

38. *Mr. Graham.*] The institute was never consulted?—I never said anything about the institute being consulted, but the institute knew all about the business apparently because it opposed the clause. It did not ask the Minister or the Department for the reasons for the clause.

39. *The Chairman.*] Did the institute oppose the clause after the Bill was circulated?—I do not know about that, sir. The clause was struck out, but I do not know why. The Department had no information and never heard anything about it.

40. Can the Committee have reasons why the Department requires this clause?—If the Minister likes to tell the Department that it can give the information to the Committee the Department has no objection to giving it. It is a matter for him to decide.

41. *Mr. Ross.*] Do you know, Mr. McVilly, if it is the intention of the Department to bring down an amendment of the Government Railways Act this session?—I cannot say: that is a matter for the Minister.

42. And in the event of an amendment being brought down would the Department be desirous of having a similar clause to the clause in the Amendment Act, No. 2, of last session?—So far as the Department is concerned it considers it is desirable that this clause should be introduced in any Bill that is passed, but the decision as to the inclusion of the clause is a matter for the Minister and Cabinet—it is not my business.

43. I think you told the Committee that under the Act of 1907 Stationmasters in the lowest-grade stations would go up to £200 a year?—Under the Act of 1907—the present Classification Act—Stationmasters go up to £200 a year. That is the maximum pay of the bottom-grade stations.

44. Are you aware of any cases where the Department has declined to give Stationmasters in that grade the promotion to the maximum amount—namely, £200 a year?—Not unless it has been through punishment for some offence. The £10 increment might be stopped if a man committed a serious irregularity.

45. If I told you there are cases, would you say I am not correct?—Yes, I should question it. I should want the cases mentioned, and I should be very glad to look into the matter. I have no doubt if I had them looked up I would be able to give a satisfactory explanation as to the reasons; but if the question is in the direction of implying that men who ordinarily ought to go up to £200 and are satisfactory are not allowed to go up to £200 a year, then I say that is incorrect. If you will give me any specific cases I will be glad to go into them and give the Committee all the information.

46. You say emphatically that in no instance has a Stationmaster in a lower grade been prevented by the Department from reaching £200 a year?—I said, provided his conduct was satisfactory.

47. In other words, it is an admission on your part that under certain conditions it is quite possible for a man to remain at that station and receive only £180 a year?—No, I think not, unless a man's conduct was unsatisfactory. If a man's conduct is unsatisfactory then he would be punished: I have said that already. He might have his increment withheld for one year at £180 or it might be withheld at £190; but ultimately the man would go up to £200 as soon as he had expiated his offence.

48. Then departmental officers could override the Act under a pretence?—There is no question of pretence at all. The departmental officers do not override the Act, and if you have got in your mind any particular instance which justifies a question of that kind and you will give me the instance, I will look into it, and I have no doubt I will be able to supply a satisfactory reason for the action taken by the Department.

49. As a matter of fact, seeing this clause 10 in the Government Railways Act, 1910, suggested to me cases of the kind I have been speaking of?—As a matter of fact it was nothing of the kind—it was suggested for generous reasons, if you want to know particularly, and not, as you seem to imply, for the purpose of filching from somebody something they are entitled to under the Act.

50. But you are not prepared to tell the Committee the reasons?—If the Minister of Railways tells me I can enlighten the Committee I will do so, and I have no doubt when the Committee have heard the departmental reasons they will see that the Department is prepared to do the generous thing.

51. *The Chairman.*] I think the Committee ought to have the reasons of the Minister for including this clause in the Bill?—It rests with the Minister.

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TUESDAY, 10TH OCTOBER, 1911.

RICHARD WILLIAM MCVILLY further examined. (No. 35.)

1. *The Chairman.*] We had just disposed of clause 18 on Friday, but in answer to a question by Mr. Ross I understand you have looked up some information that Mr. Ross asked about?—Yes. Well, sir, I think the case was that of an officer in charge of a station at £180 a year, whereas the maximum of the class was £200. Mr. Ross asked if I knew of any case. I could not at the time recall the matter to mind. Subsequently the name was given to me, and I then remembered the whole circumstances, which are briefly as follows: The officer concerned was in charge of one of the small stations on the main line, and he was not recommended for promotion for several years. The maximum pay of the station at that time was £180—that was the top of the old grade 9, now grade 10. The officer was very much concerned because he considered he was being passed over unfairly, and, as a result of frequent representations he had made to his local Manager, a favourable recommendation was ultimately made in respect to him. An opportunity for promotion subsequently presented itself, and he was transferred from the station where he was receiving £180 a year and placed in charge of a station which carried a pay of £190 to £220. Almost from