or inexperienced in the conditions of the back country as to refuse such a request, or to compel persons living in remote parts of the country to contribute t towards the cost of providing additional facilities, and it might further be urged that the House would not permit him to do so ; but, if such a request were refused, what chance would an uninfluential member like myself have of inducing the House to cause the Postmaster-General to revoke his decision ? In many of the remote portions of the interior the mail coach is the only connecting link with civilization. In populous centres the people have the public parks, the gardens, and the theatres in which to spend their idle moments ; but in the outlying portions of the continent, where people are perhaps 300 or 400 miles away from a railway station, in an arid, monotonous wilderness, their chief pleasure is the receipt of newspapers and letters from their friends elsewhere ; and the more you increase their facilities, the more tolerable you make their lives. Surely the pioneers who have redeemed the wilderness for civilization deserve all the consideration we can give them. I would point out, too, that although the clause permits, the Postmaster-General to contract with any local governing body, the funds at the disposal of these bodies may be appropriated for certain purposes, and for no other purposes. In Western Australia, the Municipalities Act provides that the rates and the Government endowment shall be spent upon the improvement of the streets, the maintenance of sanitation, and in other specified ways, and, unless there is an amendment of that Act, the local governing bodies there could not devote any portion of their funds to indemnifying the Postmaster-General against loss.

Sir Philip Fysh

- Funds might be placed in their hands specially for that purpose.

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Mr MAHON

- Of course, there must be voluntary contributions ; but I take it that such contributions would not be made by a local governing body. If a local governing body makes a contribution, surely it can be only from its own funds. I hope that the Minister will postpone the clause, and try to frame a provision which will remove the fear which representatives from the outlying portions of Australia naturally entertain, that federation, instead of making life a little more pleasant, more tolerable, and cheaper to the people in the remoter districts, will impose fresh burdens upon them without additional compensation.

Mr. ISAACS(Indi).- I think we are all pretty well agreed that no hard-and-fast rule should be laid down for the regulation of our postal business purely by commercial principles, and I understood the honorable member for Parramatta to urge the deletion of the clause upon the ground that it provides that commercial principles alone shall apply in regard to the granting of postal facilities. The honorable member seemed to be apprehensive that there lurked behind the apparent meaning of the clause a sinister interpretation which might indicate to the Postmaster-General, that it is the wish of Parliament that the Post-office shall be run strictly on commercial lines, and that if outlying and sparsely populated districts desire additional postal facilities, they must pay for them. If I thought that that was the meaning of the clause, I would aid the honorable member in trying to have it struck out ; though in any case, I think that a Government which followed such a rule would soon find that it had made a mistake. It seems to me

that without the clause, if a request for additional facilities were made by a district, and it were thought that the monetary return would be insufficient to cover the expense, the Postmaster-General would have only two alternatives. He must say " I will grant your request, though at some unfairness to the community at large," or " I will refuse your request, because I do not consider the prospective return justifies the outlay." The clause attempts to give the Postmaster-General power to take a middle course. If a State - say Western Australia - asks for additional postal facilities, with the expense of which it would not be fair to saddle the Commonwealth, power is given to the Governor-General to make an arrangement whereby the State will contribute something towards the cost of those additional facilities. In a like manner, the Postmaster-General may take a middle course in regard to requests made by any local governing body or private individual. It seems to me that the extremely desirable lines indicated by the honorable member for Coolgardie can be easily followed. If the clause is struck out, it will be almost an indication to the Postmaster-General that he is not to exercise any such discretion, and I strongly urge that the provision should be retained. I hope that the Postmaster-General will, in his administration, make it manifest to the people of Australia, especially in the outlying districts, that they are not going to suffer by reason of federation. There is in some parts of Victoria an apprehension that now that the Postal department will have a wider field of operations some of the smaller districts will be neglected. I have done my best to assure my constituents that there is no ground for any such apprehension, and I hope that experience will show that my statements are well founded. The monetary return is no doubt a very important guide, but it ought not to be the sole guide in dealing with postal matters. We must look forward to the development of this large continent, and to the necessities arising from the extension of settlement and the increase of population, which our Post-office may go a long way towards meeting.

Mr. BATCHELOR(South Australia). I am very much inclined to agree with the honorable member for Parramatta, as I do not believe in having the Post-office run by a combination in which the Federal Government, the State Governments, the municipalities, and private individuals will all play a part. The responsibilities that properly attach to the Commonwealth should not be shifted on to local bodies, and there should be no more necessity for a provision of this kind under the federal administration than under the State administration. It has been stated that if this clause is carried we shall be no worse off, but rather better off than hitherto. But I do not think that we should lay down the principle that the Post-office is to be run by any one else than the federal authorities. I entirely disagree with the system of local levies, and I hope the clause will be struck out.

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Mr McCOLL

- Honorable members seem to be trying very industriously to read into this clause provisions which it does not contain. The clause is simply intended to provide specifically for what has been the practice in the States for some time past. It has been customary to give improved facilities in connexion with mails where those immediately concerned have been prepared to guarantee any extra expense that might be involved, and it seems to me that that is a very proper principle to adopt. No Government department ought to confine itself within arbitrary lines to its own business, but where it can generally promote the convenience of the people it ought to do so. The clause provides that bargains can be made only where the people are voluntarily disposed to enter into special arrangements with the Postmaster-General in order to obtain special facilities.

Mr. BRUCESMITH (Parkes). - I cannot understand why honorable members should object to this clause, because it does not confer any greater power than is possessed by the Minister at the present time. Without this clause the Postmaster-General could give any postal convenience that might be required although it might involve a considerable loss to the Commonwealth, but this clause comes in and authorizes him to receive money in order to enable him to carry out a project which otherwise he might not feel justified in entering upon. The honorable member for Parramatta seemed to think that a complete parallel to what would occur under this clause was to be found in the practice in New South Wales, but he forgot that if the Postmaster-General of the Commonwealth were to confer some postal convenience which involved the loss of say £1,000 a year, the loss would fall upon six States instead of the one in which the convenience was granted. Some honorable members may consider that our federal partnership should be so complete that we should not distinguish one State from another so far as the Post-office is concerned, but I do not know that we are prepared to continue the unlimited power the

Postmaster-General now enjoys, of conferring postal conveniences, however much loss they may involve. There can be no possible objection to our giving the power provided for in the clause. It has been a common practice in some of the States, that where railway or tramway accommodation has been asked for, and it has been reported that a loss would probably result, the applicants have been told that if they would guarantee a certain return on the outlay, the work would be carried out. This has had the effect, very often, of putting the people of the district on their mettle, but in some cases, where requests have been made without regard to the merits of the question, the stipulation for a guarantee has led to the abandonment of unreasonable applications. The honorable member who preceded me pointed out that this talk about clock-towers upon post-offices was a mere piece of imagination. But hundreds of cases have existed in New South Wales, where deputations from country towns headed by probably a Government supporter, have urged upon the Minister the necessity of erecting a clock-tower in connexion with their local post-offices. Such applications have been a subject of contention for years past. This clause will enable the Minister to say in response - " This has nothing to do with the postal conveniences of your town, and if you want it to improve the appearance of your public buildings, you can contribute so many hundreds of pounds towards it."

Mr Salmon

- Would that be called providing a postal facility 1

Mr BRUCE SMITH

- I think it would be technically, because people at a distance might be able to see what the time was, and thus probably get more letters into the boxes than otherwise would be the case. For these reasons I support the clause

Sir EDWARD BRADDON

- My honorable and learned friend has given to this clause a significance which it does not entirely bear. He seems to see in it a provision under which local bodies or a State will contribute the whole cost of any luxury in the way of post-office service which they may desire. But that is clearly not the meaning of the clause. The meaning of it is that a local body, or the State, shall find some portion of the money. There is very little doubt that, if the peculiar service required were absolutely necessary, the State would ultimately find the whole of it. That being so, it seems a much more common-sense way of proceeding to allow the Postmaster-General to provide all such facilities as are absolutely necessary without the local bodies, or the State contributing anything whatever towards them. I do not see why we should go in for a half-and-half measure of this sort, which may result in a good deal that is undesirable, and in the denial to some locality of post-office facilities to which it may be entitled. I shall be glad, therefore, to see this clause struck out of the Bill.

Mr. WINTERCOOKE (Wannon). This clause has been spoken of as one that crystallizes the custom of Victoria. But it seems to me to put an undesirable weapon in the hands of the Postmaster-General. That Minister would naturally say - " Under this clause which has been passed by the Commonwealth Parliament, it is my duty to see that the Post-office is conducted upon commercial principles. Evidently that is the desire of the Legislature, because they have given me legal power to negotiate in regard to postal facilities." I would much prefer to see matters remain as they are. Let the Postmaster-General decide for himself whether a particular extension should take place. It is the duty of the Postal department to encourage, as far as it possibly can, the development of the outlying districts of Australia. I am convinced that this clause will be used as a weapon against those districts by the Postmaster-General ; otherwise why is it put in the Bill at all?

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Mr SALMON

- I think that it is not necessary that this clause should be embodied in the Bill. As we have done in the past, so let us act in the future. These arrangements, if necessary, could be made without having a whip held over the heads of those who desire extra postal and other facilities. The only tangible benefit which many people resident throughout the scattered country districts derive from the Government is derived through the medium of the Post and Telegraph office. I urge upon honorable members that they should rest content with the present condition of affairs and not hand over to the Postmaster-General such a power as he would have under this clause. With such a provision operative he would be able to refuse almost every application that was made to him, because he would interpret this as an instruction from

Parliament that no loss should accrue to the department. In my opinion, the success of the Postal department cannot be gauged by the monetary return which it secures. It is one of the most potent civilizing influences that we have, and in that respect is well worthy almost any cost to which it may put the Government. I should not be surprised to hear the supporters of this clause urging that in the great centres of population, where the Postal department is run at a profit, the cost of telegrams and postage stamps should be reduced. I hope that the clause will be struck out.

Mr. PAGE(Maranoa). - No doubt honorable members will recollect that a fortnight ago the Prime Minister said that no Treasurer of his would ever bring in any scheme for direct taxation. What does he call this proposal? Apparently the Prime Minister is like the honorable member for Parramatta, and forgets what he says. There are some new opal fields that have been opened up recently in New South Wales and Queensland, but under this Bill they will have a very poor show of securing postal facilities. If men go out into the western country of New South Wales, Queensland, and Western Australia, they are apparently to be taxed for their pioneering work. If they strike a patch and apply to the Postmaster-General in Melbourne for postal communication, that Minister immediately puts direct taxation upon them, and says - "You will have to indemnify the department against any loss." That is not what we desire. We wish postal facilities to be given to every one. In Queensland the only chance which residents in outlying districts have of securing newspapers is through the postal system. This very clause, however, will debar them from acquiring useful knowledge. I shall therefore vote to eliminate the clause.

Mr. PIESSE(Tasmania).- If I thought that the honorable member for Maranoa was right in supposing that this clause was intended to prevent postal facilities being given to outlying parts of Australia--

Mr PAGE

- That is what its effect will be.

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Mr PIESSE

- Certainly not. It refers to " additional " facilities. There must be some facilities given to a particular district before there can be any charge made for additional facilities. I think we shall find that the Postal department is prepared to give the proper facilities to all outlying districts. One State alone is not interested in this question. All the States contain districts in respect of which the Postmaster-General will have to put his 'hands in his pocket to provide the necessary postal facilities. He will, no doubt, give these facilities gladly. When, however, it comes to a question of a district bringing special pressure to bear upon him to acquire facilities in addition to those which are given to districts of a similar character, it is quite right that the Postmaster-General should be able to say - " I will give you these facilities if you are prepared to help yourselves to get them." That, I think, is a very proper principle to embody in our legislation. It will prevent a great deal of trouble in the future. If Sydney and Melbourne required a special line for telephone purposes, it would be hardly fair to cast the cost of that line on the taxpayers of the Commonwealth generally. This clause gives power to the Governor-General to make arrangements with the States as well as with individuals. The States will not be very much concerned in regard to the few people in the backwoods ; but they will not be left to themselves under a just administration of the Postal department. They will get the facilities they ought to receive ; and if any town requires greater facilities than are generally given to such localities, it is to the interests of the Commonwealth that it should pay for it.

Mr. HENRYWILLIS (Robertson).I gather from the debate upon this clause that it is only where additional facilities are required that local bodies, or private individuals may be asked to contribute. That indicates to me that we are going to institute a system which is likely to be a very great burden on the Post-office. These additional facilities should be provided if they will pay. It is because they will not pay that the department proposes to take money from the persons who are interested in them. When we have once established a service it is very hard to discontinue it, but it is not hard for private individuals to discontinue their contributions towards the cost of it. It is in that way that this clause will cast a very great burden on the Commonwealth. I am pleased with the action taken by the honorable member for Parramatta, because in New South Wales many postal clocks and towers that are not required and that have cost a great deal of money will be found. It should be borne in mind that in South Australia the department does not fritter away money in this way, and is able to make both ends meet. I think we might follow the example of that State rather than the lead of New South Wales, and that we should strike out



this clause. It is very hard, for example, for a Government to stop facilities in a district represented by a supporter, when private contributions- towards those facilities are discontinued. I can quite conceive of even some honorable members contributing towards the cost of increased postal facilities, especially at election time. In my own electorate, I have known the sum of £1,500 to be spent quite unnecessarily on a post-office at election time. The same thing might occur in other parts of the Commonwealth. If we strike out. this clause, we shall curtail expenditure in the management of the department.

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Mr CHAPMAN

- If I interpreted this clause as some honorable members interpret it, I should certainly vote against it. I understand that it is simply to give the" force of law to what has been the practice in the past. If that practice is to be maintained it ought to have the force of law. My experience in regard to postal guarantees is that, if the business which results from the increased facilities is shown to reasonably warrant the extra service, very fair consideration is extended by the Postmaster-General. I therefore think the Minister ought to have the power by law to make these arrangements. I do not think it will affect outside country places at all ; if I did I should vote against it. It appears to me that it is rather aimed at ornamental towers and expensive clocks, which are never erected in country districts, but are' asked for by large centres of population. If the Minister were backed up by such a power as this he would be able to say to the large deputations which make such requests that he was prepared, where the work would cost £300, for example, to contribute £50 towards it. We have heard a lot about the erection of expensive clock towers in New South Wales. Honorable members, however, should be fair. I see no reason for making these State distinctions. As a matter of fact, it will be shown when the proposals come before the House for expenditure on post-offices, that for every thousand re- quired in 'New South Wales, eight or ten times that amount will be necessary in Victoria, because it is notorious that in the time of depression the Victorian votes of public buildings were very much cut down. We do not want, however, to make any such distinctions. I hope the clause will be passed, because I have had half-a-dozen notices recently from the Post-office, pointing out that until some definite system has been arranged in regard to such matters as these it is impossible for the department to give the small conveniences asked for. If we sweep away the clause we simply return to the haphazard way of the past, and allow the Postmaster-General to attempt guarantees, and to afterwards modify them or let them go altogether. Those who desire to safeguard the revenue and at the same time to look after the country districts will vote for it.

Mr. O'MALLEY(Tasmania).- I do not think that it is right for new countries to have to pass the hat. My experience is that where the hat is passed much does not come in. If contributions are to be made, the people in small communities will have to suffer. Take Kelly's Basin, Darwin, and Crotty, places on the west coast of Tasmania that have materially contributed to the wealth of the Commonwealth. The people of these places want telegraphic and telephonic communication. Are they to put their hands in their pockets and contribute towards these requirements when they want the money to feed their own children ? The people in these small places should not be deprived of the comforts and of the civilizing attributes of libraries and other things of that kind. Because there is a possibility of their getting a telegraph line or a telephone, the Government want to make them beg for it, or to stick up politicians for subscriptions-. I certainly object to the proposal.

Mr. THOMSON(North Sydney).- I have only a few words to add, in order to draw the attention of the committee to an aspect of the matter which has not been touched upon. It has already been stated that the power exists at the present time in 'the Postmaster-General to make any such arrangement as is herein shadowed forth. Such an arrangement would have the force of law, so there is no occasion to give the force of law to what already possesses it. It has already been pointed out that the clause might be used for an improper purpose, for which it was not intended, in order to defend expenditure by the Commonwealth Government. There is a very natural tenderness on the part of the States at this early stage of transition as to the possible intentions of the Commonwealth Government, and it will be represented and feared in many States that in this clause an intention is evidenced to take the revenue of the Post-office, but to throw the unprofitable business on to the State Governments and the municipalities. That is a danger that we need not incur when the Postmaster-General will have fill the powers necessary without the insertion of any such clause in the Bill.

Mr. JOSEPHCOOK (Parramatta). - I am afraid that the clause is still quite misapprehended by a number

of honorable members. Technically they may be right in their reading of it, but I look to what will actually occur. Experience has shown that it is difficult enough now, especially in the outlying portions of the various States, for the residents to satisfy the Postmaster-General that they are entitled to certain postal facilities, and yet we are going to pass a law which would enable the Postmaster-General to do what he likes. He may exercise his own judgment, and construct a telegraph line, for instance, at a cost of £1,000 without requiring any guarantee, and he may refuse an equally reasonable request for a similar line somewhere else unless a guarantee is given. It is not fair to expect the struggling people in the country to provide guarantees, and we should do nothing to buttress the Postmaster-General in his demands for guarantees. The matter should be left to the decision of the Postmaster-General, viewing not only the postal requirements of the people, but also paying regard to what may be needed in connexion with the development of the country. The clause would practically allow the Postmaster-General to refuse to give any facilities unless a guarantee were furnished, and I certainly hope it will be struck out.

Mr. 'BROWN(Canobolas).- I think there is a good deal in the arguments of the honorable member for Parramatta with reference to the Post-office being worked as a purely commercial concern, and the probability of people who can least afford it being called upon to make good any deficiencies that may arise in connexion with the carrying on of services in which they are specially interested. In New South Wales the system of giving guarantees has proved a most pernicious one, because it has generally resulted in throwing the whole expense in connexion with any particular service on two or three individuals in the community that might be specially interested. Moreover, it has prevented facilities from being readily extended where they are legitimately asked for, and it seems to me that the difficulties in this direction are likely to be accentuated under a more centralized form of administration. It is desirable that we should afford as many facilities as possible to our "pioneers, who contribute to the revenue in many other ways than through the Post and Telegraph departments. Postal and telegraph facilities are among the first necessities of the population in the sparsely settled districts, and I think that if any obstacles are placed in the way of their obtaining what they require, the result will be to retard the development of our territory to some extent.

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Mr A McLEAN

- This appeal's to me to be a very useful clause. What is sought to be done by it is already being carried on in the different States, but we might experience a very great deal more difficulty in following the same course under the federal administration unless we have some such provision as is proposed. Supposing South Australia desired to extend a telegraph line to some of the more remote districts of the northern territory, from which no payable results could be expected for many years, the other States might be prepared to bear a portion of the expense of such a work, but they might very properly object to bearing the whole of the loss that would result. This clause, however, would enable the State to enter into a special agreement by which it would take upon itself some of the deficiency. With a provision of this kind they might be willing to contribute a small proportion of the loss. This clause merely gives the Postmaster-General power to enter into an equitable arrangement of that kind if he thinks, it desirable so to do. We must assume that the Postal department will be administered by men who have the interests of the Commonwealth at heart, and that they will not administer it in the way that a great many honorable members seem to fear. Such a

Postmaster-General would not be worthy to hold office, and if he insisted on his pound of flesh in every case, Parliament would see that he did not hold office long. It is wise to give the Postmaster-General power to enter into arrangements of this kind if he thinks it desirable so to do.

Mr CAMERON

- If the committee divide upon this clause I shall support the Ministry. It seems to me that the principle embodied in the clause is a fairly good one. We are told that the Post and Telegraph service throughout the various States has so far not been self-supporting, and that the desire of the Ministry is to make it so. To my mind that is a laudable ambition. At the same time we have to remember that there are many small places which stand in need of postal facilities, and if the Postmaster-General is not able to give them those facilities, it is far better that the people desiring them should put their hands into their pockets, and assist in a small way in getting what they desire, than that they should be denied the privileges which they seek.

Mr. CONROY(Werriwa). - I intend to vote for the omission of this clause. A great many honorable members appear to forget that the people of the Commonwealth and the people of the various. States are identical. If a member of the State dies, at that very moment a member of the Commonwealth also dies. Some honorable members, however, speak as if their interests were altogether diverse. It is because this clause seems to recognise a difference of that sort that I intend to vote against it.

Question - that the clause as read stand part of the Bill - put. The committee divided -

Ayes ... .. 29

Noes ... .. 23

Majority ... .. 6

Question so resolved in the affirmative.

Clause agreed to.

Clause 19 -

The Governor-General may fix the rates of postage to be paid upon postal articles and the charges for the transmission and delivery of telegrams or other communications by telegraph.

A scale of such rates and charges and of alterations of the same shall be laid before both Houses of the Parliament within fourteen days after the making thereof if the Parliament be then sitting, or if not then within fourteen days after the next meeting of the Parliament, and if either of the said Houses does not, within fourteen days after such scale has been so laid before it, resolve that such rates and charges or any of them ought not to come into force then such rates and charges shall, when published in the Gazette, have the force of law.....

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Mr McCAY

- I should like to draw the attention of the committee both to the general object of this clause, and to the very peculiar way in which that object is controlled. The reference to the Victorian Postal Act in the marginal note is somewhat misleading. Any one looking at it would infer that this method of fixing the postal rates had been borrowed from the Victorian law, whereas, as a matter of fact, it is not. The clause proposes to settle one of the most difficult questions of policy and finance by a regulation of the Governor-General. We all know that throughout the various States for a considerable time past the question of State penny postage, universal or limited, has been discussed, and that now the question of Commonwealth penny postage, universal or limited, is arousing a great deal of public attention. In view of the large number of other subjects to which this Parliament is called upon to devote attention - subjects which are not nearly of such importance to the people of Australia - it strikes me as peculiar that Parliament should not have the power of fixing the skeleton of its own schedule of rates. I recognise that it is impossible to settle the rate of postage for Australia in this Bill. But the obvious answer to that is - "Leave the clause out, so far as it concerns the postal rates." When the Ministry is prepared to come down to Parliament, and to say whether they are going to have a uniform postage for Australia, and whether it is to be a penny postage or a twopenny postage, let them bring down a Bill, and allow Parliament to decide the matter. I do not know whether any of the States have settled their postage rates by regulations authorized by the Governor in Council ; certainly the State of Victoria has never done so. It has always been recognised that this is a matter for the determination of Parliament, directly and not indirectly.

Sir Malcolm McEacharn

- This is the same as the Victorian Act:

Mr McCAY

- It is certainly not the same. In Victoria an Act of Parliament settles what the rates are to be, whereas this proposal is that the Governor-General shall fix the rates by Executive act. This proposal goes further than any Victorian Parliament would have ever dreamed of going. We do not want to have to resort to that method more often than can be helped. To my mind we should legislate by regulation only where Parliament is unable to give the time, or has not the knowledge to legislate directly. Legislation by regulation is only a substitute, and often a poor substitute, for legislation by enactment. After the Government scale of rates is framed, it is to be laid before both Houses of Parliament within fourteen days of its making, if Parliament be sitting, and if not, then within fourteen days after the next meeting of Parliament and if either of the said Houses does not, within fourteen days after such scale has been so laid before it, resolve that such rates and charges or any of them ought not to come into force, they are to

become law. That means that if the Government tables its schedule of rates, and one of the two Houses disapproves of them, while the other does nothing, they are to become law. The Government proposal is to substitute for the approval of two Houses the disapproval of one and the silence of another. We had a discussion the other day on the question of how certain regulations should become law. Contrary to my desire it was determined that one House alone could disapprove of the regulations made under the authority of an Act of Parliament, and that if either House did disapprove of them, then they could not come into force. I said at the time that to my mind both Houses should have to disapprove in order to prevent these regulations from coming into operation, once we had deliberately delegated to the Executive the power to make such regulations. There are three stages in connexion with preventing regulations from coming into law. We have either the disapproval of both Houses or the disapproval of one House. The clause, however, goes further, and it says that the disapproval of one House and the silence of the other will allow the scale to become law.

Mr Barton

-no; it does not. It means that one House can veto it.

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Mr McCAY

- But it does not say so. It means exactly the opposite. It is the most remarkable instance of law-making that I have yet come across. If it be proposed to allow the other branch of the Legislature to disapprove of the scale, what will this House say? Will this House go so far in regard to regulations dealing with the taxation of the people? I say most emphatically that Parliament should adopt the sensible plan of leaving a large question of public policy like this to be determined specifically by Parliament, and not by the Executive. The business of the Executive is administration, and the power to determine policy should never be taken out of the hands of Parliament. It may be, with regard to telegraph rates, that there are practical difficulties in the way which prevent us fixing them in the schedule of an Act of Parliament. I do not know whether there are or not. I do know, however, that the States, as regards their postal rates, almost invariably determine them specifically, and fix them in a schedule to an Act of Parliament, and not by a mere Act of the Executive Council. I quite admit that we cannot do it in this Bill, because we are not ready. In my opinion, however, we should leave the matter over until we are ready. In order to test the feeling of the committee I move -

That the words "the rates of postage to be paid upon postal articles and," lines 1 and 2, be omitted. The clause will then relate to telegrams only. That will determine the issue as to postal rates, and the question of telegraph rates, if it is to be raised, can be dealt with later on. With regard to the disapproval of these regulations by Parliament, I find that it is proposed that Parliament shall determine the matter within fourteen days after the rates are laid before it. How is Parliament to do that? The time set apart for private members' business is taken up for weeks ahead. I notice that one honorable member alone has seven motions on the notice-paper, and there are ten Fridays taken up, so that it would be impossible to raise a discussion on the rates within the fourteen days' limit. It does not really matter much under the clause as it stands, because even if we have an opportunity of discussing the schedule, and say "no," unless the other House has also had an opportunity of discussing it, and also says "no," the scale remains. I think we should not make this notable change. I do not intend to go into the question of penny postage or twopenny postage, but I consider that the matter is one which should be determined by Parliament, and should not be left to be determined by the Executive at a time when, perhaps, Parliament is not able to deal with it.

Mr. HIGGINS(Northern Melbourne). This is a most important clause, from the point of view of the Treasurer, and to the taxpayers generally. There are practical difficulties which no doubt have induced the Government to adopt this proposal to leave the fixing of rates to the Governor-General. In the first place, during the first five years of the Commonwealth we cannot fix the same rates for the different States, and it would be impossible perhaps to prescribe within a schedule different rates for the different States without a great deal of cumbrous matter. At the same time, that is a good reason for making this a very much shorter Bill. I can see that if we are unable to make uniform regulations with regard to postage rates for all the States at present, we are also unable to properly make uniform regulations for other postal matters through out the States. ' If there were simply a Bill of one or two clauses prescribing that the rates and regulations of the States are to remain until further legislation, we should very likely achieve as much

good as this Bill will bring about. Still, I do not object to it. If the Government has taken the trouble to frame a Bill not prescribing uniform rates for the whole Commonwealth, we are bound to make the best of it. I should like to ask, however, -whether this first sub-clause enables different rates to be made for the different States ? &gt;

Sir Philip Fysh

- Coupled with clause 2, it does.

Mr HIGGINS

- I feel sure the Minister will make himself satisfied on the point. I never interfere with questions of drafting in committee unless there is a very glaring case,, but I have very grave doubts as to whether, when we give the Governor-General power to fix the rate of postage on postal articles,, we do not mean that he is to fix the rate of postage on all articles within his ken and jurisdiction. However, that can be put right if it is not so. The point with regard to the machinery for dealing with rates by this House has been well put by the honorable and learned member for Corinella. I do not think that the clause is workable. I think in the first place that to lay rates before both Houses of Parliament, and to require them to be dealt with within fourteen days is really no safeguard. It gives no practical power to the House. It is one of those 'devices which one often sees in Bills. It keeps the word of promise to the ear, but breaks it in real effect. It is a privilege given to the House which is no real privilege. We cannot condemn a scale of rates in fourteen days. Unless we are prepared to face the responsibility of having no rate for some particular postal article, we must leave it as it stands. The only power we have is to say that some one or more of these rates shall not stand. We should probably be told by the Minister that if we abolished the rates on newspapers, for instance, which were put down in the schedule, we should have no rates at all, and therefore we should have to leave it. We ought to have power to alter or vary the rate if we think fit. I think that perhaps the committee will hardly be prepared to accept the amendment, but some alteration should be made in sub-clause (2), which will give this House more power than is given it under the present wording of the clause.

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Sir PHILIP FYSH

- The honorable member for Corinella stated that the ' clause was a matter of taxation ;. but\* it is -not a question of taxation, but of services rendered ; and it is therefore not so necessary that it should be dealt with by both Houses as if it were a matter of taxation. I would like members of the committee to read in connexion with this clause the provisions of clause 2 of the Bill, which we have postponed. Under that provision the existing; postal rates throughout the various States are to continue, obviously for the reason that for a certain period it will be necessary that the States shall have some voice in controlling their own revenue ? Any alteration at the present time in the rates of postage in the State of Tasmania, which would put them on an equality with the rates in Victoria, would mean an immediate loss of £20,000 a year to that State. When the revenues of the post-offices in the different States shall be sufficiently buoyant to warrant the reconsideration of the rates throughout the Commonwealth, there can be little doubt that, whatever Postmaster-General is in office, he will be only too anxious to give the community the advantages of a uniform and cheaper rate. Judging from conversations I have had with the Postmaster-General and with Ministers, the purpose is to move tentatively for the first year or two of our Commonwealth experience, and, before making any great changes, see what the possibilities of our revenue are likely to be.

Mr Higgins

- Does the sub-clause mean that we are to have uniform rates ?

Sir PHILIP FYSH

- Not necessarily. I presume that as soon as the revenues of the post-offices in the various States assume something like an equal rate per head of population, and we are able to return to each something like an equal amount of revenue proportionately to population, fresh regulations will be framed, and then it may be hoped that a uniform rate will be established. Although we are going to have a uniform Tariff, it may be a revelation to some of us yet to discover the different contributions which each State may make per capita under a uniform Tariff. In this matter the first step is the framing of regulations. These are to be laid before, both Houses of Parliament, and if one House objects to them there the matter will end. But if they are not objected to within a certain time, they must be gazetted, and they do not attain the force of law until they are gazetted. As to the time during which they should be laid before the Houses of

Parliament for consideration, I might point out that in the Customs Bill fifteen days was considered sufficient, where a very similar proposal to this has already been agreed to by this branch of the Legislature.

Mr McCay

- This is a very much more important matter than ordinary regulations deal with. 11 m 2

Mr HUME COOK

- Is it not sufficiently important to require a separate Bill ?

Sir PHILIP FYSH

- That is an entirely new question. Some honorable members complain that the period fixed in the Bill is too short to enable Parliament to properly consider such regulation's, but honorable members should expect Ministers to act reasonably, and not to Gazette regulations on the fourteenth or fifteenth day, although they may have the power to do so, if there has not been time for their proper consideration by Parliament. If we fixed the post and telegraph rates in the Bill, we should require a schedule which would embrace all the rates of the various States, and under the circumstances it has been considered advisable to leave the matter for settlement by regulations to be framed hereafter.

Sir EDWARD BRADDON

- The honorable and learned member for Corinella lias, I think, misapprehended the meaning of the clause. The honorable and learned member appeared to think that silence on the part of one House would be sufficient to secure the adoption of the regulations.

Mr McCay

- Silence on the part of either House.

Sir EDWARD BRADDON

- No ; as I read sub-clause (2), it means that if neither House objects within the time stated the rates proposed will have the force of law.

Sir Philip Fysh

- That is the intention of the clause.

Mr McCay

- That may be the intention, but it is not what it says.

Sir EDWARD BRADDON

- If that is not what the clause says, some other language must be employed to give effect to that intention, because it is clear that a matter of this importance ought not to be relegated either to one House or the other. We should not intrust either branch of the Legislature with the power to undo or confirm what has been done by the Executive.

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Mr ISAACS

- There can be no doubt that under this clause one House, by being perfectly inactive, may pass a law. It is the only instance I know of where such a proposal has been made. It provides that regulations shall be framed fixing a scale of rates, and presented to Parliament, and, if either House - it may be this House or the other Chamber - simply sits still and does nothing, then, no matter what the other House does, the scale of rates shall have the force of law. I should strongly object to that if it were not that the result would in the end leave this House master of the situation. If the Governor-General framed a scale of rates and charges and presented it to Parliament, the Senate by doing nothing, might, notwithstanding the disapproval of this House, bring that scale of charges into law, but the Government might re-introduce the regulations, and this House might reverse the position. I should like, however, to see this matter dealt with by Parliament, and not left to be decided by mere Executive regulations. I hope the Government may see their way to adopt the suggestion of the honorable and learned member for Corinella, although, if they think that the exigencies of the case require that they should adopt the course propo'sed in the Bill, I will not go so far as to vote against it.

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Sir WILLIAM MCMILLAN

. - I do not think the Minister in charge of the Bill threw very much light upon the subject, and, certainly, he did not answer the main arguments of the honorable and learned member for Corinella. It seems to me that the clause will have to be reconstructed, because the matters dealt with should not be left to any

Executive. The question is one of public policy, and no matter of that kind should be dealt with by the Executive in the way now proposed. Supposing the Minister placed a schedule before the House on the first day of a session, how would it be possible to deal with it within fourteen days? The action of the Executive might in some cases involve extra taxation on the people. If we introduce the penny postage system, it will involve a loss which has been estimated at nearly £300,000, which would have to be made good out of the general revenue. Would any honorable member say that a loss of revenue which would involve taxation to such an extent ought to be incurred by any mere executive authority? I think that such an idea is preposterous. The House ought to have an opportunity of discussing such a matter under a separate Bill, and postal rates generally should be dealt with in the same way. Take the case of the newspaper rates. It will be a question for the House to consider whether postage should be imposed upon newspapers in those States where it has been given up. Furthermore, when the Budget statement is made, and we are trying to take a general view of the finances of the Commonwealth, this postage question will form a very important element, and it ought certainly not to be dealt with in a schedule placed before the House for its approval.

Minister for External Affairs

Mr BARTON

- I think that those honorable members are right who say that this is a clause which should not be assented to without mature deliberation, just as any rates or charges fixed under it should not be assented to without similar deliberation. The question, however, is whether there shall be an Act of Parliament for fixing the rates of postage to be paid on postal articles - the amendment leaves untouched the power given to the Governor-General in Council to fix charges, subject to the veto of Parliament, for the transmission and delivery of telegrams. The amendment therefore discloses at once an unevenness in policy, because it seems to admit that without damage to the public interests the Governor-General in Council may fix the telegraphic rates, but may not fix postage rates.

Mr McCay

- I explained that I made that distinction because I found that in several of the States the telegraph rates had been left to regulation, and whilst I was not sufficiently experienced in telegraphic management to know whether that was necessary or not, I thought that I knew enough about postal rates to realize that they should be fixed by Act of Parliament - especially as they are fixed by Act of Parliament in all the States.

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Mr BARTON

- I think I have followed the explanation of the honorable and learned member, but it leaves the matter of reason untouched. The matter of reason is this: - As we are making a Federal Act, why should we draw any distinction between postal and telegraph rates? Surely, if it is a matter of policy, as it is alleged to be, to fix the rates for services performed in the carriage of mails, it is equally in reason a matter of policy to fix the rates for services rendered by the Telegraph department. One can follow the reasons for drawing distinctions so far as the States are concerned, but we are now legislating upon a matter of federal policy, and the question for us to consider is this: There are places where these matters have hitherto been fixed by Executive order, and there are others in which it has been necessary, as in Victoria, to have an Act of Parliament. We have to ask ourselves - what is the position of the Commonwealth, vast as its ramifications are under the new order of things, and it seems to me that the balance of argument - admitting to the full the strength of what honorable members allege on the other side - is in favour of the course proposed in the Bill. I do not say that a modification may not be made in regard to the time within which a resolution of veto should be passed, but I think it is better to have the matter fixed as provided in the Bill, rather than to make it necessary to introduce an Act of Parliament for every change. The same principle applies to both postal and telegraphic rates, and if telegraphic rates can be changed by regulation, then we must cast about for some reason why we should not also change postal rates in the same way, so long as Parliament has its undoubted opportunity.

Sir William McMillan

- Is it not one defect of the proposed system that we cannot alter the proposal submitted to the House, but must take it or leave it? We could not vary the proposal as we could do under a Bill.

Mr BARTON

- There is an elasticity in the proposal to make these changes of rates by regulation, but I admit that there is a stiffness about it in so far as Parliament is bound either to take the regulations or leave them. Still, if the rates imposed by regulation should prove objectionable, Parliament can veto them, and the Ministry, who are, for practical purposes, the Governor and Executive Council, would derive from the debate in Parliament that support and counsel which they ought to have, in modifying the rates. The pressure on the Ministry and on the House in regard to changes of rates is always in the direction of reduction, and these reductions present two disadvantages. They may lead to extra taxation. For instance, if we were suddenly to introduce a system of penny postage throughout Australia, the loss estimated by the officials would be £295,000. That is perfectly true. But then a Government will not make a reduction of that kind unless it has the force of Parliament behind it to make a corresponding increase in the revenue to support the result of the reduction. Governments may be attacked for having deficits, consequent upon drought and other causes, but they do not purposely make deficits, because that means the loss of Ministerial office. The practical side of this matter is the real side. As the pressure always is in favour of reduction, and as the process of reduction is safeguarded by the necessities of the finances, it is better to leave things to the operation of that process than to require the passing of an Act of Parliament. And why 1 We all know the difficulties of legislation. Some honorable members have been pointing out a good many of them this afternoon. We know from our own experience how difficult it is very often to get a small Bill through. We know how a small Bill may be held back for three or four years waiting for an opportunity. I require an Act of Parliament in all these cases, the Government may retain the rates as high as their officials advise them to, without consulting Parliament, because until the Act is passed to make the reduction, the higher rate will still prevail. When we once consider between these two processes that an Act of Parliament involves delay, and that public opinion is generally in favour of the course of reduction, it is obvious that to insist upon the course of delay is to insist upon a process which is against public opinion. The better way is to give Parliament the fullest opportunity - -not necessarily 14 days, because I do not care whether the period prescribed is 14, 21, 28, or 42 days - of vetoing the proposed arrangement. This clause is carefully drawn in that respect, and the new rate will not come into force until the time has expired when Parliament can interpose. That interposition can be by the veto of one House. The honorable member for Wentworth shakes his head, but he has made an absolute mistake in regard to this question. One House can veto these rates, and, therefore, there is not too much authority given to the process of Executive regulation in the matter. The clause says -

If either of the said Houses does not, within fourteen days after such scale has been so laid before it, resolve that such rates and charges, or any of them ought not to come into force, then such rates and charges shall, when published in the Gazette, have the force of law.

The clear meaning of those words is that if neither House intervenes within fourteen days, then the rates and charges shall have the force of law. But, if either House does intervene, they will not have the force of law.

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Mr McCay

- That is not my reading of the matter.

Mr BARTON

- I do not wonder that the honorable and learned member for Corinella finds a difficulty in reading the Bill in a way that will not satisfy him. Either House possesses the power of veto. If either House resolves that the schedule shall not have the force of law, it will not have that force. But if neither House comes to a resolution within the time fixed, then, and not till then, will it have the force of law, after being published in the Gazette.' . That is the real position. I cannot see how any other meaning could be placed upon the clause. It is in furtherance of the popular tendency towards a reduction of rates, in which tendency I fully concur. I believe in a uniformity and reduction of rates to the fullest extent of the financial possibilities of the Federation, but that tendency will be frustrated if honorable members insist upon having an Act of Parliament to deal with this matter, whereas it will be facilitated if they allow the clause to remain in its present form, except as regards the period prescribed, concerning which I am prepared to support an extension.

Sir William McMillan

- The right honorable gentleman might say that of any policy.



Mr BARTON

- My honorable friend is confusing matters of taxation and matters of public service. These rates are for services rendered. No doubt it is a matter of policy to say how much shall be paid for the services. But the same thing might be said in regard to the fixing of the railway rates. We leave those rates to Executive determination, upon the recommendation of the Railways Commissioner. Then they are laid upon the table of the House, and if not vetoed within a certain time, they have the force of law. The fixing of the rates upon our railways affords a very fair parallel to this case, because the fixing of those rates is as much a question of policy as the fixing of the rate of postage ever can be. They are both matters of service. When we consider the way in which the railway rates have been left to the commissioners, that it has been a matter of Executive arrangement as to what those rates shall be - although they affect from day to day the final policy of every State in which they are charged - and when we remember that the absence or presence of a duty on a cereal importation, for instance, may be entirely strengthened or nullified by a railway rate passed with purely

Executive authority, it is apparent that we have been leaving very much greater powers to the Railways Commissioner than are proposed to be conferred under this clause. The rates upon our railways, whenever the Executive Council has given sanction to the schedule fixed by the commissioners, come into force with such limitations as are prescribed by the statutes. As that has been allowed with reference to matters of policy in connexion with the railway, which affect the rooted fiscal policy of the Governments of the States, surely there is conceded in that case a power which is no less than is asked for here. Why should we not treat this matter from the same stand-point, and in the same way? I believe this clause is better in its present form, but I am willing to make a concession with regard to the time which these rates must lie upon the table in order that there may be a perfect opportunity for either House to veto any rate which has been fixed by Executive authority.

Mr BRUCE SMITH

- I have listened with a good deal of attention to the speech just delivered by the Prime Minister. As a purely academic contribution to the discussion, I have every admiration for it. But as a practical answer to the objections offered to the clause, I consider that it has served no purpose whatever. We cannot ignore the fact that this is an attempt to arrogate to the Government power to alter the postal and telegraphic rates of the Commonwealth by regulation instead of by Act of Parliament. The right honorable gentleman sought to draw a parallel between the fixing of the postal rates and the fixing of rates of carriage upon the railways. I venture to say that there is no parallel whatever. The Prime Minister announced at Maitland that the Government were going to introduce a penny postage scheme throughout the Commonwealth.

Mr Barton

- As soon as the finances justified it.

Mr BRUCE SMITH

- He did not use those qualifying words.

Mr Barton

- I used them every time.

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Mr BRUCE SMITH

- The right honorable gentleman said to-night that when he announced at Maitland that the Government were going to introduce an old-age pension scheme, he qualified that statement. I invite him to show any qualification of that announcement in the report of his speech. I was one of the first to point out that if the taxation of this Commonwealth was to be confined to a Customs Tariff, it was impossible to carry out either of these proposals, because we have to collect £4 for every £1 which is really required. I also pointed out that the postal proposals would involve a further Customs taxation of £1,100,000. The Prime Minister knows that the Postal conference, after the most careful inquiry, reported that it would require £295,000 per annum to meet this extension of the penny postage system. The Prime Minister was there impliedly proposing to raise a further £1,100,000 through the Customs, if he really did not intend to resort to direct taxation. This clause is nothing less than an attempt to give to the Government the power to impose probably a further £1,100,000 worth of taxation upon this country by regulation, because the provision is quite unqualified. Every honorable member will admit that it is quite open to the Government

to lay upon the table of the House regulations extending the penny postage system to every part of the Commonwealth, and involving us in this estimated loss of £295,000 per year.

Mr Higgins

- Is that likely ?

Mr BRUCE SMITH

- I am not concerned with the question whether it is likely or not. I always notice that when honorable members are in office they are prepared to go to the utmost extent in taking power for their Government, forgetting that unprincipled men may come in from the Opposition side of the House and abuse the very power which they wish to take to themselves. I am against this power being conferred on any Government. Can any honorable member recall any instance in the history of any State Parliament in which a Government was authorized, I will not say to impose taxation, but to do anything which involved an expenditure of £295,000 a year - by regulation? No one ever heard of such a thing. The Prime Minister ingenuously confesses that it is so much easier to do this by regulation than by Act of Parliament.

Mr Barton

- The honorable and learned member knows that I was simply speaking of the time involved.

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Mr BRUCE SMITH

- That does not alter the force of my argument a bit. Why do we require a Bill to go through three readings ? Why do we require the Minister -who introduces a Bill to get leave to introduce it? We do so because we recognise that when an important principle is sought to be placed on the statute-book, it is necessary to put it through a number of stages in order to secure for it the fullest discussion and criticism. The Prime Minister does not want to introduce a Bill involving this expenditure of £295,000 a year. Is it not all the more necessary in a Parliament like this, whose members in some cases come a thousand miles in order to attend its sittings, that we should know that the Government intend to introduce a Bill involving this important expenditure - not a capital expenditure of £295,000, but an expenditure of £295,000 a year? It involves something further, because if it is part of the Government policy that we are not to have direct taxation, does it not mean that this is a power by regulation to extend the postage, so as to involve the collection of a further sum of £1,100,000 per year through the Custom-house? That seems rather a strange statement to make, but it is what the clause involves. We have been told from time to time that the Tariff will be limited so as to produce such an amount as is required by the Commonwealth for Commonwealth purposes. It is a very easy matter to add £295,000 to the debit side of the Commonwealth, and then to say we shall have to levy a further £1,100,000. These regulations would make an extension of the penny postage law. If the expenditure is incurred, Parliament must find the money to make it up, and it must raise £4 through the Customs for every £1 it requires to make good the loss. I claim a right, as a member of this House, to have so important a step as that put through the usual processes of an Act of Parliament. I desire to have due notice from the Government that the House is going to be asked for leave to introduce a Bill ; I desire to know when it is to be introduced; I desire to have an opportunity of speaking on the second reading; and, more important than all, I desire to have something more than a mere negating power in regard to such a matter. If these regulations are tabled, we can only say "No"; but if the proposal comes up in the form of a Bill, it can be modified and qualified in committee in such a way, perhaps, as to make it acceptable to the House. I object to government by regulation. The amount here is so large, and the principle so serious, that I will do my utmost to prevent the arrogating of this power to the Government by mere regulation.

Mr THOMSON

- I quite agree with the view put forward by the honorable member for Parkes, and I only wish to again draw the attention of the Prime Minister and of the Minister in charge of the Bill to the phraseology of subclause (2). I agree with the honorable and learned member for Corinella that it does not convey the meaning intended to be conveyed. It says distinctly that if either House does not resolve that such rates and charges ought not to come into force, then they shall have the force of law.

Mr Barton

- Are there not other cases in which a similar form has been used, and in connexion with which these horrors have not arisen ?

Mr THOMSON

-I cannot say that there are. "Where there has been an intention such as is intended to be conveyed in this Bill, greater care has been taken to make the words carry out that intention. The clause as it stands means that if either House does not resolve that the rates are not to come into force; then they are to have the force of law. I feel assured that the honorable and learned member for Corinella is right in his contention, and I would ask the Government to use words about which there can be no doubt.

Mr Barton

- I have not the slightest objection to putting it in this way - " unless one of the said Houses within so many days resolves that the charges shall not come into force," and so on.

Mr THOMSON

- I would not have risen if the Prime Minister had not seemed to be of opinion that the words conveyed the meaning intended.

Mr Barton

- They express what they purport to express, but at the same time I would rather accept an amendment, because it removes a difficulty.

Mr THOMSON

- If that is done I will accept the amendment, but I do not say that we shall accept the principle of the clause.

Mr A McLEAN

- If . I follow the Prime Minister correctly, I think his desire in putting forward this clause is to be able to effect a reduction in postal or telegraphic rates in the most expeditious manner. If that is his intention, it appears to me that a most unfortunate course has been chosen. Assume, for instance, that such regulations were laid on the table of the House this very day. Seeing that nearly the whole of the Fridays, so far as this session is concerned, are already monopolized by the honorable member for Tasmania, Mr. O'Malley, how would it be possible for any private member to bring a motion condemning the regulations before this House within the next two months? If the Government brought this proposal down by Bill, as I contend they should, they could carry it through all its stages in a very short time, unless Parliament was opposed to it. Parliament would then be able to deal with it with a full knowledge of the facts ; but if regulations were brought down and laid on the table, probably they would not be seen, or if they were, honorable members would not know the reasons which actuated the Government in framing them. Those reasons might or might not commend themselves to the House, but I think it is right that Parliament, in dealing with large questions affecting the welfare of the Commonwealth and the interests of the taxpayers, should be able to act with the full knowledge of what is being done, and the reasons for making the proposals. I quite agree with the Prime Minister that agitation outside is always in favour of diminishing the revenue. The right honorable and learned gentleman might have gone a little further and said that it is also always in favour of increasing expenditure. It is not always wise to give a Minister or any other individual, however honest he may be, power to deal with such important matters in this easy and accessible manner. If we adopt this proposal we shall simply reduce Parliament to the position of a registration society, for accepting or vetoing the proposals of the Ministry of the day, without being able to deal with those proposals in an intelligent manner, and with a full acquaintance with the reasons which actuate Ministers in bringing them forward. I hope the Prime Minister will give further consideration to this matter. Members on both sides of the committee are anxious to assist the Government, but we desire to pass legislation that will be creditable.

Mr Barton

- We will take a little more discussion, and then report progress.

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Mr A McLEAN

- I am glad to hear that, because I am sure that if the right honorable gentleman will give the matter further consideration, he will agree that. what is asked for by the committee is reasonable.

Mr REID

- I am very glad that the Prime Minister has agreed to adopt the course suggested by the honorable member for Gippsland, because it will be better even in the interests of the Government that he should do so. It would be a pit} if in connexion with a matter of such vast importance we were thrown into such a position that practically we could not arrest the course of the Executive without passing a vote of censure

upon them. What would be the position of the Government, if an honorable member occupying the position I hold in this House were to table a motion disapproving of the proclamation of a certain postal rate, and were to carry that motion? It would put the Government in a very serious position, and I say we do not want to have matters of this sort entangled in the fights between the different parties in the House. It would be a very different thing if it were a question of fixing a complex scale of rates for a great railway system. But the regulation of inland and town postage in the Commonwealth should be dealt with very simply and upon uniform lines. In such a matter the government can have only one desire - to meet the wishes of the great bulk of the people, and proposed rates should be submitted in such a way that the public would have a fair opportunity of understanding what they were. One of the advantages of legislation in its various stages, is that the great body of the public - outside have an opportunity of impressing their views upon the Government and the Legislature before an irrevocable step is taken. This is one of those matters in connexion with which there can be no possible antagonism between parties, and I strongly recommend the Government to reconsider their proposal. I should like to say that the gentleman who drafted this should have a special prize, and I point out that there is a provision in the Customs Bill which expresses what is sought to be expressed in this - clause, in this very simple way - But if either House of the Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, any regulation should thereupon cease to have effect.

Mr Barton

- I have been looking with a very great deal of preference upon that form.

Mr REID

- That is very simple, and no human being could misunderstand it.

Sir EDWARD BRADDON (Tasmania). - I quite agree with the Prime Minister's reading of this clause, but if we are to preserve it at all it can be greatly simplified by saying "if neither of such Houses" does so and so. I think the Prime Minister might see the desirability of inserting some such provision as this - "And such rates and charges or any of them shall not have the force of law until such Houses, have resolved that they shall come into operation."

That would be clear enough to remove the objection of several honorable members, and there is no doubt that this matter ought not to be left to one branch of the Legislature. I hope the matter will receive further consideration, keeping in view the determination that the regulations shall be approved, not by one House alone, but by both Houses.

Mr O'MALLEY

- The greatest acts of cruelty in the history of the world have been perpetrated under what are known as regulations. I am uncompromisingly opposed to the penny postage, because I look upon it as simply a measure to give relief to the wealthy at the expense of the poor. But let us suppose that after a champagne banquet with a few of our friends from Europe, there is a declaration that we should have a uniform penny postage. The proposal is brought down and I come into the House to oppose it. I would be shot the next day. I want this Parliament to be the mouthpiece of the people, to say whether we shall have a penny postage or any other thing which will contribute to their benefit or their injury. I take another point. We expect to make the papers in all the States pay newspaper postage; but supposing there is pressure brought to bear, as I have seen in America, to relieve these great financial institutions of their responsibility to this democratic Commonwealth. I have seen this done so often in America that I am going to oppose leaving it to regulation. I would say leave it to this Parliament, or else retire us, and say that we are simply to register the decrees of the Ministry.

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Monaro

Mr CHAPMAN

.- It has often been pointed out in New South Wales that, if we get a uniform Tariff there will be large surpluses there, and certain reductions may then be made in taxation. It seems to be extremely likely that the people there will look to the reduction of postage as one of the things that ought to be brought about. They will naturally say that, if in Victoria people can have their letters carried for a penny there is no reason why they should not have the same privilege. It seems to me that the power to make this reduction should be given in some way that will enable it to be made without our having to come down to

Parliament to ask for it. We can easily understand what would happen to a Government that would exercise this power in a way which Parliament would disapprove of. They would have to go across to the other side of the chamber. If we find in New South Wales, that as the result of the Tariff we have a surplus, we shall have the right to have our postage rates reduced, if we want them reduced. As regards newspapers, we should have an opportunity of putting our newspapers on the same level as those of the other States should the Government think it proper to impose a postage tax on newspapers? I believe I am in a minority, and that few members of the House will agree with me, but I hold the conviction very strongly that the newspapers of New South Wales ought not to be subsidized in the way they have been subsidized in the past.

Mr Thomson

- The honorable member will get support from New South Wales for that.

Mr CHAPMAN

- I know the support that can be expected from honorable gentlemen opposite, and the experience we have had of them does not lead me to believe that they would be in any hurry to impose this newspaper tax, because I have heard many of them declare that they did not believe it would be a proper thing to do.

Mr Reid

- Then this clause is intended to go behind the back of Parliament?

Mr CHAPMAN

- I do not know what the design is. The right honorable gentleman is so used to designs that he suspects some particular design in this case. In New South Wales they expect to have a surplus when the Tariff is passed, and the people will demand that there shall be an alteration made somewhere, so that the burden of taxation may be lessened, and it appears to me that some provision ought to be made under which New South Wales newspapers can be placed on the same footing as the newspapers in other States. We have to bear in mind that in New South Wales the State Government have expressed the intention to send in to the Postal department an account for the carriage of newspapers on the railways, and I ask whether we are prepared to pay such an account out of the pockets of the taxpayers generally?

Progress reported.

PAPER

Mr. BARTON laid on the table

A letter from Dr. Maxwell, Director of Sugar Experimental Stations in Queensland, in answer to certain questions upon which he was asked to report; and other correspondence on the subject.

Ordered to be printed.

ADJOURNMENT

Order of Business. Recruiting for South Africa. Federal Capital Site

Minister for External Affairs

Mr BARTON

. - I move -

That this House do now adjourn.

I may mention that we shall go on tomorrow with the Post and Telegraph Bill, as the principal business, I hope, for the whole sitting.

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Mr MCDONALD

- There is a small matter which I think ought to be cleared up as soon as possible, because the Prime Minister is involved in it to some extent. Honorable members will remember that, a little while ago, I asked if it were true that the Government were allowing certain officers to recruit men for South Africa. In this afternoon's Herald I find it stated that -

Mr. Barton's attention was attracted by a paragraph in the Age to-day, intimating that Mr. Haynes had questioned the Premier of New South Wales as to the authority upon which Major Thomas, one of the returned South African soldiers of that State, was recruiting soldiers for South Africa. Mr. Barton, having already clearly declared that he will allow no recruiting, although he will not put obstacles in the way of any returned soldiers going back to South Africa, was naturally much annoyed at the action of Major Thomas, and he sent for Captain Collins, Secretary for Defence, and asked whether his wishes had been

made known to the commanding officers of the various States. Captain Collins informed Mr. Barton that the commanding officers had been so communicated with, and Mr. Barton cannot therefore understand why Major Thomas should have taken it upon himself to recruit men for South Africa. Mr. Barton said to-day that Major Thomas would be at once stopped, and he added that he was glad to know that his attitude on the recruiting question was agreed in by the Premiers of the States of Victoria and New South Wales.

I do not know whether this statement is true or not, but I understood from what the Prime Minister said the other evening, that while he would put no obstacle in the way of men being recruited for South Africa, no men would be recruited with the approval of the Government.

Mr Barton

- That is what I said, and that is what I told the press again to-day.

Mr McDONALD

- I am glad to hear that statement from the Prime Minister, because I have here a copy of an extraordinary advertisement which appeared in the Western Australian of the 8th instant. The advertisement is as follows : -

Commonwealth of Australia.

General Order.

Head-quarters, West Australian Military Forces,

Perth, August 6th, 1901.

The Right Honorable the Prime Minister of the Commonwealth desires to intimate that members of the returned contingents may return to South Africa on the troopship Britannic, on the following terms, namely: - (a) Service for the term of one year in the country ; (b) they must be in possession of a medical certificate from a military medical officer that they are fit for service in the field ; (c) they must proceed to port of embarkation at their own expense ; (d) they must pay 1s.6d. a day for messing while on board the transport ; this is required to be paid in advance to the master of the ship. Members desirous of accepting these terms, and of proceeding to South Africa, should send in their names without delay to the Military Office first, specifying what particular corps they wish to join, or whether they wish to engage for general service. The State Government will bear no expense in this respect;

By order,

A. CAMPBELL,

Major,

Chief Staff Officer.

What I wish to point out is that here on the one hand we have the Government denying that they are in any way countenancing the recruiting of men for South Africa - and I understand the Prime Minister has already given orders that recruiting shall not be carried on - and yet, in spite of the order issued by the Prime Minister, recruiting by his Government has gone on.

Mr Barton

- No ; there has been no recruiting by this Government.

Mr McDONALD

- Here is the advertisement issued in the name of the Prime Minister.

Mr Barton

- There has been no attempt at recruiting by the Government.

Mr Crouch

- Was Major Campbell authorized to use the name of the Prime Minister?

Mr Barton

- Absolutely no.

Mr McDONALD

- If Major Campbell has taken upon himself to recruit these men without authority he should be immediately dismissed, or else the Government should take the responsibility of his action.

Mr. Reid. - We may be sure that some superior authority has directed him to put that in.

Mr McDONALD

- What we want to ascertain is, who has given the order for the insertion of this advertisement? Was it the Minister of Defence, who has been over in Western Australia recently, with guards of honour attending

upon him? Was the order issued by him, or have the military authorities taken it upon themselves? I think this little matter ought to prove a great warning to us, in dealing with the Defence Bill, to be careful as to the authority which we give to these military gentlemen. I think that the Government are to a very large extent responsible for this advertisement, but if they do not consider themselves responsible, I hope they will take the proper course, and deal with the officer who caused it to be inserted in the paper. I thought it was only fair to the House and the country that this matter should be brought forward at once, because the sooner it is dealt with the better.

Mr REID

- I would suggest that the Prime Minister should make some inquiry, because the matter is put in a most definite way, and perhaps he will be able to give us some information to-morrow afternoon.

Mr CONROY

- I wish to ask the Prime Minister whether his attention has been drawn to the utterance of the Minister for Home Affairs, in which that gentleman declares that Albury ought to be the site selected for the federal capital.

Mr Barton

- I have not seen any statement of the kind.

Mr CONROY

- I should advise the Prime Minister to look at it.

Mr Barton

- Where is it to be found?

Mr CONROY

- In the Argus of Monday last.

Mr Barton

- The probability is that it is an incorrect statement. The Minister has denied having made it, I understand.

Mr CONROY

- I should like a denial from the Minister for Home Affairs.

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Mr Barton

- The honorable and learned member had better wait till the Minister comes back then.

Mr CONROY

- As the Constitution Act contains a provision that the capital is to be not less than 100 miles from Sydney, it is evident that the people of New South Wales have a right to have it established as close to Sydney as possible. It would be entirely departing from the spirit of the Constitution if the capital were located at any place in respect of which Sydney would not be the centre. The Minister for Home Affairs ought not to make a statement concerning this matter before honorable members have had an opportunity of visiting the sites suggested.

Mr. BARTON(Hunter- Minister for External Affairs). - The fairness of this last attack is quite characteristic, and I need say no more than that. The Minister for Home Affairs is absent, and cannot be back for a day or two. Yet he is attacked upon some chance newspaper statement when no denial can be afforded by a member of the Ministry. Honorable members know how they would like to be judged by the statements which are made about them in the newspapers, but yet some chance statement is put forward for the purpose of discrediting a Minister during his absence. As to the other matter, I have said, and say again, that the Government have throughout refused to take any part in recruiting, or in authorizing any of their officers to recruit, men from South Africa. They have taken the position that, if further men are required, they should have official intimation of that fact from another quarter before considering the matter. They have not recruited men, neither have they authorized any one else to recruit them. I see this advertisement for the first time. I shall make inquiry about it. But the position of the Defence department in regard to this matter was explained by me the other night, when I stated that we would not take part in any such recruiting, and that we did not authorize it, but that we could place no obstacle in the way of returned soldiers - to whom this advertisement refers - as free citizens, returning to South Africa if they conformed to the ordinary conditions of the transport officer of the Imperial Government. Whether this advertisement has been inserted as the result of my having made that statement I do not know.

Mr BRUCE SMITH

- Is Major Campbell an Imperial officer ?

Mr BARTON

- No; he is the chief staff officer. But I shall not take precipitate action. I shall take care to find out whether any officer has acted as the result of a mere mistake, or has unwarrantably assumed authority. If the latter proves to be the case it will be a very serious matter ; but if, on the contrary, he has made a mistake, he will have to be dealt with more lightly. I shall make the inquiry to enable me to take the necessary action.

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22:51:00

House adjourned at 10.51 p.m.