

it should be done. Now, sir, not only is this Auckland company properly hedged round with conditions and restrictions under the Order in Council, but it is also hedged round with additional conditions and restrictions under the agreement or deed of delegation from the local authority to itself. Its cars have to conform to the by-laws, and the local authority—the City Council—has ample power to see, as I read the document, that the equipment of the cars is kept up to date. If this Bill is passed, the Auckland Electric Tramways Company or any delegate will be, if the language is not unparliamentary, between the devil and the deep blue sea. The Minister would have very wide powers under the Bill, but how is that going to affect the company, and how is that going to affect the company's relations with the City Council? I merely mention this because we all desire, I have no doubt, to be fair, and to see that the delegate is not prejudiced by any amendment of the Tramways Act; and I do say, sir, that any legislation for the amendment of the Tramways Act requires a great deal more consideration than has been given to this Bill now before the Committee. The draftsman of this Bill has not had in his consideration any question of the terms of a deed of delegation, and I am quite sure if that matter were mentioned to the draftsman he would see that the matter is one that requires careful consideration. I just want to say this in conclusion: that I desire to renew the application I made when I spoke at the commencement of the proceedings this afternoon. I say, sir, that there has been no reasonable opportunity during the short time at our disposal to bring the evidence before this Committee which ought to be brought in the interests of this company. Mr. Walklate tells me that he would have no difficulty in obtaining evidence of competent men from other parts of New Zealand with regard to some matters which are involved in this inquiry; but, as you know, sir, there has not been time to do anything of the kind since this Bill was introduced or since it was announced that it would be referred to a Select Committee. Who knew it was going to be introduced this session, and so late in the session? It was only announced yesterday that the matter would be referred to a Select Committee, and it was only a few days ago that the Bill was introduced at all, and I do submit with all confidence that there is no time during the few hours at the disposal of Parliament at this stage of the session to properly consider this matter in such a way as will do justice to all parties concerned. Furthermore, Christchurch and Dunedin and the other municipalities have not had an opportunity, and have not had time, to present their views to this Committee; and I do submit, sir, that it is not necessary to hurry this legislation through if the only *raison d'être* is the question of brakes in regard to Auckland, because I say, if it is a question of brakes, the company want to know, will the Department accept the air brakes? If so, those brakes will be obtained with the utmost despatch and installed with the utmost despatch. If it be asked that we should install the magnetic brake, then Mr. Walklate will tell this Committee that he, as a tramways engineer of twenty years' standing, could not see his way to install the magnetic brake upon the Auckland system, because he says it would not suit the Auckland conditions, and he will take the responsibility of telling you, as an engineer of twenty years' standing, that the most serious accidents, so far as cars are concerned, at all events, have been to cars that are fitted with the magnetic brake. If it is a question of the air brake, that will be installed at once; but we want to know whether that brake is approved by the Department. I do not know that I can say more at this stage, but I do beg of this Committee, having regard to all the circumstances, to report that the Bill ought not to be proceeded with this year, especially in view of what I say and of the undertaking that Mr. Walklate will give if he is asked, and because I say, sir, that I am not in a position at this stage to do justice to the case of the Auckland Tramways Company. I have had scarcely twenty minutes' conversation with Mr. Walklate since the Committee rose this afternoon, and that is the only opportunity I have had of seeing him. We have not had an opportunity of arranging for any other witnesses to attend, or of communicating with them, and those things cannot be done in the time. No Court in the kingdom would force an action on under such circumstances as these, and surely the High Court of Parliament ought not to do that which no Court in the kingdom would do: and in face of what I say that the company is prepared to do, I submit, when I also tell you that I cannot do justice to the company's case at this short notice, and neither can the company, that this Committee ought to report that the Bill should not be proceeded with this session. If the company does not take steps within the next six months before Parliament meets again to arrange with the Department to install these brakes, then I say, let the Bill be introduced again. Supposing the Bill passes, the brakes could not be installed in less than six months, and, if that is so, then what harm will be done by postponement, especially when I tell you, and Mr. Walklate will tell you, that we are prepared to proceed with the air brake if it is approved, and, if not, with some other feasible brake which is approved. I do not propose to take up the time of this Committee any further except to say that if there are any questions I can answer I shall, of course, be glad to do so.

1. *Hon. Mr. R. McKenzie.*] Can you inform the Committee what power the Crown has got to enforce the conditions of the Order in Council short of revocation?—The only power is by fines or penalties and revocation.

2. No other power?—No, sir. The only powers are by fines and revocation, and, in certain cases under the Tramways Act, by preventing the cars from running.

3. I think you said the present brake system in Auckland was efficient and perfect?—No, I did not say "perfect." I said that in the opinion of the company it was efficient. No brake system is perfect. In the opinion of the company it is efficient, but the brakes require more energy to apply them than some other systems.

4. Can you tell us why there should be thirty people killed in Auckland as against eight in Dunedin and Wellington?—That is not a question I am prepared to answer, but no doubt Mr. Walklate will be able to answer it.

5. You said there was nothing to prevent the Minister coming along and altering the gauge of your tramways?—I said that was possible if this Bill passes.