

days, and it cannot be settled in a few months—the matter requires the most careful consideration. The expense of putting in a new brake system is going to be some £10,000 or £12,000, and we do not want to put in a system of brakes to-day and have the Minister or any engineer coming along in twelve months hence and telling us we have to spend another £10,000 or £12,000 to put in a different system of brakes. Now, sir, what we did was this: We ordered a couple of sets of air brakes for the purpose of experimenting. They came out to New Zealand and they were tested; and it was also arranged to obtain a couple of sets of Freund brakes, and it was thought they were on their way, but it turned out they were not, because they could not be obtained at the time. The company also later ordered seventeen more sets of air brakes. In the meantime the tests with the two air brakes were being conducted in Auckland, and from some expression of opinion which was given to Mr. Walklate by Mr. Holmes, the Engineer-in-Chief, Mr. Walklate came to the conclusion that these air brakes would not be considered satisfactory, and he cabled Home stopping the other seventeen sets of air brakes. We were prepared to instal these air brakes and get sufficient other sets as soon as we could install them on our cars. Now, sir, have we been contumacious? It is all very well to listen to *ex parte* statements, but both sides have to be heard. I quite admit that there is a certain amount of prejudice in the public mind against the Auckland tramways because they are not owned by the municipality; but this company has spent a large sum of money, and is entitled to the same consideration as any municipality or anybody else, and I hope to be able to show by the evidence of Mr. Walklate that this company has not been contumacious, but that the company has always been prepared to do the right thing, and has tried to work amicably and harmoniously with its men and with the Public Works Department; and I submit with great respect that, if I am able to show that, then I have shown that, so far as the Auckland Tramways Company is concerned, this Bill is not required. This Bill goes a good deal further than dealing merely with the question of brakes. To carry the matter to its logical conclusion, though it may be suggested that I am carrying it to a *reductio ad absurdum*, supposing this Bill passes, what is there to prevent the Minister from coming along and altering the gauge of the tramway? What is there to prevent the Minister from coming along and completely nullifying the whole of the Orders upon which the tramway has been constructed, and making the tramway a valueless concern? I do not suggest for a moment that such a thing would be done by the present Minister—and I am not saying that because he is here—for we recognise that he is a practical and fair-minded man; but, sir, that is not the point to be considered. The possible effect of the Bill is the matter that has to be considered, and I submit that, unless a very cogent case is shown, Parliament should not be asked to pass a Bill which possibly might have such serious effects as I submit it is clear might result from the passing of a Bill such as that which is at present before this Committee. Now, sir, something has been said about the number of accidents on the Auckland tramways, and something has been said about a man being ruptured, and no doubt the member of the Committee who made that statement will question Mr. Walklate upon that point, and he will be able to reply to the question fully. Then something has been said about the number of accidents on the Auckland tramways, and the possibility of a car running away. Now, sir, during the eight years that this system has been at work in Auckland no tram-car has ever run away. There was one disaster—namely, the Kingsland accident; but, sir, that accident was due, it may be said, to the car running away, but running away not because of any deficiency in the brake system, but because the motorman completely lost his head; and I do not care what system of brakes you have, a motorman may lose his head, and even lose his head under the best possible system. The system of brakes in operation in Auckland will be explained to the Committee by Mr. Walklate, and therefore I do not propose to go into detail upon it; but I do say this: that some effect should be given to the opinion of a man like Mr. Walklate on the question of brakes, because I suppose there is no man in New Zealand who has had the experience of electric tramways that Mr. Walklate has had. He is a gentleman of about twenty years' experience in the United Kingdom, and one of the oldest tramway engineers in the British dominions; so that his opinion upon the question of brakes or upon any other question relating to electric tramways is, I submit, entitled to a very great deal of weight and consideration. I do not propose to take up the time of the Committee unnecessarily, but I desire to add this: that, as I am instructed, the Auckland tramways carry throughout the year from thirty to thirty-five million people, and, having regard to the number of people they carry, the number of accidents, although greater in Auckland than elsewhere in New Zealand, is not very great in proportion; and so far as I know it cannot be shown that any accident that has occurred has been caused by any deficiency in the brake system. There is one point to which I wish to refer—namely, the power of revocation of the Orders in Council. As the law stands at present, as far as I know, the only power which the Governor in Council or the Minister has to revoke the Order is the power which is given by the Order in Council itself. There are very wide powers, as I have said, with regard to tramways in the Public Works Act; but the only power to revoke the Order, so far as I know, is in the Order in Council itself, except the power which is given by the schedule to the Tramways Act; but that power is not a power that may be exercised by the Minister except upon the application of the body which obtained the authorising Order. The Minister said something this afternoon about the power to cancel an Order in Council; but I think what the Minister is referring to is the general power that the Governor has to revoke or cancel an ordinary Proclamation. I do not know of any power except the power given by the authorising Order that either the Governor in Council or the Minister has under the present law to cancel an Order in Council granted under the Tramways Act. Now, these authorising Orders, as I said before, are supposed to be settled by the Departments concerned with very great care, and the Departments are concerned to see, and are supposed to see, that the safety of the public is properly protected, and that the Order is hedged round with all sorts of proper conditions. That, sir, is done, and, as I have said before, when I am asking for an authorising Order I do not complain of that, because it is proper that