

settled with the utmost care by the able and numerous officers of the various Departments before whom it went before it passed the Cabinet. Now, sir, I agree with Mr. O'Shea, the Wellington City Solicitor, in saying that this Bill goes very much further than any existing legislation, and I say that without fear of contradiction from any lawyer to whom this matter may be submitted. It has been suggested that there is provision in the Municipal Corporations Act, section 372, which gives the power that is sought to be obtained by the Bill now before the Committee; but it is only necessary to read section 372 to refute that suggestion. Section 372 says, "If in the opinion of the Governor the Council wilfully refuses to act in the performance or exercise of the duties or powers respectively reposed and vested in it by or under this Act, or in the like opinion substantially so refuses to act, the Governor may make such provision as he thinks fit for the due performance and exercise of such duties and powers either by himself or any other person." This Act is the Municipal Corporations Act, and has nothing whatever to do with the Tramways Act. I wished to read that section merely to refute the suggestion that has been made that the power proposed to be conferred on the Minister by the present Bill is already given whether the tramways be owned by the Council or any other person or authority to whom or to which they have been delegated. The Public Works Act gives fairly wide powers, but sections 213 to 218, to which reference was made this afternoon, do not go so far as the present Bill. What may happen under the present Bill? Under section 2 of the Bill "The Minister of Public Works may from time to time authorise any proper person to inspect any tramway, whether in course of construction or open for traffic, and the rolling-stock used or to be used thereon, and the plant, appliances, and machinery used or to be used in connection therewith. If such person reports that any alterations, repairs, or additions to the said tramway, rolling-stock, plant, appliances, or machinery respectively are necessary in order to insure the safety of the public or employees"—to that extent not very much exception can be taken; but the Bill goes further and says, "*or to meet the reasonable requirements of the traffic*, the Minister may order such alterations, repairs, or additions to be made accordingly." Now, sir, so far as the company is concerned—and I am not concerned at the present stage with the points taken by the Wellington municipality here to-day—I venture to submit that it is going too far to leave it to the delegate of the Minister to say what is required *in order to meet the reasonable requirements of the traffic*, because then section 3—you must read section 3 with section 2—goes on to give the Governor all sorts of powers to make regulations, there again providing not only for the safe but also the *convenient* working of the tramway; and any regulations so made which may conflict with the provisions of the Orders in Council (which Orders in Council, as I say, have been relied upon by the tramway-owner, who has spent large sums of money) are to abrogate the provisions of the Order in Council. Now, sir, to whom in the ordinary course would the discretion of the Minister be delegated? Presumably to the Engineer-in-Chief. I am not going to say a word—because I do not believe a word can be said—against the present Engineer-in-Chief of this Dominion; I cannot say, and would not say a word against his capacity, his honour, his integrity; but what I do say is this, that the Engineer-in-Chief is not, so far as I know, a gentleman who has had experience with regard to electric tramways. In this connection perhaps it is appropriate to say just one word with regard to the *personnel* of the Commission which dealt with the question of brakes some year or fifteen months ago. Mr. Holmes was one of the members of the Commission, and the other member was Mr. Richardson, another upright and honourable man and a capable electrical engineer, but a gentleman who, as he admits himself, has had no experience whatever with regard to electric traction except the experience of four years which he has seen in the service of the Wellington tramways. Is it fair, then, that either the Minister or any one person to whom he might delegate the matter should—because this is what it comes to—have the right to be able to dictate to the owners of tramways, and to dictate to them in such a way as that, if they do not accept the dictation, the whole of their Orders in Council are in jeopardy, and may be revoked by the stroke of a pen? That is what it appears to me this Bill means. Now, sir, I propose just to say a few words in order to show that, so far as the Auckland tramways are concerned, if it is only the brakes question that is in issue, this Bill is not necessary. The position with regard to the question of the brakes in Auckland is this: The Auckland tramways are but about eight years old, and at the time these tramways were constructed Mr. Richardson, who gave evidence to-day, admits that the brakes that were installed were considered to be as good as any brakes which were then in existence. After the short period of eight years it is suggested that those brakes should be altered. Now, sir, the Auckland Tramways Company is prepared to alter its brake system, not because it admits the contention that the brake system is inefficient, because we say it is not inefficient—we say that the brake system up there is perfectly efficient if properly used—but, sir, we admit this: that in order to work the brake system in Auckland more energy and more work is required than is required to work either the air system or the magnetic system. Now, Mr. Richardson has said that in his view the magnetic brakes are the best brakes; but Mr. Richardson has also said with perfect frankness and candour that opinions upon that question differ, and that there are many engineers of standing who hold an opinion quite different from his own. I have no doubt that there are a great many engineers who will tell you, sir, that the air brake is the very best, and I understand that the motormen in Auckland would be quite satisfied with the air brake. Now, the Auckland Electric Tramways Company is prepared to instal the air brake, and has been prepared to instal it. I do assure you, sir, because I know this of my own knowledge, having had an opportunity of conferring upon this very point with the chairman of directors, who was in New Zealand in January last, that the question of brakes has been the subject of the most careful consideration by the directors of this company, and, while they consider that their system is perfectly efficient, they recognise that there is a good deal to be said in favour of the contention of the men that the work ought to be made, having regard to the safety of the public and the convenience of the men, as light as possible for the men, and we are prepared to instal the air brake; but, sir, a matter of this kind cannot be settled in a few