the same time he refused tc be led by the nose by the member who accidentally represented the Swan: he believed the hon. member represented a minority in that constituency. He would be glad if the Attorney General would give the Committee some kindly advice as to this clause. He did not believe that the Premier, the member for East Coolgardie (Mr. Moran), or himself deserved to be burlesqued in the manner in which they had been by the member for the Swan. The only member who was burlesquing was the member for the Swan, who went out of his way to insult people. The member for East Perth (Mr. James), who was looked upon as the leading democrat of the House—the member for the Swan could not "drop" him—was conspicuous by his absence when a Bill affecting his constituents was before the Committee.

MR. CONNOR: This Bill required more discussion. The members who had spoken to it said there were some clauses that required further debate, and there were some clauses which perhaps should not be in the Bill. He moved that progress be reported.

Motion put and passed.

Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 10·20 o'clock until the next day.

Legislative Assembly,

Thursday, 25th October, 1900.

Question: Dredging at Fremantle—Leave of Absence—Streets Closure Bill (Victoria Park), first reading—Perth Electric Tramways Lighting and Power Bill, Report on Standing Orders—Public Service Bill, Council's Message—Patent Acts Amendment Bill, in Committee, reported—Leederville Tramways Bill, second reading, in Committee, reported—Fremantle Tramways Bill, in Committee, reported—Annual Estimates, postponement—Goldfields Act Amendment Bill, second reading, in Committee *pro formâ*—Noxious Weeds Bill, second reading, in Committee, reported—Killing of Kangaroos for Food Bill, second reading, in Committee, reported—Lands Resumption Amendment Bill, second reading, in Committee, reported—Kalgoorlie Tramways Bill, second reading (postponed)—Health Act Amendment Bill, in Committee, progress—Criminal Law Amendment Bill (protection of females), second reading—State Aid to Manufacturers Bill, discharge of order, Statement by Minister—Police Act Amendment Bill, postponement (Division)—Cottesloe, etc., Electric Lighting and Power Bill, Report adopted—Council's Resolution: Railway towards Norseman, to construct 25 miles, Speaker's ruling (out of order)—Motion: Railways, Control by Commissioners, debate further adjourned—Adjournment.

THE SPEAKER took the Chair at 4·30 o'clock, p.m.

PRAYERS.

MOTION—DREDGING AT FREMANTLE.

MR. SOLOMON asked the Director of Public Works: 1, What is the cost per yard of silt raised by the dredge "Governor" and discharged into punts, which are towed out by the tug "Pelican," and deposited outside the North Mole, Fremantle, at present time. 2, What was the cost of silt raised by the same dredge and discharged outside the North Mole without any assistance from punts or tugs.

THE DIRECTOR OF PUBLIC WORKS replied:—1, The average cost at present is 5·14d. per cubic yard, of which 4·38d. is for working expenses, and 0·76d. for depreciation and interest. 2, The average cost formerly was 3·92d. per cubic yard, of which 3·47d. was for working expenses, and 0·45d. for depreciation and interest. Although the cost is geater with the use of barges, the average amount of work done per week is very much larger, and therefore the completion of the work is hastened accordingly.

LEAVE OF ABSENCE.

On the motions by the PREMIER, leave of absence for the remainder of the session was granted to the member for

Dundas (Mr. Conolly), on the ground of military service in South Africa; to the member for Coolgardie (Mr. Morgans), on the ground of urgent private business; and to the member for Wellington (Hon. H. W. Venn), on the ground of urgent public business.

On motion by Mr. Illingworth, leave of absence for one fortnight was granted to the member for Albany (Mr. J. F. T. Hassell) on the ground of urgent private business.

STREETS CLOSURE BILL (Victoria Park).

Introduced by Mr. Wilson, and read a first time.

PERTH ELECTRIC TRAMWAYS LIGHTING AND POWER BILL (Private).

REPORT ON STANDING ORDERS.

Mr. Moorhead brought up the special report of the Select Committee appointed to consider the question as to whether the Standing Orders of the House had been complied with in the promotion of the Bill.

Report received and read, to the effect that the Standing Orders had been complied with.

PUBLIC SERVICE BILL.

COUNCIL'S MESSAGE.

The Legislative Council, having amended the Bill by striking out Clause 19 (compulsory insurance by public servants) and the Assembly having disagreed to the amendment, a message insisting on the Council's amendment was considered.

IN COMMITTEE.

The PREMIER moved that the Council's amendment (striking out the clause) be agreed to. The clause had been inserted by this House at the instance of the member for Toodyay (Mr. Quinlan), and the Government considered it a good clause, which would be for the benefit of the civil service, enabling as it did the public servants to make some provision for a time when they would be no longer able to work. The Council, however, did not seem to think it well to accept the clause, considering that such a provision should be included in a more comprehensive measure to deal with State insurance generally. He did not think the clause, if allowed to remain, would work any hardship, though he did not feel strongly on the point. Indeed a medical examination would be necessary in the future, when rules were made under the Bill for admission to the civil service, in the same way as prevailed in every civil service he knew of; and such a medical examination would not, he thought, be quite so strict as an examination for ordinary insurance. However, he did not feel inclined to press this matter further, because the clause was not a vital part of the Bill, though he believed it was desirable quite as much or more in the interests of the members of the service, than in the interests of the Government.

Question put and passed, and the Council's amendment agreed to.

Resolution reported, and the report adopted.

Message accordingly transmitted to the Legislative Council.

PATENT ACTS AMENDMENT BILL.

IN COMMITTEE.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

LEEDERVILLE TRAMWAYS BILL.

SECOND READING.

The COMMISSIONER OF RAILWAYS (Hon. B. C. Wood), in moving the second reading, said: This is a formal Bill, authorising the construction of tramways in the municipality of Leederville. There cannot be any possible objection to the measure, the provisional order having been in proper form.

Question put and passed.

IN COMMITTEE.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

FREMANTLE TRAMWAYS BILL.

IN COMMITTEE.

Clauses 1 to 5, inclusive—agreed to.

Schedule:

Mr. SOLOMON moved that the word "of" be struck out, and the following inserted after the word "intersection" in Item 1 of Schedule A, "with Stirling

street, thence along Stirling to the intersection with." The amendment was proposed, because the grade would be too great to construct the line towards and along Ord Street. To suit the municipal council and all parties concerned, it had been agreed to insert the amendment as proposed.

Amendment put and passed, and the schedule as amended agreed to.

Bill reported with an amendment.

ANNUAL ESTIMATES.

Order read for resuming consideration of Estimates in Committee of Supply.

Mr. ILLINGWORTH suggested that this order be postponed.

The Premier: The Government did not interfere with private members' days, and private members ought not to interfere with Government days.

Mr. ILLINGWORTH: Notice had already been given that the Government intended to take possession of the House on Tuesday next, and to-day was their only chance of going into any of these other matters.

The Premier: The Goldfields Bill was introduced by the Government.

Mr. ILLINGWORTH: There were other subjects as well. He did not like to move against the Government, but he would like the Government to consent to putting the Estimates off till Tuesday next. There was no need to rush the Estimates through.

The Premier: Not the slightest.

Mr. ILLINGWORTH: Let us deal with the other business, and clear the Notice Paper.

The PREMIER: The motion to be moved by him next Tuesday about Government business taking precedence, would not prevent the hon. member from bringing forward anything he required. He (the Premier) would be glad to confer with the hon. member with regard to any matter to be brought before the House. That motion as to precedence was intended to expedite business, and not to get rid of anything the hon. member desired to be brought before the House. He would be glad to agree now to the hon. member's request; therefore he moved that the order of the day be postponed until Tuesday next.

Motion put and passed, and the order postponed accordingly.

GOLDFIELDS ACT AMENDMENT BILL.

SECOND READING.

The MINISTER OF MINES (Hon. H. B. Lefroy): I am pleased to have the opportunity of moving the second reading of this Bill to-night. The Bill is not introduced for the purpose of amending the present Goldfields Act to a very large extent. I think the time has arrived when the consolidation of our Acts with regard to gold-mining should be considered, and I hope I may have the honour at some time of bringing forward a measure consolidating those Acts and placing them on a footing which may be more satisfactory to the miners of the colony than that at present existing; although I may say, for my own part, I have not had any difficulty in administering the Act. I think that is due very largely to the people for whom I have had to administer the Act, and I have to thank the gold-mining community for the assistance they have given me in carrying out that work. This Bill is introduced mainly to enable persons on the goldfields to take up land for agricultural or pastoral purposes on somewhat the same terms as those on which persons are allowed to take up land in the coastal districts of the colony. Representations have been made to me from time to time by persons resident on the goldfields that they are placed on a different footing, with regard to the acquisition of land for these purposes, from those people who reside on the coast. Of course it may be held by many that it is useless for persons to attempt agriculture on the goldfields; but there are a large number of people who are desirous of putting that to the test. In seasons like this agriculture might, I am confident, be carried on with effect on some parts of the fields, but at present there is no power given to take up an area for agricultural purposes; to, for instance, put in a crop of hay or acquire a paddock for the purpose of keeping butchers' stock. This Bill will bring all these things within the reach of persons on the goldfields, and if the House approves of it, it will meet a want that has been expressed in the past by a great many residents there. I think persons on the goldfields ought to be placed in the same position as those on the coast, and ought to be enabled to acquire land, if they desire to

do so, on somewhat the same terms as those on which persons are able to acquire land here. The Bill is incorporated with the Goldfields Act, 1895, and it is to be administered by the Minister of Mines. I consulted my hon. friend the Commissioner of Crown Lands (Hon. G. Throssell) on this subject. In fact, I have been talking it over with him from time to time during the last twelve months, and he has agreed with me that it is better for this measure to be administered by the Mines Department; consequently I have here incorporated it with the Goldfields Act. I have adopted this course because we desire that the granting of these leases shall not in any way clash with the mines. We wish to protect the miner in every possible way, and not in any way block the taking up of land for mining purposes. The Mines Department are in a better position therefore to deal with this land on the goldfields, knowing the country, and the wardens being in touch with what is going on there. Up to Clause 28 the Bill deals exclusively with the granting of homestead leases. Any miner may apply for a so-called homestead lease, by application to the Warden, for an area of 20 acres within two miles of the nearest boundary of a townsite, that being provided for by Clause 4, and for an area not exceeding 500 acres outside an area two miles from a townsite or suburban area; and the rental required under this Bill is, for an area within two miles of a townsite, two shillings an acre, and outside the two miles boundary sixpence an acre, for twenty years. This differs somewhat from the procedure adopted under the Lands Act, in that the lessee is never enabled to obtain the freehold of the property. After he has paid sixpence an acre for twenty years the lease is continued indefinitely at a rent of one shilling an acre, which is required only if demanded. The miner obtains the land for twenty years on condition that he effects certain improvements laid down by the Bill, and after that, as I say, he gets a perpetual lease with a peppercorn rent. If a shilling an acre is demanded, he has to pay it; if not, his lease will continue perpetually; but within a certain time he is obliged to perform certain improvements in the way of fencing, ringbarking, clearing, or cultivation. It is unnecessary for me to go into these details now; I think it better that they should be dealt with in committee, and I desire merely to deal generally with the Bill. I may state, however, these applications have all to be made to the Warden, in open court, after due notice has been given, in the same way as applications are made for gold-mining leases. Objections can then be lodged, and heard in open court, against the granting of the lease. If there be no objections, the Warden will, if he think fit, recommend the granting of the lease to the Minister, who will recommend to the Governor-in-Council that it be approved. It is, however, provided that in every instance the Warden must either personally inspect the land before the application is heard, or must obtain a report in regard to it from a mining surveyor or inspector of mines. Hon. members will thus perceive every precaution is taken as far as possible to provide against any auriferous land being granted under the provisions of this Bill. Although we own an enormous area of auriferous country, it will be recognised that a large extent of country within that auriferous belt is not in itself auriferous, and may be useful for homestead leases. The Bill also provides that a miner may mark off, apply for, and take up for mining purposes in accordance with the provisions of the principal Act and any amendment thereof, and the regulations, any land comprised in a miner's homestead lease, in the same manner as if the land were unoccupied Crown land; and any gold-mining lease may be granted under the principal Act, of any land within a miner's homestead; but in any such case the lease shall be, not of the surface, but of the land under the surface. At the same time, the mining-lessee will have the right to put up any buildings, mining machinery, or anything necessary for carrying on the work of mining. I propose to make an alteration in Clause 22 when in committee, with a view of making it a little clearer than it is at the present time. However, the intention is there, that the surface only of the land is conveyed to the homestead lessee, and a miner may apply for and obtain a mining lease or a claim on a homestead lease.

Mr. Moorhead: Has the homestead lessee the right to sink for water?

The Minister of Mines: I do not think there is anything to prevent a homestead lessee from sinking for water, because the Bill says distinctly that one of the improvements which the lessee may effect on the land, in order to carry out the conditions of the lease, consists in the sinking of wells or dams or reservoirs for holding water. Those are the chief provisions of the Bill so far as they relate to homestead leases; but Clause 28, the last clause dealing with such leases, provides that the provisions of the Bill shall apply only to such goldfields or to such portions thereof as the Governor, by order in Council, may from time to time direct; so that this Bill will not apply generally to the goldfields until the Governor-in-Council has proclaimed those districts or parts of goldfields where it is to take effect. "And in no case shall the Act apply to any land in the South-West division of the colony." The South-West division is described in the Land Acts as exempt from occupation under the homestead clauses. This is known as an agricultural district, and I do not propose in this Bill to give the Minister of Mines power to grant leases, for instance, at Donnybrook or any other goldfield which may be proclaimed within the South-West District. I think it is much better to allow the Minister of Lands to deal with that area. The South-West District, as hon. members know, is a division bounded on the west by the sea-coast, on the north by the Murchison River from the mouth to Mount Bompas, and on the east by a line drawn from Mount Bompas through Talarring Peak, Wongan Hills, and Mount Stirling in a south-easterly direction, then to a point north of the mouth of the Fitzgerald River, and from that point through Mount Ridley to the sea-coast, and the district is bounded on the south also by the sea-coast. Hon. members who have taken an interest in land settlement in this colony, and who have had interests in the South-West Division, either in agriculture or pastoral pursuits, know pretty well the boundaries of the district, which, at any rate, includes all the land at present occupied for agricultural purposes chiefly. It will therefore be seen that an endeavour is made as far as possible not to clash with the work of the Lands Department, while at the same time the administration of the law on the goldfields is placed in the hands of the Minister of Mines, who should, through the officers of his department, have a sufficient knowledge of and acquaintance with the requirements of any such district, and especially with regard to lands which should not be granted under this Bill. It is my desire that every precaution should be exercised in granting these leases in the first instance; the inspection will be strictly enforced, every inquiry will be made regarding the land, and before granting a lease it will be ascertained, as nearly as man can possibly ascertain, whether the land is or is not auriferous. If, however, land is granted to a homestead lessee, which some miner afterwards desires to prospect for gold, there is nothing in this Bill to prevent his going on to the land and acquiring a claim or a lease, or to prevent him from getting access for mining purposes, to the land he occupies under the Goldfields Act within the homestead lease. All these matters are provided for in the Bill, and I hope the measure will work well, and to the advantage of all concerned. The provisions are taken chiefly from the Queensland Act, and have been in force in that colony for many years. They were included in the Consolidating Act passed in Queensland only two years ago, so people have had ample time there to see the effect of the working of the Act, and as far as I can understand it has worked without any difficulty, and without producing any clashing of the agricultural and mining interests. I hope the same may be the effect here, if these provisions become law. I have taken this opportunity, while dealing with gold-mining, to amend certain clauses in the Goldfields Act from which difficulties might possibly arise. I have not met with any difficulties of administration under the Act during the time I have been at the head of the department, but still there are certain anomalies in some of the clauses, and in certain circumstances words which might possibly be given a different meaning from those they are intended to bear. There are not many of them of any grave importance, but I should like to have, as

far as possible, an Act which all can understand without difficulty as they read it—an Act which may be easy in its working, both for those who work under it and for those by whom it is administered. Hon. members, if they turn up the Goldfields Act, will see the sections which this Bill proposes to amend. I do not think I need go into them now; to do so would, perhaps, be wasting the time of the House. It will be more convenient if, while we are in committee, hon. members will be good enough to question me, if necessary, regarding reasons for these amendments; and I think I shall be able to satisfy them that the amendments will effect an improvement in the Act. Clause 52 of this Bill deals with the question of gold buyers' licenses. As members are aware, there is a considerable amount of gold-stealing on the goldfields, more especially at Kalgoorlie. I do not think anyone can possibly approve of gold-stealing. There has been a large amount of money lost in this way, and it is my desire, if possible, to be instrumental in putting this down, and in bringing the thieves to justice. I do not think an honest man can ever object to conditions such as those of Clause 52, which provides more especially that all who desire gold-buyers' licenses must apply for them in the first instance in open court, so that the public shall have an opportunity of objecting to any buying license being granted, if it be considered that the applicant should not be entrusted with the right of buying gold indiscriminately from everyone who comes with it for sale. The application will now have to be made in open court before the Warden, and persons may come forward and object to the application being granted. If good cause is shown why the license should not be granted, the Warden may disapprove of it. I may say we have already provisions in the Goldfields Act of 1898 for granting gold-buyers' licenses, but it was found the provisions were not sufficiently stringent. The provisions herein contained are made more stringent, and are brought more into line with the Act dealing with the disposal of pearls. There is an Act in the colony providing that pearl buyers shall be licensed, and Clause 52 is brought more into line with the provisions of the Act dealing with the sale of pearls. The licensee is only entitled to deal with gold in the district where the license is granted; he will have to keep books to record all sales of gold that are effected; he will have to keep a "gold purchase book," and the books will be open to the inspection at any time of an inspector, sub-inspector, or sergeant of police, and every officer of the Mines Department authorised—I would like to point out—in that behalf, in writing, under the hand of a warden or resident or police magistrate, or the hands of any two justices of the peace. As Section 20 of the aforementioned Act of 1898 has been amended *en bloc*, it will be necessary to add to the Bill some of the provisions which will consequently be struck out. It will be found, if hon. members will turn up the Act of 1898, that Sub-clause 8 of Clause 52 is not now portion of the particular section which it is proposed to strike out and substitute this clause for. Sub-clause 10, as will be seen, interprets what a buyer of gold or a dealer in gold shall mean, also what gold shall mean under the Bill. It shall mean as well gold bullion, specimens, alluvial gold, gold amalgam, gold alloys, and unwrought gold in any form. I think I have now explained to hon. members the chief provisions of the Bill. Hon. members know the reasons why this Bill is brought forward, and I have endeavoured as far as I possibly can to keep out any contentious matter. I think the provisions of the Bill will be acceptable to hon. members, and generally to the people on the goldfields. I am certain the people resident on the goldfields will be gratified to find that a measure has been introduced into the House to enable them to take up land, if they desire to do so, for agricultural purposes, or for pastoral purposes, on a small scale. There are many persons no doubt on the goldfields who would like to possess 500 acres for the purpose of putting on a few horses or other stock when they do not require to use them, and to fence the land in. Under this Bill, if people choose they will be able to take up an area of land for those purposes, and when they get stock within the fences in seasons like this, they will be able to fatten their horses that have been worn out by hard work, as

well as can be done in any other portion of the colony. Having the stock on their own land, between their own fences, will be a great satisfaction. I commend the Bill to hon. members, especially to my friends the mining members of the House, although I regret a majority of hon. members representing the goldfields sit opposite to me. However, during the time I have had the honour of occupying the position of Minister of Mines, I have to thank hon. members on the Opposition side, representing the goldfields, for the way in which they have met me in the legislation which I have brought forward, and which I considered for the good of the goldfields. I came to them first entirely new to the work, and if I have had any success I consider it is largely due to the assistance and goodwill that I have always received from members in the House representing the goldfields, and to the goldfields community generally. I trust on this occasion hon. members will assist me in passing this Bill. I shall be only too pleased when discussing clauses in Committee to go into details as fully as hon. members may desire that I should.

Mr. ILLINGWORTH (Central Murchison): The principle of this Bill I welcome. We require a measure of this kind to enable people who are engaged in agriculture on the goldfields, with gardens and orchards, to make their tenure a little more secure. This Bill is taken from the Queensland Act, and the circumstances in Queensland are not quite the same as we have them here. There is a large quantity of land adjacent to the goldfields of Queensland of a rich agricultural character. On our own goldfields, except in the South, which is exempted from the operations of the Bill, there are not the same inducements to take up land as there are under the Queensland Act. Of course that does not apply to the whole of the Queensland goldfields, but in some respects it does. A difficulty strikes me in this Bill; it is in Clause 4. I can quite understand that we should give areas perhaps up to 20 acres, although persons may not frequently require so much as that, but up to 5 or 10 acres, which anyone could take up for high culture.

The Premier: It is not intended for high culture only, but for paddocks.

Mr. ILLINGWORTH: I am aware of that. There are a few places outside the goldfields where high culture is carried on on small areas, and these are the areas which are likely to be useful to the goldfields. But when we come to speak of 500 acres, which means three-quarters of a mile square, when we imagine it is possible to have ten or a dozen of those areas, we must recollect that our goldfields are not yet exploited, in some places not even prospected, yet people are to be permitted to hold land, and to fence it in. It seems to me we are going just a step too far, because, if we have half-a-dozen of these areas each three-quarters of a mile square, which means seven or eight miles, fenced in, they will belong to different people. It is all very well to say that prospectors have a right to go on these lands, but trouble will arise out of what is considered private property, and men may be turned aside from prospecting these areas because they are fenced in, and are supposed to belong to Jones, Brown, or Robinson, as the case may be. The question is what good is to arise by giving a certain amount of leasehold title to these people over large areas of land where they can keep horses or feed cattle. I suggest to the Minister of Mines, and also to the House, that it is undesirable for so little good to practically lock up a large area of what may be auriferous land, or to check in any way prospecting.

The Minister of Mines: It does not lock up the land.

Mr. ILLINGWORTH: I know it does not, but hon. members know, given two areas, one fenced and the other not, the prospector turns aside at the fence. While he has the whole field in front of him he goes where he pleases, but when he is checked by a wire fence he chooses land that is not fenced to land that is; and the land that is fenced may have richer prospects on it. We take away that complete freedom of action from the prospector, to a certain extent, by this Bill. What for? If it was, as the hon. member suggests, going to bring in crops of oats or hay, perhaps there might be something in it; but I suggest there are very few of the goldfields, northwards or eastwards, having areas like that. I think if we simply stop at 20 acres and give the Bill a trial on the basis of 20

acres for gardens, or for men who have a horse or two, that area will do for the time being. People ought not to be permitted to take up 500 acres and have the partial ownership of the land. We are going too far; we should pass the Bill allowing 20 acres to be taken up, and if we find the measure operates well, we can extend it at a future date. I think the Minister might take these points into consideration, and when in Committee I hope he will be disposed to limit the operations of the Bill to 20 acres, and to strike out the large areas altogether. I do not know what other members representing the goldfields may say about the subject, but that is my view. As to the amendments I have not been able to compare them, and I reserve to myself the right to discuss them as the Bill goes through Committee. I thank the Minister of Mines for enabling us to get garden lots around the goldfields, and to give every encouragement to the people there. Round the Murchison there are people who are growing supplies for the district; many of them desire to extend their operations, and unless they get some sort of tenure they will not be able to do so. But it is in regard to the small squatters runs that I think we are going a little too far. I hope when we come to Clause 4 in Committee the Minister will see his way clear to considerably modify it, if not to strike out the 500 acres altogether. I think we should confine the area to 20 acres; otherwise I welcome the Bill.

MR. KINGSMILL (Pilbarra): I think this Bill is a very valuable departure on the part of the Mines Department. I may say I do not agree *in toto* with the opinions expressed by the member for Central Murchison (Mr. Illingworth). I think, by the exercise of a little discretion, we can make it quite possible to grant the larger areas, and to do so without detriment to the prospector. In the first place, in Clause 4, I fancy either the mileage from the nearest boundary to the townsite, or the area to be granted as a lease, will have to be altered. Personally, I should like to see "two" struck out and "one" inserted in lieu thereof, if there are to be 20 acres, or if "two" be retained, the 20 acres should be somewhat increased. In the second place, with regard to the larger areas of 500 acres, hon. members will notice that under Clause 23 these are practically in the same position as private property. It would be quite possible for us to grant small leases up to 20 acres at the rental proposed, which I think is ample, and for those leases to come under the operation of Clause 23; but the larger areas should be held on the same tenure as ordinary pastoral leases. That is to say, prospectors should have free access, and be given every facility for prospecting. Clauses 22 and 23 both contemplate the practicability of prospectors entering on the land proposed to be leased, and if these clauses were made to apply only to small leases the object of the Bill would be well fulfilled. With regard to the parts of the colony to which it is proposed to apply this Bill, I would like to point out to the Minister of Mines that to the westward of Phillips River Goldfield, along the coast between that goldfield and Albany, there are large areas of country now unprospected. For instance, I could refer to the Salt River, where it is extremely likely payable gold will be found, and where practically no farming has been done yet. It would be almost a pity if by the operation of the Bill persons who might—of course, I only say "might"—in the future be engaged in mining operations in the locality, should be debarred from these benefits. It would be better if the mode of operation were decided by some process as was formerly the case under the Mines Regulation Act, namely, that the Governor-in-Council should from time to time proclaim the districts to be affected by the Bill; and that could easily be brought about by striking out the latter portion of the clause. I feel this is a great concession for me to make, because as a rule I am against regulations, but I do not see how the object is to be attained in any other way.

THE PREMIER: Circumstances alter cases.

THE MINISTER OF MINES: This Bill only applies to parts of the colony brought under its operation by the Governor.

MR. KINGSMILL: But in no case should it be applicable to any land in the South-Western Division, to the west of the western boundary of the Phillips River Goldfield. I have just stated that in my

opinion there is a lot of land which would naturally fall under the operation of the Bill, between Phillips River and Albany.

THE PREMIER: Where?

MR. KINGSMILL: Between the Phillips River and Albany.

THE PREMIER: Then you get into the South-Western District.

MR. KINGSMILL: But not until close to Albany is there agricultural selection of any magnitude.

THE PREMIER: But the ordinary land laws are applicable to all that area.

MR. KINGSMILL: But I would point out that if a goldfield is proclaimed, the ordinary land laws will not apply.

THE PREMIER: The pastoral regulations do, I think.

MR. KINGSMILL: But I am speaking of homestead leases, and you cannot get a homestead lease of such land according to the Bill, and if you cannot get a homestead lease, you most certainly cannot take up a conditional purchase block, because that is prohibited by the Goldfields Act. I do not want to narrow the restrictions of the Bill too much; and it would be better if the operations of the Bill were left to the discretion of the Governor-in-Council under regulations. I would sooner not see a hard and fast rule laid down in the Bill, because regulations can be changed, while, in the other case, an amending Bill would have to be brought in.

THE MINISTER OF MINES: Phillips River Goldfield comes under the operation of the Bill.

MR. KINGSMILL: Quite so; but there is a lot of land to the West of Phillips River which might very well come under the operation of the Bill, and which it is proposed to absolutely exclude.

THE PREMIER: That will come under the ordinary regulations.

MR. KINGSMILL: I would like again to point out that immediately gold is found on the land it will be declared a goldfield, and persons will be prohibited from taking up land under the Land Act.

THE PREMIER: Is gold likely to be found to the west?

MR. KINGSMILL: In my opinion it is.

THE PREMIER: On the Stirling River?

MR. KINGSMILL: Yes; and also on the Salt River, and on a lot of country to the west of Phillips River.

THE PREMIER: I do not think so.

MR. KINGSMILL: I am quite willing to bow to the superior knowledge of the Premier, but I have been through the country, which certainly gave me the idea that it was auriferous. This, however, is a matter which can be threshed out in Committee.

THE PREMIER: I have been through the country, too.

MR. ILLINGWORTH: And the Premier was also through Coolgardie.

MR. KINGSMILL: I would also point out that when the Premier did go through the country, he had not acquired that expert knowledge which now all of us admit he possesses in the fullest degree. With these few reservations, I have much pleasure in supporting the Bill, and also in thanking the Minister of Mines for his kind remarks about goldfields members generally, more particularly those members on the Opposition side of the House.

MR. JAMES (East Perth): By Clause 53 we appear to be reverting to the old practice, which provided that publication of the notice of forfeiture in the *Government Gazette* should be conclusive evidence of forfeiture.

THE MINISTER OF MINES: The last clause.

MR. JAMES: By the Act of 1899 or 1898 the publication of the notice was not regarded as conclusive, but as *prima facie* evidence, and now, for some reason or other, we appear to be reverting to the old practice. Clause 53, so far as it tends to be retrospective, is a clause which requires consideration, because I believe the objection has been raised that questions are pending as to the notice of forfeiture.

THE PREMIER: That is a very good reason for legislating.

MR. JAMES: But the clause does not carry out the intention, and my desire is to make it clear.

THE PREMIER: Very necessary, too.

MR. JAMES: Perhaps so; but Clause 53, as introduced, is legislation which affects existing rights.

THE PREMIER: There are thousands of existing rights, probably.

MR. JAMES: And these are the subject of existing and pending litigation.

THE PREMIER: There is too much litigation.

MR. JAMES: By the Act of 1895 a certain notice was considered conclusive evidence, but by the Act of 1898 it is only *prima facie* evidence, and now by the present Bill we are proceeding to again say that the notice shall be conclusive evidence, so that we are really going back to the law of 1895. The point has been raised——

THE PREMIER: Every point is raised.

MR. JAMES: The point has been raised, and I want to know whether this legislation purports to amend this existing law. If it does purport to amend the existing law, and to give us retrospective legislation, it is interfering with rights which are more or less before the Court.

THE MINISTER OF MINES: I think I shall be able to satisfy the hon. member.

THE PREMIER: The hon. member knows the facts.

MR. JAMES: I may know the facts, but that does not prevent my pointing out that the clause might work injustice by being retrospective, and interfering with rights now before the Court. So far as I can see, Parliament does not seem to care whether the legislation they introduce is retrospective or not, and they must take the consequences; but we should avoid that class of legislation, as it is avoided in every other part of the world.

MR. GREGORY (North Coolgardie): The suggestion of the Minister of Mines to grant homestead leases on the goldfields will be very useful, and, providing the rights of miners are properly conserved, it will work very well. Repeated applications have been made through me for the purpose of getting garden areas on the goldfields, and I know many persons who have been desirous of getting still larger areas for the purpose of keeping stock thereon, but their applications have been impossible, owing to the high charges made under the old Act for garden areas, and the difficulty of making any arrangement with the Crown Law Department. As to survey fees, we have had a great deal of trouble on the goldfields through the department retaining those fees when the land has been refused, and I notice an extension of that system in the Bill. Clause 10 provides that when an application for a lease is rejected the applicant shall be entitled to have returned the money deposited by him as rent, together with the survey fee, if any survey has been made. But if a man makes an ordinary application, and pays the survey fee, and the Minister does not choose to grant the land, that fee is not returned. These fees are very large, and prior to the present Minister of Mines taking up office, I have known of cases where application has been made for a gold-mining lease by two different persons, and the Warden has recommended the area to one person. At the end of 30 days the successful applicant has to go to work, and in one case after a man had worked two or three months, the Minister reversed the Warden's decision, and the man not only lost his labour, but was refused the return of the survey fee; whereas if a man makes proper application, and the ground is refused, the survey fee should be returned. There should be a distinct innovation in the Mines Department in regard to surveys. The surveyors ought to be appointed by the department, when the work would be done a great deal cheaper, and the result very much better for the people on the goldfields. In regard to residence and business areas, I see the Minister wishes to make these absolutely subject to the Warden as to locality; and it should be definitely decided by the House as to where business areas should be granted. Let us take a very strong case, that of the town of Leonora in regard to the Sons of Gwalia Mine. Applications were made there; I believe one was granted for a business area, and 12 months after that, an application——

THE PREMIER: That was under some order of the Court, I think, was it not?

MR. MORAN: Yes.

MR. GREGORY: Under Section 32. By this amending Bill, the whole thing will be subject to the approval of the Warden. As to locality, I think we should say distinctly that no business area should be granted within a certain distance of a townsite, and then leave it to the Warden's discretion after that. On no account should a Warden be allowed to grant a business area, say within three miles of any townsite. Once the Government have created a townsite, vested interests are created, and it would be wrong that people should

be in fear that a business area might be granted within a mile or a mile-and-a-half of them.

The Premier: A township has to be declared.

Mr. GREGORY: But once a township is declared, no business area should be granted within two, three, or four miles of the townsite. I should say three miles. I hope the Minister will agree to the suggestion that no business area should be granted except within some special area. As I say, I would make the distance three miles. With regard to residence areas, I think the Mines Department should provide greater facilities than they have done in the past. When once a township is prescribed it is taken out of the hands of the Minister of Mines and placed under the control of the Lands Department; but I think that in some manner we should be able to provide better facilities for residence areas than exist at present. There is one section which I should have thought the Minister would have altered, that being Section 10 of the Goldfields Act, 1898. An amendment was run through, which, I think, the House hardly grasped. That was an amendment moved by the member for North-East Coolgardie (Mr. Vosper), to the effect that when any person marked out a lease and made application to the Warden, he should have the exclusive use of one-third of the area; that he should be able to retain one-third of the area against any other person. I spoke strongly against this. I think we should go so far as to say, as was suggested by the Premier some two or three years ago, that a person should not have the exclusive use of a leasehold for at least twelve months, and that then, when a full lease was granted, he should have exclusive right over the whole area.

The Premier: I quite agree with you.

Mr. GREGORY: I hope Section 10 will be altered so as to prevent a man from holding a third of the whole area he pegs out. I spoke strongly against the amendment, but, I am sorry to say, it was passed.

Mr. Moran: It was the alluvial champion who did that.

Mr. GREGORY: It was altogether against the alluvial men. I think that the clauses referring to gold buying are almost perfect, and I hope they will be passed. Every effort should be made to try to put down illicit gold buying, and I hope these clauses will be passed in their entirety. I think that if we adopt these homestead areas on the goldfields, a large number will go in for a certain amount of agriculture and fruit-growing, which would be bound to make living a good deal more pleasant than it is at present.

The PREMIER (Right Hon. Sir J. Forrest): The legislation contained in this Bill has been asked for by the goldfields for some time past, and especially by the people on the Coolgardie goldfields. I hope this legislation will be productive of at any rate some of the good that is anticipated. I have no doubt in regard to facilities for enclosing land and for keeping stock, a Bill of this sort is necessary, but I am not aware that the ordinary legislation in respect of pastoral lands has been repealed. As to that portion of the colony comprised by Coolgardie, Kalgoorlie, and part of Menzies, I think those persons who believe that smiling farms will arise by the operation of this clause will be doomed to disappointment. I do not for a moment believe the country I refer to will be suitable for the production of cereals, except perhaps on a rare occasion; but there is no reason why those who think otherwise should not have the opportunity of trying to see what can be done. The great thing we want on the goldfields is to have them sub-divided into paddocks, to obtain a water supply, and to get the largest amount of timber that can be cut for mining purposes. That will encourage very largely the growth of grass. I see no reason why, if water is provided, a considerable number of stock may not be kept on the Coolgardie fields. The land is excellent, but the rainfall is uncertain, and small as a general rule. Therefore we cannot expect to have good seasons consecutively, but we may get a good season now and again, and when we are fortunate enough to have one, a very large amount of stock could be kept on those goldfields for a time, provided plenty of water was obtainable. On my last visit to the goldfields, in travelling over the country to the North-East of Menzies, by Mount Malcolm, and away towards Mount Margaret, I was surprised and delighted to see the splendid grass growing there, sometimes a foot

high. But I have been there before, and on referring to my diary of 1869 I found, in relation to the very country which was on my last visit clothed with splendid vegetation, I recorded that I had to tie up my horses, because there was nothing for them to eat.

MR. DARLOT: You did not know the mulga.

THE PREMIER: I did not know it at the time, and the horses did not know it.

MR. DARLOT: They would fatten on it.

THE PREMIER: They did not know it. For, I think, about six nights in succession we had to tie our horses up because there was no feed. That shows what a difference there may be at different seasons in that country. I think my friend the Minister of Mines (Hon. H. B. Lefroy) has made an attempt to meet what is desired by the people on the goldfields. I do not much care for those clauses where improvement is insisted on, where the land has to be fenced and improvements made, because I think there will be a difficulty in doing it.

MR. GREGORY: Clause 12.

THE PREMIER: People have to pay 10s. an acre on improvements, and I think there will be some difficulty in carrying out these provisions. My idea is that the only thing we can do for that country at present, speaking generally, is to fence it in and provide water supplies, and ringbark the timber. Ringbarking can be dispensed with by the timber being cut for mining purposes. Speaking generally of the country, I think that is about as much as we will get out of it. Of course there are choice spots where irrigation can be practised, and where you can do almost anything. As I said before, the land is excellent, and we have plenty of evidence of the productiveness of the soil in different places. I am glad this Bill has been introduced, and I feel sure it is a move in the right direction. In regard to Clause 32, there can be no doubt as to the wisdom of making it perfectly clear that business licenses shall not be obtainable unless with the approval of the warden. I agree with the member for North Coolgardie (Mr. Gregory) that it may be advisable to limit these licenses to some distance from the townsites.

MR. MORAN: That ought to be done, certainly.

THE PREMIER: If one purchased land at a high price in a town, it would not be much encouragement to find people getting land for nothing a very short distance away and starting an opposition business. In the case referred to by the hon. member (Mr. Gregory) the Government were not to blame. The Court decided that the warden had no power to refuse. It was a most monstrous thing.

MR. GREGORY: The warden refused the application.

THE PREMIER: It was a most monstrous law that compelled the owner of land, of which the Crown is the owner, to grant a lease to any one *nolens volens*. If we permitted such a thing as that, we do not know what people might not apply for.

MR. GREGORY: You took a pound from him for business areas, and told him he had the right. That is why he did it.

THE PREMIER: We altered the regulation to give the warden the right to decide as to locality, but perhaps the regulation is not strong enough even now. We want to lay down clearly that any application for land—I do not care what it is—must be subject to approval. These Acts do not "run" against Her Majesty. If Her Majesty wants the land, I do not see why anyone else should have it. It would be a terrible thing if persons could go and squat down anywhere and take any land without anyone's permission or approval as to locality; so I hope my friend will make the Bill clear as to leaving the locality for the approval of the warden. I commend to his consideration whether we should not protect persons in townsites to some extent, by not allowing business licenses too close to a town. This would not work any hardship either, because when a new centre came into prominence it would be quite competent for the Governor to declare a townsite for that, and then the radius would, of course, be determined by the position of such townsite.

THE MINISTER OF MINES (in reply): I thank hon. members for the reception they have given this Bill, and for their criticisms, which have not been adverse to its principle. I hope, with their assistance in committee, to pass it through in such a form as may be acceptable not only to members of Parliament

but to the mining community. The question of the area of a homestead lease is one we can very well decide in committee. As to the granting of business areas, hon. members representing goldfields are well aware of the difficulties which have arisen. The clauses dealing with this matter in the Act of 1895 have been in force ever since gold-mining has been carried on in this colony. They provide that every holder of a business license shall have a right to occupy, on any goldfield, for the purpose of residence and carrying on his business, a certain portion of the surface of the Crown lands. The regulations provide that an application for such area shall, as to locality, be subject to the warden. Difficulties arose in the Supreme Court here at one time, and the words "as to locality" were struck out in the regulations; subsequently, further cases came before the court, and I then decided that it would be better to restore to the regulations the words "as to locality," giving the warden a right to refuse a business license if he did not approve of the locality. I ascertained that our Act is the same as that of Queensland, and that the Queensland regulations also contain the words "as to locality," that Queensland regulations containing these words have been in force during the last 25 or 30 years, and that there has been no difficulty with regard to the granting of these business licenses in Queensland, nor has there been any here since we have had these words put back into the regulations, thus giving the warden the right to refuse a business license if he do not approve of the locality.

The Premier: How did it come the words were struck out?

The MINISTER OF MINES: They were struck out by the late Minister, I think, through some ruling of the Court, which was not properly understood in the department. I have issued a circular, instructing all the wardens that they are not to grant any business areas within a radius of three miles of any townsite. Since that has been done, no difficulties have arisen. Of course, if the warden granted one business area under this Act, that would be a proof that he had approved of the locality; and that might allow any number of other people to come in and take up other business areas. However, I have provided in this Bill an amendment to Section 19 of the present Act. That section gives the right to a holder of a business license to occupy certain portions of Crown lands for business purposes; and in this Bill I have provided that he shall occupy them only with the approval of the warden as to locality, thus making the Act perfectly definite. If hon. members desire to provide distinctly that no leases shall be granted within three miles of a townsite, well and good; but I think, perhaps, it is as well to allow a certain amount of elasticity in regard to these matters. I have issued instructions that no business areas are to be granted within three miles of a townsite, and this Bill will provide that business areas are not to be granted anywhere without the approval of the warden as to locality. However, I think we can discuss this question in committee, and I am certain we shall be able to make the Act more clear than it has been in years past. I hope this Bill will quickly pass through the committee stages. As I said, there are certain matters which I have not brought under hon. members' notice, as I do not think the second reading is the stage at which we should go into details; but I shall be very glad to deal with these in committee.

Question put and passed.

Bill read a second time.

COMMITTEE, PRO FORMA.

On motion by the Minister of Mines, the House resolved into committee, and adopted *pro formâ* a reprint of the Bill with certain amendments, with a view to their being considered later.

Bill formally reported with amendments, and the report adopted.

At 6·24, the Speaker left the Chair.

At 7·30, Chair resumed.

NOXIOUS WEEDS BILL.

SECOND READING.

The COMMISSIONER OF CROWN LANDS (Hon. G. Throssell): I beg to move the second reading of the Bill, and in doing so I may explain that this is the fourth occasion on which a Bill for this

purpose has been introduced into this House. The objection taken to the last three Bills was that they were of too drastic a nature, making them unpalatable to country members. Care has been taken to make this Bill as simple as possible. Provision has been made to define what shall be noxious weeds under the Bill, throwing the responsibility on the roads boards and municipalities. These bodies are empowered to advise the Minister what shall be noxious weeds in their particular district or districts, and the Minister then has the power to recommend to the Governor that such weeds named shall be placed in the schedule of the Bill, and they become noxious weeds in that particular district or districts as the case may be. Failing such recommendation by the roads boards or municipal councils, the Minister has power to recommend to the Governor noxious weeds to be named in the schedule of the Bill. Provision is made for the appointment of inspectors, who have power to enter upon and examine land for the purpose of discovering whether noxious weeds exist. Power will be given to them to serve notice on the owners or occupiers of the land to take steps to eradicate the weeds, not only on their own land, but on half a chain of the road adjoining such land. These inspectors will entail no expense on the Government, but the various officers in connection with the Lands Department and the Department of Agriculture may all be appointed as inspectors under the Bill, with full power to carry out the provisions of the measure. In the event of the owner or occupier neglecting or refusing to take steps, after notice has been served upon him, to eradicate the noxious weeds, the officers and those acting under the Minister have power to employ labour to eradicate the weeds, charging the owner or occupier of the land with the actual cost of the extirpation. Clause 10 under the Bill defines the responsibilities as to the owner or occupier, and makes it clear as to what proportion of the cost is to be borne by the owner or occupier of the land. A penalty of £5, but not exceeding £50, exists under the Bill for refusing to carry out the orders of the inspectors. These are the leading features of this little Bill, which has been made as simple as possible, and I think will be found to be workable and acceptable to country members and the people throughout the country. The necessity for such a Bill is apparent to everyone acquainted with the condition of the country. From all parts we find reports coming in of the existence of noxious weeds of various kinds. The only Act in existence at the present time for dealing with noxious weeds is one which was adopted as far back as 1874, dealing with the Spanish radish and Scotch thistle, principally on the Greenough Flats. But that Act has become a dead letter, as it was left to the roads boards to carry out. It will be quite apparent that the members of roads boards and municipal councils may be themselves the chief sinners under the Act, and they would naturally be backward in carrying out the provisions. Only two weeds are named in the schedule of this Bill—the stinkwort and Bathurst burr—but the Act provides that from time to time as the Minister is advised the Governor may order other weeds to be added to the schedule and they become noxious weeds in the districts so recommended. I have taken the precaution of consulting country members about the Bill, and I believe it will be entirely acceptable to them. As I said just now, the Bill is becoming a growing necessity in the colony, as on the railway lines, and in the paddocks in various districts, noxious weeds are growing up, and although it may take a small sum of money now to extirpate the weeds, if we allow them to go unchecked, the matter will become very serious. In South Australia, and in other parts of the Australian colonies noxious weeds have become a great curse, notably in South Australia, where in the summer months of the year, whole fields can be seen covered with stinkwort. If this weed gets a footing here, and active steps are not taken to eradicate it, the trouble will be very great. I do not know that the Bill needs further explanation at my hands. It has been through the hands of the Advisory Board of the Department of Agriculture and is approved of by them and recommended to me.

MR. HARPER (Beverley): I will just say a word or two on this Bill. It is a long time since those interested have tried to get a measure through the House to deal with the noxious weeds of the

country, and I do not think it is possible to frame a measure offering a smaller minimum than this one. The objection a great many have made to this Bill is, that it is not sufficiently drastic, but from past experience it is very evident the House will not pass anything more drastic, therefore it is thought better to begin with this minimum, and as time goes on we may hope more attention will be given to improve this Bill and prevent this very great trouble which is coming on the country. As settlement becomes closer, so the necessity for such a Bill becomes greater. I only hope that members will pass this Bill without hesitation, and I hope that far greater interest will be given to this matter in the future. I have great pleasure in supporting the second reading.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Bill passed through Commitee without debate, reported without amendment, and the report adopted.

KILLING OF KANGAROOS FOR FOOD BILL.

SECOND READING.

THE COMMISSIONER OF CROWN LANDS (Hon. G. Throssell), in moving the second reading, said: This is a short Bill providing for the killing of kangaroos for food only, during the close season. It has been represented by settlers that such a measure is necessary, and that it was never intended the killing of kangaroos for food should be prevented. The Bill is introduced to enable people to carry out their desire, not of killing kangaroos wholesale, as in the past, but only for the purpose of food.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clause 1—The Governor may allow kangaroos to be killed for food in close season:

MR. A. FORREST asked whether the clause meant that kangaroos might be killed and brought into the larger towns for sale as food during the close season.

THE COMMISSIONER OF CROWN LANDS: That was not intended, and in order to meet the point raised, he moved that at the end of Sub-clauses 1 and 2 the words, "but not for sale" be added.

Amendments put and passed.

MR. GEORGE moved that after the word "sale," the words "or barter" be inserted in both sub-clauses. Where kangaroos were used for food there was very little money in circulation, and it was necessary the words he had moved should be inserted.

THE COMMISSIONER OF CROWN LANDS: There was no objection to the amendment.

Amendments put and passed, and the clause as amended agreed to.

Clause 2—agreed to.

Title—agreed to.

Bill reported with amendments.

LANDS RESUMPTION AMENDMENT BILL.

SECOND READING.

THE COMMISSIONER OF CROWN LANDS (Hon. G. Throssell), in moving the second reading, said: This Bill merely amends Section 2 of the Lands Resumption Act, 1894, by providing that lands may be taken for drainage works or for cemeteries.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

KALGOORLIE TRAMWAYS BILL.

SECOND READING (MOVED).

THE ATTORNEY GENERAL (Hon. R. W. Pennefather), in the absence of the Commissioner of Railways, moved the second reading and said: This Bill is brought in to confirm a provisional order authorising the construction of tramways in the municipality and roads boards district of Kalgoorlie, which I take to be the district between Kalgoorlie town and Boulder.

MR. ILLINGWORTH: Does the tramway enter the Boulder townsite?

THE ATTORNEY GENERAL: No.

MR. PIESSE (Williams): I think that before this Bill is read a second time, it requires some attention from members of this House as to the part of the district it is intended to serve. If

members will look at the last part of the schedule, they will see the route it is intended to follow, and that the line will run parallel with the Government railways for the whole distance from Kalgoorlie towards the Boulder. We are going to very great expense there in making these railways as complete as possible. In fact, when completed they will be able to cope with the whole of the business which may be brought to them in connection with passenger traffic between the two towns. As we have pledged the country to the expenditure of a large sum of money in connection with these railway works, I cannot see why we should at this stage agree to the construction of these tramways without further consideration.

THE PREMIER: This is the tramway running into Kalgoorlie.

MR. PIESSE: No; the one running from Kalgoorlie along the main road towards the Boulder.

THE PREMIER: Who says so?

MR. VOSPER: Read the Schedule.

MR. PIESSE: The Schedule says:

Route A.—Along the Boulder Road, from its intersection with the south-eastern boundary of the Municipality of Kalgoorlie to the north-western boundary of Gold-Mining Lease No. 102E.

THE PREMIER: The second reading of that is fixed for Tuesday.

MR. PIESSE: Which Bill are we taking now?

THE PREMIER: Kalgoorlie Tramways Bill.

MR. PIESSE: Oh! that is all right, if you are taking that. There is confusion between the two Bills. I see no reason for opposing the Bill for the construction of the tramway within the town of Kalgoorlie.

MR. VOSPER: We have not the Bill at all.

MR. GEORGE: It is the Roads Board Bill.

THE PREMIER: Where is the Bill, then?

A MEMBER: It is in the other House.

MR. GEORGE: We have not got it.

THE PREMIER: I move that this order of the day be postponed till Tuesday next.

Motion put and passed, and the order postponed.

HEALTH ACT AMENDMENT BILL.

IN COMMITTEE.

Consideration resumed from 16th October at Clause 16, on amendment proposed by Mr. Moorhead to strike out paragraph 1:

MR. DARLOT: This clause was commonly used in all the other colonies, and he thought the Committee would do well to retain it.

MR. A. FORREST: The member for North Murchison (Mr. Moorhead), to whom he had handed all his papers with the amendments desired by the Perth City Council, was absent from the House; and the member for Toodyay (Mr. Quinlan), who had several amendments to move, was not in his place. The Bill seemed to be a most dangerous one, and it was aimed at taking away all the powers of the Perth Local Board. This clause was aimed particularly at Perth, and not any other municipality. He moved that progress be reported.

Motion put and passed.

Progress reported and leave given to sit again.

CRIMINAL LAW AMENDMENT BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. R. W. Pennefather), in moving the second reading, said: In 1892 an Act was passed for the better protection of women and girls, and the object of this Bill is to raise the ages of consent. It appears that the ages of consent at present in that Act are much too low, and I propose to point out to the House the material amendments that this Bill will effect in the principal Act. Section 4 of the principal Act deals with the defilement of girls under twelve years of age. Twelve years is considered much too low a limit, and it is proposed to raise it to thirteen. It is thirteen in the mother country; and, as I say, it is proposed to raise it here from twelve to thirteen. The next amendment is in relation to Section 6, which has reference to the defilement or attempted defilement of girls between twelve and fourteen, and it is proposed to raise the age, making it between thirteen and seventeen. It is between thirteen and sixteen in the mother country. The section says:

Any person who (1) unlawfully and carnally knows, or attempts to have unlawful carnal

knowledge of any girl being of or above the age of twelve years and under the age of fourteen years; or (2) unlawfully and carnally knows, or attempts to have unlawful carnal knowledge of any female idiot or imbecile woman or girl, under circumstances which do not amount to rape, but which prove that the offender knew at the time of the commission of the offence that the woman or girl was an idiot or imbecile, shall be guilty of a misdemeanour, and being convicted thereof shall be liable, at the discretion of the Court, to be imprisoned for any term not exceeding two years, with or without hard labour. Provided that it shall be a sufficient defence to any charge under Sub-section 1 of this section, if it shall be made to appear to the Court or jury before whom the charge shall be brought that the person so charged had reasonable cause to believe that the girl was of or above the age of fourteen years.

It is proposed to raise that to seventeen years, which is a material alteration.

MR. MONGER: The subject is very indelicate. Leave it alone.

MR. GEORGE: With or without consent—is that it?

THE ATTORNEY GENERAL: Yes.

MR. MONGER: Leave it alone this session.

THE ATTORNEY GENERAL: Strong representations have been made from various sections of the community that the present ages are much too low. The age in England is sixteen, and the Government have been requested by a large number of ladies of this community who interest themselves in the subject to raise the age. The next amendment is in regard to Section 8 of the present Act.

MR. MONGER: Leave it alone; leave it alone.

THE ATTORNEY GENERAL: Section 8 of the present Act relates to any person who, being the owner or occupier of any premises, permits the defilement of young girls on his premises. It is proposed to raise the age in the one sub-section from twelve to thirteen, and in the other it is proposed to raise the age from fourteen to seventeen. The next section that is amended is 13, which relates to the offence of detaining girls in brothels; and under that section the age limit is sixteen, and the Bill proposes to raise it to seventeen. In regard to detaining girls against the will of their parents or anyone in charge of them, the present limit is between sixteen and eighteen, and in this Bill the age is raised to between seventeen and eighteen. Section 15 relates to offences committed by persons who have girls in their custody or under their control, and the present limit of age is sixteen. It is proposed to raise it to seventeen, so that if persons committed offences on girls under their charge or control, they could not plead consent if the girls happened to be under seventeen. These are the material amendments incorporated in this Bill, and it is a question for the House whether in the circumstances this age limit shall be raised.

MR. GEORGE: Do you not think the limit has gone far enough?

THE ATTORNEY GENERAL: The present limit is far too low.

MR. GEORGE: Yes; but do you not think the age should be raised still higher than is proposed in the Bill?

THE ATTORNEY GENERAL: No; I think the Bill is reasonable. The age limit is raised one year in advance of the limit in the Imperial Act, in which the limit is 16, and we propose to raise it to 17. [A MEMBER: Why?] For the protection of girls. Because we must know—and it is a strong argument to use—that a woman under 21 cannot get married at all without the consent of her parent or guardian; and I take it the same principle should hold that, before anyone can, without punishment, take advantage of a woman, she should have reached a legitimate or reasonable age of discretion, at which she may have sense enough to protect herself; and I think these limits are not at all too high. I strongly recommend these considerations to the House, and move the second reading of this Bill.

MR. MONGER (York): I do not care to see even a Bill like this go through unchallenged. It seems to be my misfortune that it should fall to my lot to oppose every indelicate Bill submitted by the Government of this colony. My reason for opposing this particular Bill is that we are on the eve of giving women the same privileges as we ourselves possess. We have been told from every quarter of the Opposition ranks, at all events, that we are a moribund Parliament; that we should not bring forward peculiar legislation of this or any other kind without giving the people an opportunity of voting for or against it. Considering that we have only recently extended the franchise to women, that

we have placed them practically on a par with ourselves; I say we should be wanting in our duty by legislating in this particular direction without giving the women of the colony an opportunity of expressing their sentiments on this point. I am always pleased to support any reasonable measure submitted by the Government; but I think, in the position we now occupy, considering that we are desirous of terminating this session as quickly as possible, it is not wise on the part of the Attorney General or the Government to introduce such legislation. This is a most indelicate question to discuss, and I have no desire to discuss it from an indelicate point of view. One of the principal features of the Attorney General's line of argument has been that he is raising the age of consent only one year higher than that fixed in the mother country. Now I would ask the Minister and every member whether it is not an admitted fact that the age of puberty in these colonies is much earlier than in the mother country. If the age of consent in the mother country be 16, how can it be rational to increase the age of consent in a colony like this to 17, without having her natal day placarded on the young woman's back? I say it is not for us at the present moment to legislate in this direction. I am sorry to have to speak on this indelicate Bill, but it always falls to somebody's lot to do so. I will, with the permission of hon. members, move as an amendment to the Attorney General's motion that the word "now" be struck out, and "this day six months" added.

MR. DARLOT: I second the amendment.

MR. VOSPER (North-East Coolgardie): This question, as the Attorney General indicated, is filled with very considerable difficulties, and I certainly think the Bill is a step in the right direction. Of course it may be argued, as it has been by the member for York (Mr. Monger), that the age of puberty is attained here much earlier than in colder countries; but still, it appears to me very curious that we do not allow a woman to dispose of herself in marriage or to administer her own property till she attains the age of 21 years; before that age she is in the eyes of the law an infant; and yet, though she cannot deal with her property, she can give away her whole future career, and perhaps ruin herself for life, at this comparatively early age set down in this Bill.

THE ATTORNEY GENERAL: It is a question of intelligence.

MR. VOSPER: Quite so. It seems to me the distinction made between these two ages for the different purposes I have mentioned is a relic of the old feudal times when the law regarded property as being a great deal more sacred than the person. There is another point I should like to bring under the notice of the Attorney General and the House. I think we require to protect from the ravages of lust, not only young girls, but to go a little further and protect, I will not say young men, but youths of tender age, against some of the dangers in which they are placed by designing and libidinous women. I am talking straight out facts, which every man of the world knows. It is absurd twaddle to say that the sin is always on the man's side in these matters. That is not the case. I am glad to say there are not a great many, but there are some young girls who are far more debauched than youths of the same age, because, as a general rule, a woman when she is young is more precocious, both sexually and intellectually, than a man of the same age. We have seen very frequently in the Eastern colonies lads of tender age dragged before the courts and charged with most awful crimes by girls in some cases their juniors, but very often their seniors. There was one ridiculous case recently before an Adelaide court, where a woman of 28 actually charged a lad of some 14 years of age with an attempt at rape. Of course that is an exceptional case; but the cases in which girls of very tender age indeed have brought utterly unfounded charges against men of full age are extremely numerous. It is a curious thing that if a man were to bring charges of a certain nature against a person and fail to prove them, he could be severely punished for perjury; but these hysterical and wanton women can make charges of this kind and wholly escape the consequence of their actions. They are permitted to blast a man's reputation for life, and to subject him to serious punishment, purely on the strength of hysteria or for purposes of blackmail. I do not know how it can be

accomplished; but I think some very drastic punishment, or some means of getting at such persons, should be provided in a Bill of this kind, because the twaddle that we are going to protect "the weaker sex," as it is generally called, is utterly ridiculous if we do not also protect youths of tender years from being contaminated by contact with debauched women. I submit that at this age the sexes need protection one against the other in the interests of the whole community; and I hope, while we are amending this Bill, we shall not stop at this, but will go a little further and provide penalties in the cases I have mentioned. I recognise with the member for York that this is not a pleasant subject for discussion; but at the same time we cannot afford to be too delicate; we are not sent here to be delicate or to consult our own innate feelings of modesty, but to grapple with public affairs and to pass such legislation as an evil may require; and I certainly think a Bill of this kind requires the very fullest discussion on the part of hon. members, and that such scruples should not be allowed to stand in their way. I will support the Bill, but I would suggest that the Attorney General consider carefully whether it might not be amended somewhat in the direction I have indicated.

Mr. DARLOT (DeGrey): The Attorney General in introducing this Bill admitted that the matter had been brought under the notice of the Government by a certain section of the community. Now, if this were a railway bill or anything of that kind it would be called a "job," and some members would speak of the subject very strongly. That was why I seconded the amendment of the member for York. As the women will be able to make use of the franchise at the next election, I think this Bill should be postponed for six months, so that they may have an opportunity of making their influence felt. It is all very well to talk, but it is no use people getting into a sentimental mood and putting through a measure like this that may possibly hang a man or a woman if such amendments be passed, as have been suggested by the member for North-East Coolgardie (Mr. Vosper). I think hon. members will do well to adjourn this Bill for six months.

Mr. GEORGE (Murray): I certainly must support the Bill after the speech of the member for DeGrey. I shall strongly object, as a prospective candidate at the next general election, to have the age of consent made a test question on the hustings. I think that is pushing the thing a little too far. I agree with a good deal said by the member for North-East Coolgardie. I certainly think boys of tender age require as much protection as girls, and require that protection not only against those of the opposite sex, but also against persons of their own sex. I think the legal adviser of the Government may fairly consider this question in all its bearings, so as to try next session to give that protection to the youth of the male persuasion which we know is necessary. I do not think any Bill we may bring into this House can make the community moral. It may deter them, as far as carrying out their deeds in public is concerned, by means of its punishments. But there is not a law which can ever be made by this or any subsequent Parliament which will make an immoral man shirk from gratifying his passions if he have an opportunity. Personally I have no scruples in speaking on this matter; I do not consider there is any indelicacy in it at all. If there be any auditors in this Assembly to whom the subject appears indelicate, they have no right to be here, whichever sex they may belong to. These matters are brought before us; we have to discuss them; and it is not a question of delicacy: we must bring to bear on such questions whatever common sense we have. While I quite agree we should as far as possible carry out the views enunciated in this Bill, which views I believe have been brought forward by an association representing the women of this colony——

Mr. Darlot: Part of them.

Mr. GEORGE: A very considerable portion.

Mr. Moorhead: And a very intelligent portion.

Mr. GEORGE: And probably a very intelligent portion. At all events I shall not dispute the question on the points I would have raised two or three years ago, because the House have already decided to give women votes. Women's suffrage has come about; any body of women

have as much right to agitate over matters which concern themselves as have any body of men; and therefore the objections we might otherwise feel to this Bill are largely removed. I shall not discuss the question whether the age of puberty in this colony is earlier than in the old country. That does not touch this question in any shape or form. This Bill is brought forward at the request of a congress of the representatives of women, and I think we are entitled to treat the measure with all possible respect. I am sorry to have to differ from the member for York (Mr. Monger). I know what his views on the matter are, and they may be reasonable from his point of view; but the member for the DeGrey (Mr. Darlôt) struck the point which hon. members should consider. We do not want this as an election cry at the next general election; we do not want to be asked if the age of consent shall be raised to 16 or 17 years; for if this is an indelicate question to be considered in this House, is it not a more indelicate question to be considered throughout the country at a general election? It might probably interfere considerably with the next election. I think the best thing to do is to pass the Bill and let it go through. I do not know when the Bill was first introduced—it must have been at a comparatively late period in the session, and I do not see why the Bill should not have been introduced earlier; but that is not the question now. The Bill has evidently been asked for by a number of ladies representing an association which has a right to exist; this Parliament has given them the right to exist, and the right to vote; therefore we should consider their rights. I do not think it would make a pin of difference, because if young women are lascivious, nothing will stop them from gratifying their passions, and if they want to gratify their passions, they will find the necessary means without much trouble.

MR. MOORHEAD (North Murchison): I have pleasure in supporting the measure before the House. I think the argument used by the member for York (Mr. Monger), that this is a matter which ought to be discussed on the next hustings, is an argument that hardly appeals to the common sense of the members of this House, or in our opinion appeals to our sense of justice. Why defer it longer? I think the member for North-East Coolgardie (Mr. Vosper), who has spoken on the matter, put it very plainly. Everyone recognises that women cannot give their body in marriage, and they cannot dispose of their property while they are under the age of 21 years. Strange to say the law allows no punishment if a man seduces a woman, and throws her out into the streets as a common prostitute. This amendment of the Act ought to appeal to members of the House, and should be passed forthwith. There is one point I would like to urge on the Attorney General. If we raise the age of consent, we ought to lower the punishment. The punishments under the Criminal Law Act of 1892 are exceedingly drastic. As the age is increased, in my humble opinion, I think the offence is lessened, because as the ages advance there is no doubt about it, women are gradually rising to a greater use of their reason, which must diminish the offence from a moral standpoint. I suggest to the Attorney General that when in committee there should be a careful revision made of the penalties in the original Act. I should only be too pleased, if the Attorney General cannot see his way to meet my suggestions, to support, in its entirety, the present Bill.

MR. LOCKE (Sussex): This is a very important Bill to bring in at the end of a session, and at the tale end of a Parliament. I think it is a matter that requires a considerable amount of discussion, and when more members are in the House, therefore I beg to move that the debate be adjourned.

Motion put and negatived on the voices.

MR. ILLINGWORTH (Central Murchison): This Bill expresses to a large extent the judgment of the people commonly spoken of as the W.C.T.U., an organisation wise in its operations, and an institution that this country owes very much to. This subject has been discussed year after year by this organisation, and the Bill is the result of their careful consideration at their conferences for many years. I do not know, but perhaps, if the Bill had gone so far as the English Act—16 years instead of 17 years—it would have been sufficiently drastic, still I hope the House will pass

the Bill, and without amendment. I think the time has come for us to deal with this question. I would like to support the expressions that have fallen from the member for North-East Coolgardie (Mr. Vosper). I have seen a great deal in this city, and in other cities, and I say that we want to protect our boys as well as our girls. When we have seen things as I have seen them in this city and elsewhere, constant attempts to lure young lads of 12, 13, and 14 years of age into houses of ill-fame, I think we should take steps to protect our boys as well as our girls. If the Attorney General can draft a clause in that direction I will support it. I am pleased to support the Bill as it stands to protect the girls, but I would like to see some addition to it to protect the boys.

The ATTORNEY GENERAL (Hon. R. W. Pennefather): It is gratifying to hear members in the main supporting the Bill, and I take this opportunity of tendering my thanks through the House to the ladies who have taken the trouble to give this subject a great deal of consideration indeed; they are devoting a lot of their time to the welfare and benefit of the women of this community, the rising generation, and any consideration that comes from them, supported as it is, ought to receive as much support at the hands of this House. I would like to point out that, although I agree in the main with what the member for North-East Coolgardie has said, the difference as between the effects of defilement or demoralisation of boys, as contrasted with girls, is concerned, is great. In one case it means irreparable ruin, in the other case nothing of the kind. That is the reason why the Legislature has confined its attention principally to the protection of young girls. I would like to observe, and while I do so I thank the hon. member for North Murchison (Mr. Moorhead) for the graceful remarks he has made on the measure, that although the sentences in the original Act, which it is proposed to amend may seem—that is the maximum penalty—strong or severe, I take it that whoever administers the law when an offence is committed, when awarding the amount of punishment on the person guilty of the crime under the Act, he would take into consideration the age of the girl in meting out the punishment that would be allotted to the person who is found guilty. That would necessarily be a strong factor in determining the punishment an accused ought to receive. In that respect the Bill might be left as it is, but as regards some of the amendments suggested by members as to the protection of youths, a clause might be added in Committee to meet that class of case, and when in Committee it will be my pleasing duty to meet the wishes of hon. members of this House.

Mr. WILSON (Canning): One would imagine from the remarks of the mover and seconder of the amendment that this was a piece of entirely new legislation which was being introduced into this Parliament. We have the legislation in existence to protect girls and females, and all the Bill proposes to do is to increase the age. The question we have to consider now is, what is the proper age for a girl to be protected up to. The Bill proposes 17 years as the age of consent, and I think hon. members have to consider whether 17 years is a fair age, or whether it should be more or less. That is the point and the argument. Although I admit, and I welcome the Bill because it is a step in the right direction, I have not yet decided whether I shall support 16 years as the age of consent rather than 17. I am rather inclined to think that 16 would be a fair age, but the time to decide that is in Committee. I cannot agree with the argument that because a girl cannot enter into matrimony without the consent of her parents or guardians until she is 21 years of age, and cannot handle property, that she should be protected as far as the offence is concerned up till that age. We must remember that when offences of this nature are committed by both parties it is in a moment of passion. It is not like the deliberate transfer of property from one to another after due consideration. It is a falling away at the moment when young people have not control over their passions. I am inclined to think we are overlooking the fact, in considering this Bill, that there has to be some corroborative evidence under the original Act. The word of a female only I do not think carries conviction. I would like to know whether that is so. I believe it is; at any rate I hope it is so. We cannot

close our eyes to the fact that there are many females who are so lost to all sense of what is right and just that they will not hesitate to beguile youths, and then issue an information, or perhaps threaten an information, with the object of levying blackmail. That is what we want to guard against. I hope members will pass the second reading of this Bill, and when we go into Committee will accept either 17 years as the age or consider whether it is advisable to make it 16 years. I see it is as I said: there has to be some corroborative evidence under Section 6 of the original Act.

MR. MOORHEAD: Under that particular section, but there are more drastic sections than that.

Amendment put and negatived.

Question—that the Bill be read a second time—put and passed.

Bill read a second time.

STATE AID TO MANUFACTURERS BILL.

DISCHARGE OF ORDER—STATEMENT BY MINISTER.

On the order for second reading:

THE COMMISSIONER OF CROWN LANDS (Hon. G. Throssell) moved that the order be discharged. He said: Although it is my intention to withdraw the Bill, I think it right I should make some explanation. I have not studied the Commonwealth Act without recognising that the proposal contained in the Bill would be voted illegal under the Federal Constitution; but I maintain that if the Bill could have been introduced it would have been of the very greatest use to the community. The Bill provided for the encouragement of new industries, and for the Government, when industries were approved, guaranteeing interest at 5 per cent. for a term of years, not exceeding 20; and everyone must recognise that at the present time the great want of the colony is population with employment in staple industries. This matter has been more or less before the public for the last two years, and I confess it is a great disappointment to me and others that the Bill has been voted illegal. It is not likely I should have fathered this Bill without having given it considerable study, and before the referendum was taken I had my doubt as to the powers we would have when we entered the Commonwealth, and I submitted the question to the Law Department. The reply was that as soon as the uniform duties came into existence, we lost our power as a colony to give bonuses to stimulate new industries. I do not think I should have been foolish enough or wise enough, to continue the Bill, but my friend the Premier thought differently, and that the measure might be introduced. A little later on, however, it was shown that the Law Department was correct, and that we had no power, that opinion being confirmed by the Attorney General; and the result is that I have to withdraw the Bill. All this goes to show that the anti-federalists who had the interests of the country at heart very fairly gauged the condition under federation, and it is a great slap in the face to me, and other colonists, to find we have no power to encourage new industries. The one thing Western Australia wants is capital and staple industries, and we have been told recently, and know, that there are many millions of pounds sterling locked up in the banks of Australasia. In this particular colony money cannot be obtained for ordinary purposes under 7 or 8 per cent., and while one of our great wants is new industries, we are forbidden to encourage them, because we have entered federation. Could we have introduced the Bill, throwing the onus of finding capital on the promoters of new industries, we should have called £100,000 into existence immediately, because the guarantee of 5 per cent. would have induced men in all parts of Australasia, in London, Paris, and elsewhere to come here. I deplore that the Bill has to be withdrawn, because on more than one occasion we have given special and distinct promises that such encouragement would be forthcoming. Again and again, at the annual conference of producers, has it been urged that central wineries should be established, as in South Australia and Victoria; but now we are absolutely forbidden to give our own money for the encouragement of new industries, and while money is going abegging in the eastern colonies, it cannot be obtained here under 7 or 8 per cent. I do not want to repeat to practical men the opinion that the Government guarantee of 5 per cent. on approved industries would

have tended to check the evils which we deplore as likely to result on our entering the Commonwealth. A five per cent. guarantee, with the ordinary rate of interest at 3½ and 4 per cent., would have induced people to come here and establish industries on the soundest possible lines. But what are we doing at the present time? We have a Bill before us to give £100,000 for State batteries on the goldfields, and I am altogether in accord with the principle. I believe the Government should go further; but why should that assistance be given to State batteries and be altogether forbidden under the Commonwealth Bill for the encouragement of new industries? It is a deplorable position, and I cannot help letting my mind go back to what occurred in the other colonies, and saying that had proper representations been made by the convention delegates from this colony we should not be in this position to-night. However, nothing remains for me but to withdraw the Bill, hoping that later on in the Commonwealth Parliament, the representatives of Western Australia will so use their influence with the Inter-State Commission that we shall be able to take up this work. It may be said by hon. members opposite that I am wrong, because the legislation I advocate has a socialistic tendency; but I would only remind those hon. members that it is far too late to talk about legislation having a socialistic tendency. They should have spoken in that strain when we introduced the Agricultural Bank Bill, or when we started State batteries. I, for one, believe in using the organisation of the State for the benefit of the people, so as to call on their spirit of self-reliance and self-dependence; and I maintain that members who study this Bill will see that it is second to none in the advantage it would confer on the manufactures in this community. The importance of such a measure will be recognised, when hon. members look at the list of importations in different directions. It is much to be regretted that we send away our cash for machinery, or for rope, twine, and many other articles, which we should encourage the manufacture of here. It should be the end of statesmen to encourage industries in our midst; but what have been doing all these years? I am very much in earnest about this, and I say that while our goldfields have been stimulated, our workshops and manufactures have not received the same attention. What have we done? We have stimulated the industries and the agriculture of South Australia and Victoria. The development of agriculture and the process of settlement call for machinery of different kinds, and it should be the duty of the Government to endeavour to establish the manufacture of that machinery in the colony. I am very much in earnest in saying that a great mistake has been made in the past, but I regret to say it is too late to amend that mistake. I can only repeat that I hope whoever goes to the Federal Parliament, will use their influence and see that we are given power by the Inter-State Commission to use our own money for the establishment of industries in Western Australia, so that we may do in this colony what has been done in other colonies for many years past. Hon. members may smile, but I say again, it is the first slap in the face the colony has received on its entrance into the Commonwealth; not that I regret that entrance, but what I deeply regret is that at the proper time, two or three years ago, the interests of the colony were not sufficiently watched and safeguarded by the representatives we sent. Had proper influence been used at the right time, the concession I am speaking of, namely, the right to build up our industries by bonuses, not to mention the question of the railways, would have been granted; and we could have entered the Commonwealth with better and higher hopes than I, and others, have to-day. We shall overcome the difficulties, I am sure, but it will be recognised that mistakes, and regrettable mistakes, have been made. This explanation is due to those who had the courage to oppose federation, and is also due to myself, who am placed in the humiliating position this evening of having to withdraw the Bill, and move that it be discharged from the Notice Paper.

MR. VOSPER (North-East Coolgardie): I do not think any member of the House will object to the motion moved by the Minister for Lands; on the contrary I am quite sure, so far as the Opposition is concerned, the feeling is rather the other way. Although I recognise the fact, or believe, that this

colony at the time of the various federal conventions, made an exceedingly bad bargain, it is our duty to make the best of that bargain; and if one of the effects of federation is to prevent the passing of pernicious legislation of this character, I, for one, am very glad federation is an accomplished fact. I have no doubt the Minister for Lands means well, as he always does, and he has shown by the speech he has made that he is thoroughly in earnest, and believes that by passing this Bill he would be conferring a distinct benefit on the community. My opinion is quite to the contrary. I do not regard the Bill as having a socialistic tendency, and I should not have opposed it because of any socialistic tendency it might be said to possess. On the contrary, I contend that the subsidising of private interests is anti-socialistic; is subsidising plutocracy, perhaps in the worst form. There is no parallel at all between the subsidising of private interests and the founding of public batteries. The latter are established by the State, owned by the State, controlled by the State, run for the profit of the State, and for the development of an industry it is to the interests of the State to develop.

MR. MOORHEAD: Does not the same principle underlie?

MR. VOSPER: But this is a very serious perversion of the principle. If a Bill had been brought in to establish State industries, providing that the State should enter into the business of making ploughs, harrows, and manufactures generally, that would have been socialistic, and the principle of the erection of public batteries would be carried out to a logical issue. But when we subsidise private manufactures it is a different matter altogether, and I regard the Bill as simply protectionism run mad. The fallacy brought forward by the Minister, to the effect that we should keep the money for the manufacture of machinery in the country, goes to show that he labours under the fantastic and foolish heresy that money constitutes wealth, a state of mind which I should have hardly expected in a gentleman so enlightened. With regard to the Bill itself I can only congratulate him, or rather I can congratulate the country, upon his being compelled to withdraw this Bill by virtue of the terms of the Commonwealth Act, because to my mind nothing could be much more injurious than a proposal of this description. If we are going to subsidise new industries, or industries about to be established, what is to become of the old ones? Why should we establish fresh competitors to enter into competition with those already in the field? The question of what is a new industry is left entirely in the hands of the Minister to decide. I am reminded by the interjection of the member for the Murray (Mr. George) that in a place like Mount Malcolm or Mount Leonora a foundry would be a new industry, and I take it that under this Bill the Minister would be allowed to subsidise a foundry by guaranteeing interest on the capital invested. Would that be fair to others who have invested their capital and done their best to build up industries without any help whatever from the Government? It would be unjust; and so far from a Bill of this nature encouraging self-reliance and promoting independent industries, it would have exactly the contrary effect, because I cannot conceive anything much worse than the idea of letting a manufacturer think he need not look to ordinary legitimate trade for profits, nor entertain any fear of rivalry, as he would be able to get five per cent. on the capital he invested. It seems to me that would be an inducement for people to embark upon all kinds of visionary schemes. The hon. member (Hon. G. Throssell) has suggested that it should be made a cry at the federal election, that we should ask permission of the Federal Parliament to establish legislation of this character. If that gentleman remains in public life, this Bill will be heard of again, and I intended to show the House and the country a few dangers which appeared to me to underlie the Bill. Then, again, look at the enormous power placed in the hands of the Ministry of the day, whoever they may be. In the case of any kind of industries which they considered to be new (although those industries may be as old as the hills, as most of them are), the Ministry would have the power to pay out of the country's funds 5 per cent. on the capital invested. This would not be exhausted by one application, but the Ministry could add as they liked, and that could go on for 20 years. No measure would

open a wider door for corruption and jobbery than a Bill of this description. If it be expedient in any isolated cases to grant interest on money laid out for the purpose of carrying on industries, let us deal with each of those industries in a separate Bill. The power contained in this Bill is too much to be granted to any Ministry. It is distinctly unwise of the House, or it would be so, to pass a Bill of this description, which practically means eternal appropriation of public funds. It means that for all time Ministers could appropriate the revenue of the country. And for whom? For those who got the ear of the Ministers. This assistance would not necessarily be given to an industry which deserved aid, but it would be given to those who could most approach Ministers and who could bring political and backstairs influence to bear upon the Cabinet. That is the class of persons this Bill would be likely to encourage. If anything could be calculated to convert people like myself, who opposed the Commonwealth Bill because of the terms, it would be the introduction of a measure of this kind, because the dangers of federation for the moment contain nothing so far reaching or subversive of the principles of Parliamentary government as this Bill. I heartily welcome the motion for the discharge of the notice.

MR. GEORGE (Murray): I would like to say a very few words with regard to this. Although I am sorry to differ from the Minister of Lands (Hon. G. Throssell) on this question, I want to point out to him that no manufacturing industries have ever been prosperous in the colonies or the older countries of the world, that have not had small beginnings and that have not grown through the individual exertions of those who started them. The idea that you can transplant a huge manufacturing establishment in South Australia or Melbourne over here, and make it a success right away from the jump, is absolutely absurd.

A MEMBER: What about Mephan Ferguson?

MR. GEORGE: Since that is brought up, let me point out the danger there is from an unskilled person dealing with matters he knows nothing about. What is Mephan Ferguson's business? It is simply making plant, and the industry is not likely to be a permanent one and the sort of industry the Minister of Lands wishes to establish. The Minister has told us this evening that he is desirous of establishing the manufacture of a whole lot of machinery and similar things wanted in this country. Mephan Ferguson's works are in a different category.

MR. MOORHEAD: They can turn out better things than you can.

MR. GEORGE: The question is not what I turn out. That is the mistake that members of the legal profession fall into. They seem to think that when a man deals with a question he is paddling his own canoe. I have not sunk low enough to ask the State to help me, nor am I likely to. If I cannot fight my own battle without the aid of the State, the sooner I am landed in Karrakatta the better for myself and my family. What is the use of talking such arrant nonsense as has been uttered? I am surprised to find that one whom I regarded as a cool, calm, common-sense individual seems to have lost his senses. It is another case where certain persons rush in where angels fear to tread. I am sorry to say such words about the hon. member, because I like him very much, but he must allow me to speak on things I understand. During the last dispute over the federation question men like myself, and others of greater skill, pointed out that there was a danger in connection with local industries. I think the reply by my hon. friend the member for the Canning (Mr. Wilson) was that if an industry was suited to the country, it would grow and prosper, and that if it was not suited to the country the sooner it died the better. I think that is the argument of the free-trader. I believe that is the view of the Hon. A. P. Matheson. I say the same thing. As far as manufactures are concerned, I am not afraid of people bringing them over, but let people start in their own small way and not come to the State for assistance to overcome difficulties.

A MEMBER: The Bill is going to be withdrawn.

MR GEORGE: I know it is going to be withdrawn. I wanted to point out in public what I have already said in private to the Minister of Lands. The member for North-East Coolgardie (Mr. Vosper) made

a very good suggestion when he spoke about starting industries at Leonora. If anyone has a grievance in this matter I have. I know industries which have been started on the plea of being new industries, though they were really not new industries at all, but they were competing with industries which had been established in Perth and Fremantle. I think that if anyone has a right to complain of that, I and other manufacturers in Perth have. I congratulate the Minister on the fact that his enthusiasm, at any rate, has received a very wholesome and useful check in regard to this measure, and that in future legislation will be governed more by stern facts and reasons than has been the case in the past.

Question put and passed, and the order discharged.

THE MINISTER OF LANDS (in explanation): I only desire to say that, in withdrawing this Bill, I am surprised at the utterances of my friend, the member for North-East Coolgardie (Mr. Vosper), who says such a Bill as this would open the door to jobbery and corruption. A sum of £30,000 was voted for the purpose of establishing public batteries, while under this Bill all that the House would be called upon to provide would be £1,500 a year for a number of years—such a number as the House would vote for. Which is the more righteous principle: to guarantee interest on money invested in new industries, or to pay capital for public batteries? As to corruption and jobbery, influence might be brought to bear in relation to the establishing of public batteries, in the event of there being a weak Minister of Mines, so that a district would get such battery whether it deserved it or not. A large amount of capital might be spent in regard to batteries, whereas under the provisions of this Bill the owners of businesses would have to find the capital, and the Government would merely pay interest. £30,000 has, I repeat, been voted for State batteries, whereas under this Bill all that the House would be called upon to provide would be about £1,500 a year. It is only beating the air to fight the question now, but at the proper time and place, and under proper conditions, I venture to say I should be able to convince hon. members of the righteousness of the principle I advocate. If the objection which has been raised to this proposal is sound, we ought never to vote money for State batteries. I withdraw the Bill. I cannot help saying, in passing, that I begin to think my old friend the Premier has been too much for me in this matter. It strikes me he thought the anti-federalists would run him pretty close, so he pooh-poohed the idea that we could not do this. I seem to think that he kept it up his sleeve, and possibly the Attorney General knew that the Bill was illegal, but he did not give a warning word. I desire to say I was not blind all along, for I myself believed that it was illegal, and I should not have allowed it to go thus far had not my friend the Premier pooh-poohed the idea that we could not pass such a measure.

POLICE ACT AMENDMENT BILL.

SECOND READING—AMENDMENT.

Order of the day read.

MR. GEORGE (Murray): I believe several members who wish to deal with this matter are unavoidably absent. I therefore move that the question be postponed until the next sitting of the House.

MR. JAMES: Why cannot we deal with it now?

A MEMBER: Go on.

Motion put, and a division taken with the following result:—

Ayes	...	...	16
Noes	...	...	9
Majority for		...	7

AYES.	NOES.
Mr. Darlôt	Mr. Harper
Sir John Forrest	Mr. Illingworth
Mr. A. Forrest	Mr. Kingsmill
Mr. D. Forrest	Mr. Moorhead
Mr. George	Mr. Piesse
Mr. Hall	Mr. Sholl
Mr. Hubble	Mr. Vosper
Mr. Lefroy	Mr. Wilson
Mr. Locke	Mr. James (*Teller*).
Mr. Monger	
Mr. Moran	
Mr. Pennefather	
Mr. Solomon	
Mr. Throssell	
Mr. Wood	
Mr. Rason (*Teller*).	

Motion thus passed, and the order postponed.

COTTESLOE, ETC., ELECTRIC LIGHT AND POWER BILL (PRIVATE).

SELECT COMMITTEE'S REPORT.

MR. MOORHEAD brought up the report of the Select Committee, and moved that it be received.

MR. GEORGE (Murray): Before this report is adopted, as one of the committee I should like to say a few words. I am sorry to say that owing to illness I was not able to be present at some of the later meetings; but I must confess I have considerable sympathy with the people opposing this Bill, who as far as I can judge from the evidence taken while I was at the meetings, and from what I have read since, while they had good intentions regarding this matter, lacked the necessary experience which the promoters of the present Bill evidently possess. I am informed by the opponents of this Bill that they can now obtain the required capital and can carry out the works. Their scheme is for providing gas for this district as well as electric light; and this Bill, if passed, will eventually crush this small local company. I think the sympathies of the House might well be given to "small" people rather than large. This report, towards its conclusion, in reciting certain circumstances as to local requirements being the chief consideration, says: "The committee feel bound to recommend the Bill to the House with certain amendments." That means that if a concession be given by this House to certain people, someone may come along with more money and a better knowledge of procedure; and if the former promoter, whether it be a person or a company, has in any degree failed to carry out what should have been done, then "the big dog wins." I am rather peculiar in the fact that my sympathies are generally with the small dog in a question like this, and I think if the House will consider the matter they may, perhaps, feel inclined to defer consenting to this Bill, so as to give the original people who secured the passing of the Act now on the statute book a further opportunity of proving their *bona fides*. It may be said these people got a concession, and apparently slept on their rights for some months. That was explained to the committee, and it was done when the carrying out of the objects of the original company depended upon a gentleman who was appointed as its manager, who could not undertake his duties until he had first severed his connection with the Perth Gas Company, which severance did not take place until a few months ago. Since his leaving the Perth Gas Company he became active in this matter, and his efforts have led to very fair and encouraging results. I think, if the House will consider the matter in that aspect, they will agree that the small man is certainly entitled to our sympathies if he has made a mistake through ignorance, and that we should help him forward as much as possible. Regarding the inhabitants of this district, a great number of the prospective users of this electric light hardly care by whom it is supplied, provided they get it; and I think when a Bill has already been passed conferring certain powers which have not been thoroughly exercised owing to peculiar circumstances, and not by reason of any chicanery, the House might fairly consider that the small dog should have a little protection. I think there is not the slightest doubt this report is the logical outcome of the evidence given to the committee. I am sure the chairman of the committee is quite impartial. [MR. MOORHEAD: Thank you.] My children will cherish that approval of its chairman amongst the family archives. That is all I have to say in connection with the matter.

MR. VOSPER (North-East Coolgardie): I wish to support the last speaker in this matter. As far as my knowledge goes, the history of these two Bills is: A Bill was passed here some time ago conferring a right to supply electric light, gas, and so forth, to the inhabitants of this district. That Bill was defective, and allowed the matter to be tied up for some considerable time; and then a quarrel arose amongst the promoters, and delay was caused by the fact that one of them had to be bought out; and that one person has now become one of the promoters of this second Bill, which seems to be the outcome of the quarrel which took place among the promoters of the original measure. The position of the original Bill—or rather of the Act now in the statute book—is that, if the present Bill be rejected, the necessary capital can at once be obtained; in fact the capital is obtained on the condition that this Bill be rejected. But if this Bill be passed, nobody will be likely to subscribe the capital for the furtherance of the company interested in the original measure. In this case, our

sympathy should be with the original promoters. This is their scheme, their suggestion, their conception from beginning to end: they have been deterred from carrying out their idea through circumstances over which they have had no control whatever; and to pass a Bill of this kind would be perpetrating an act of injustice. I shall support the member for the Murray (Mr. George) at the present time, and on the second reading I shall deem it my duty to move that the Bill be read this day six months.

THE SPEAKER: I do not think the member for the Murray made any motion.

MR. GEORGE: No. I simply gave an explanation in regard to the matter, so that, when the Bill was before the House, action might be taken.

MR. HALL (Perth): I did intend, on the second reading, to move that the Bill be read this day six months; and I intend to oppose this measure. It has been explained by the member for the Murray, who was one of the select committee, that the original promoters were delayed through no fault of their own; and I am assured by several members of the original syndicate that they are ready to start work within a fortnight. It appears to me that an endeavour has been made to jump the claim of the original promoters; and I do not think this House should allow any such thing without giving a fair show to what the member for the Murray has termed "the small dog." I am entirely opposed to this Bill, and shall support the proposition that the second reading be rejected.

MR. JAMES (East Perth): I should like to correct one misapprehension under which the member for North-East Coolgardie (Mr. Vosper) labours, which does a grave injustice to Mr. Henning, who is the agent for the company applying for the present concession. There is absolutely no foundation that I know of for saying Mr. Henning's conduct towards this syndicate has been anything else than perfectly straightforward and honest.

MR. VOSPER: I do not say there is.

MR. JAMES: Mr. Henning ceased to have any active connection with this syndicate before the last Bill was introduced, not after.

MR. MORAN: It was unfortunate; that is all.

MR. JAMES: He took no part in promoting the original Bill, and no part in forming the syndicate afterwards. Whatever opinion members may have upon the merits of the Bill as to whether more consideration should not be shown to the local company, I do ask that their minds will be quite free from any idea that Mr. Henning's conduct has been in any way blamable.

MR. WILSON (Canning): I think we shall be considering the interests of the public and of Cottesloe and neighbourhood by deferring this matter till the next session of Parliament. It appears to me this is the position: last year certain people got certain powers, under an Act, to erect an electric-lighting and gas plant for Cottesloe. Within three or four months from the passing of that Act a notice was gazetted that a new syndicate would apply for powers to erect electric-lighting works. Of course that would naturally interfere with the original syndicate. Until this new application were granted or rejected the original syndicate could not possibly go on, or raise the necessary capital to erect their plant. Now supposing we pass the Bill before the House, and give this new syndicate power to supply electric light, what guarantee have we that there will not be further delays? In all fairness we ought to let the people who got the powers last session have reasonable time to carry out the work which they undertook. If we leave the matter until the House meets next session, that would be a fair time. If the original promoters do nothing then we would be perfectly justified if the present applicants once more asked us to give them the powers, in passing the Bill. I certainly will vote for throwing out the Bill until next session.

MR. MOORHEAD: Have the members who have spoken read the evidence?

MR. WILSON: In order to save the time of the House, I formally move that the consideration of the report be postponed for a month.

MR. MORAN (East Coolgardie): I confess my sympathies are somewhat travelling in the line of giving the people who originally obtained the concession a further opportunity of carrying out the work; but the time to deal with that will be when the Bill comes forward for con-

sideration. I wish to point out that we elected a committee of the House to do certain honorary work, and out of courtesy to that committee we ought to adopt their report. I strongly object as, a rule, to extending anything like discourtesy to honorary committees of the House, the members of which have done hard work and have brought in a report of this kind. We should accept the report of that honorary committee which we asked to do work for us.

MR. WILSON: I concur in the hon. member's remarks, and I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

MR. MOORHEAD (North Murchison): As to the report itself, I think that before members commit themselves as to the merits of the matter, they might take the trouble to read the evidence. In this matter the original syndicate obtained their Act really to supply gas; as far as the evidence discloses, there was no particular intention of carrying out an electric light installation. This syndicate had notice of competition from the start. After having obtained their Act, they practically had notice of competition from the gentleman who is promoting the present Bill. In fact negotiations for purchase were started then, and notice of the Bill was actually advertised before Mr. Henning retired from the original syndicate. With regard to Mr. Henning's action in connection with the original syndicate, it is unnecessary for me to say anything after the remarks of the member for East Perth (Mr. James). The syndicate had a certain time for commencing its work, I think it was 12 months. They did nothing, and the time expired. I think it expired on the 1st of October, but I understand they got an extension from the Roads Board, yet up to that date they did nothing. One hon. gentleman who has spoken this evening, I think the member for the Murray (Mr. George), remarked that their inability to commence was due to the manager being unable to sever his connection with the gas company. That gentleman was a member of the original syndicate, and if he really meant to promote this work it was open to that gentleman to have severed his connection with the gas company earlier, and devoted his attention to the flotation of the company. With regard to the flotation itself, the evidence before the committee disclosed that only 3,000 shares were subscribed up to the date of the committee meeting. Further evidence as to whether they really intended to carry out the work was that an undertaking was given by a gentleman to underwrite the affair if the Bill was not carried through. The committee's report in effect is that if the present measure advocated by Mr. Henning is adjourned over the next session, in other words if the Bill is swept aside this session, the whole thing will be in no better position by reason of the fact that the present promoter has published his intention of bringing before the House a similar measure next session. Therefore the original promoters are in this position: there is no more prospect now of carrying out their endeavour and making the company a local one than there was before the committee met. With regard to the objections or the interpolation of the member for the Canning (Mr. Wilson), the evidence before the committee discloses that the syndicate intended to make it a local corporation. The society applied to the inhabitants for their support, and the local inhabitants did not subscribe because of the other measure coming before the House. The same objection exists, because we have it that the measure will be brought forward again next session.

MR. SOLOMON (South Fremantle): As one of the members of the select committee, I entirely concur with the statement by the chairman of the committee and by the member for East Perth (Mr. James). The evidence was taken carefully, and many questions were asked *pro* and *con*. We tried to get as much evidence as we could. The principal thing, I consider, was the objection to the preamble; that, to my mind, was not proved, consequently it was decided that we should send in our report, which is now before the House.

Question—that the report be adopted—put and passed.

COUNCIL'S RESOLUTION — RAILWAY TOWARDS NORSEMAN, TO CONSTRUCT 25 MILES.

Order read, for consideration of resolution received from the Legislative Council:

"That in order to provide additional timber and fuel for mining purposes for Coolgardie and Kalgoorlie, and generally to further encourage and assist the gold-mining industry, this House is of opinion that it is desirable, in the general interest of the colony, that a railway be constructed from Coolgardie, southwards *viâ* Burbanks and Londonderry, for a distance of at least 25 miles."

MR. HUBBLE (Gascoyne): I would like to ask the Speaker's ruling in reference to the message, conveying a resolution passed by the Legislative Council for the construction of a railway from Coolgardie south *viâ* Londonderry, as to whether it is in order.

THE SPEAKER: There is no doubt whatever the House has already given a decision on this question, and one of the most elementary principles of Parliamentary procedure is that the same question cannot be submitted to the judgment of the House again during the same session. If any motion is made asking me to submit a resolution, such as this, sent from the other House, I shall have to rule it out of order.

THE PREMIER: What can we do?

THE SPEAKER: I should return a message to the Legislative Council stating that a decision has already been given on this matter, and it is against Parliamentary procedure to again submit the proposal to the House.

MR. GEORGE: Cannot we proceed with the next business, that would be the way to do it?

THE SPEAKER: It would be more civil to return a message to the Legislative Council.

MR. GEORGE: I have no desire to show discourtesy to another chamber, but I do not know the exact wording that a motion should take. Perhaps some hon. gentleman who understands the matter better could put the varnish on. What the House wants to do now is to proceed with the next business.

MR. MORAN: There is nothing before the House, Mr. Speaker.

MR. ILLINGWORTH: If the Premier will not move a motion, I will take the responsibility of moving one myself.

THE PREMIER: I am in charge of this matter, and I am prepared to move a motion.

THE SPEAKER: It is usual to consider messages in Committee.

MR. ILLINGWORTH: After the ruling that has been given from the Chair, in which I completely concur, and I think if hon. members look up the practice they will find that the Speaker's ruling is indisputably correct, I will move that a message be returned——

THE SPEAKER: Messages must be considered in Committee.

MR. MORAN: I move that the Speaker do now leave the Chair, for the purpose of considering the message in Committee.

THE PREMIER: I was prepared to move that.

Motion put and passed.

IN COMMITTEE.

THE PREMIER: I feel that I am in a difficulty. It is my duty to uphold the rules and orders of the House, and I was prepared to ask the House to agree to this resolution passed by the Legislative Council. Of course I am aware, and there is no doubt about it, that this resolution as far as the construction of a railway 25 miles in the direction of Norseman is concerned, is simply a portion of the railway, for constructing which a Bill was rejected by this House on the second reading. This resolution means to consider the construction of a railway along the same route as the Norseman line, but for only 25 miles. I do not wish to send the resolution back to the Legislative Council, but I am prepared to move a motion, though I do not know whether I would be in order.

MR. GEORGE: You are decidedly out of order.

THE PREMIER: I regret it is not possible for me to proceed with the motion, after the ruling given by the Speaker; and I beg to move that the Chairman report to the Speaker that the motion being contrary to the Standing Orders, it is not possible for the Committee to proceed with it.

MR. VOSPER: Before the motion is put, if anybody has any particular hankering for a discussion on the merits of this railway, we might amend the motion so as to describe the line as one from Coolgardie to Red Hill, which would be distinct from a railway to Norseman, and would bring us within the Standing Orders. I suggest that in order to show

that I have no desire, and I believe the member for East Coolgardie (Mr. Moran) has no desire to shirk the question.

Question put and passed.

On further motion by the PREMIER, Message accordingly transmitted to the Legislative Council.

MOTION—GOVERNMENT RAILWAYS, CONTROL BY COMMISSIONERS.

AMENDMENT: SELECT COMMITTEE.

Debate resumed from 13th September, on motion by Mr. HARPER, "That in the opinion of this House the time has arrived when it is desirable, in the interests of this colony, that the Government railways should be placed under the control of a Board of Commissioners, removed as far as possible from political influence"; also on amendment moved by Mr. PIESSE, "That all the words after the word 'colony' be struck out, and the following words be added in lieu thereof, 'That a Select Committee be appointed for the purpose of inquiring into the general condition of the Railway department, with a view to placing the Government railways under the control of a Commissioner removed as far as possible from political influence, and that, pending the report of the Select Committee being received, the official recognition of all Railway Associations be deferred.'"

MR. DARLOT (DeGrey): I moved the adjournment of the debate on the last occasion, to enable me to get information and show reasons for the arguments I am now about to submit in favour of the proposal that the railways should be placed under a commissioner or commissioners. Under the present management of our railways large expenditure has been continually incurred under the heading of "Additions and Improvements." In 1896 between £200,000 and £300,000 was set down for additions and improvements to existing lines.

THE PREMIER: Out of loan or what?

MR. DARLOT: I cannot say, but that was the amount set down, and anyone looking at the accounts, would naturally infer that these were additions and improvements to facilitate the economical working of existing plant.

THE PREMIER: Not locomotives.

MR. DARLOT: No; but in reality this is an account to overshadow and shut out from the view of hon. members, any little discrepancies and shortcomings that may have occurred, or otherwise should have had a more detailed account.

MR. VOSPER: I rise to a point, or rather, two points of order, because I think the member for DeGrey (Mr. Darlôt) is slightly in a fog, and is discussing financial questions entirely foreign to that motion, while, as to the amendment, the railway associations have been officially recognised, and the utility of discussing that amendment is not altogether apparent.

THE SPEAKER: I suppose the member for DeGrey is making use of arguments to show the necessity for placing the railways under a commissioner.

MR. DARLOT: That is so, and I want a commission appointed to inquire into various things which have come under my notice in going into these accounts.

THE SPEAKER: The motion is not for the appointment of a commission, but for the appointment of a commissioner.

MR. DARLOT: When I go into the matter I will show that the expenditure swells into the large sum of one million and a quarter. It is well understood that in the management of a concern, where there is a large amount of plant, additions and improvements mean more efficient plant, and, consequently, reduction in the working expenses. That result, however, is not arrived at in the Railway Department, because no reduction is shown in the working expenses at all. All that has happened is that more capital has been expended, without equal return, and the cost of running the railways has become greater; and this leads me to the opinion that the system of management is not an efficient one. The result of this expenditure of a million and a quarter on so-called improvements is that the working expenses increased from 50 per cent. in 1896 to 63 per cent. in 1897; and I maintain that this money ought to have been put down to construction, and not to be debited to improvements, seeing that the working expenses have not been minimised. I maintain there ought to be a commissioner, and I am not very particular whether there be one commissioner or more; because any change which would mean a thorough investigation into the system of management, and

the system of book-keeping on our railways, would have a tendency to do a great amount of good. The working expenses I might further point out increased to 71 per cent. in 1899, and I have been told, though I did not find it verified in looking through the figures, that the percentage was really higher than that last year. I am quite sure, however, because the figures I quote are official, that the working expenses were 71 per cent. in 1899, and that after an expenditure of over a million and a quarter for additions and improvements.

THE PREMIER: We have had to duplicate lines.

MR. DARLOT: Then the expenditure should have been put down to plant.

THE PREMIER: So it is.

MR. DARLOT: But it comes under "additions and improvements."

THE PREMIER: It all comes out of capital account.

MR. DARLOT: I will come to that directly. When we go into these accounts, we find that to run the railways, costs 21 per cent. more than in previous years. In 1896 our railways cost 50 per cent. to run, the New South Wales railways cost 55 per cent., the Victorian railways, 60 per cent., and the South Australian railways, 59 per cent. In 1899 the railways of Western Australia cost 71 per cent. to run, the New South Wales railways cost 54 per cent., the Victorian railways, 63 per cent., and the South Australian railways, 61 per cent. In 1896 the railways of Western Australia paid 11½ per cent. on the capital invested, but in 1899, after all the additions and improvements, there was a great fall, and the return was only 4½ per cent.

THE PREMIER: The rates were higher previously.

MR. DARLOT: True, and I was quite prepared to hear that argument from the Premier. In 1891 our railways cost to construct and equip £4,500 per mile; in 1896 the cost under those heads was £4,000 per mile, and in 1898 the cost was raised to £5,000 per mile, although some hundreds of miles had been added at £3,000 per mile.

MR. PIESSE: But there is a million for rolling-stock to be taken into account.

MR. DARLOT: In 1898, that wonderful year of records, the railways cost £5,000 per mile. It is a fact that has come well within my knowledge, for I have travelled over the line many a time with the contractor, that the Cue-Mullewa line, including all claims, only cost £1,550 per mile for the 200 miles; but after taking over that line at this small outlay, we still find the railways have cost about £5,000 per mile to make and equip. I maintain there is every necessity for a commissioner beyond Parliamentary or other control, and that a thoroughly qualified man should be appointed. Our railways, as the Premier has always pointed out, are our one great asset. We run the railways, and the railways run the country for us; and it is somewhat startling to find that while in 1896 the Western Australian railways paid 11½ per cent. on the capital invested, in 1899 they only paid 4½ per cent.

THE PREMIER: There is all the new rolling-stock, too.

MR. DARLOT: Yes; that is after additional improvements. Additional improvements are not rolling-stock, and therefore if this large amount of money—over a million and a quarter—had been spent in additional improvements to existing plant, it should have shown a better return. There has been a large mileage of cheap railways added to the existing lines; yet in spite of that, we see that the cost of building and equipment rose to the large figure of £5,000 a mile.

THE PREMIER: We have reduced the rates considerably. We carry stuff for nothing now.

A MEMBER: You have increased rates too.

MR. DARLOT: If we are to take the right hon. gentleman sincerely, and the Government carry things on the railway for nothing, that is the very reason why we should have a commissioner to stop that sort of thing. And I believe they do carry things for nothing. In fact, to go back to the much-spoken-of Perth Ice Company, I believe the Government carry a lot of things for nothing. Why is all this? It is because the present management does not cope with the subject. We were told just now by the Premier that they had reduced the freights on the railways very much. The Eastern Railway is not called a goldfields railway, and in 1896 it was run for 50 per cent., but it had risen in 1898 to 61 per cent.

Then take the Great Southern Railway. In 1897 it cost 83 per cent. to run, but I remember that about that time this line was taken over, and there was a little article or something of the kind put into the newspapers, saying that now the Great Southern Railway had been taken over we should see an efficient management and an improved time-table.

THE PREMIER: We had it, too.

MR. DARLOT: Certainly we had it, and we paid for it; for in 1898 this railway cost 119 per cent. to run. I maintain that this goes to show that we want a good commissioner to run our railways.

THE PREMIER: The railways pay now.

MR. DARLOT: I admit they do; but how much more would they pay if we had the railways run on thoroughly commercial lines, and things were not carried for nothing by a generous Government, but charged for by a good hard-headed commercial man at the head of affairs. The Northern Railway in 1896 cost 61 per cent.; whereas in 1897 it cost 105 per cent. to run. And these are not called goldfields railways; yet we find this state of affairs, notwithstanding all the newspaper talk, and the proud boast of the Premier regarding the railway system. True, we have a good railway system.

THE PREMIER: Cannot we travel quicker, too, than we used to?

MR. DARLOT.: We travel faster, and we are travelling faster to ruin, judging from these figures. We have dropped from 11½ per cent. in 1896 to 4½ per cent. in 1899.

THE PREMIER: 4½ per cent. on the whole?

MR. DARLOT: That is what they paid last year.

THE PREMIER: What do you say they paid before?

MR. DARLOT: In 1896, 11½ per cent. These are the figures some of the members of the House would like to take to London, in order to float a company and pay off our national debt, and all that sort of thing. I do not pretend to be an auditor or anything of the kind, to go into the figures and find out these shortcomings, but if the figures were placed before a good set of financiers in London, those financiers would, I believe, think twice, and very likely grow grey-headed on the job, before they would see their way to take over a fading commercial enterprise.

THE PREMIER: You cannot have low freights and everything.

MR. MORAN: That is the trouble: freights have been too low in some instances.

MR. DARLOT: A good many talk about lowness of freights, but what do we find in Victoria? When the railways were not paying, but were in a bad state—the authorities having over-constructed and got into a generally extravagant way—what was done? The Chief Commissioner raised the freights and ran less trains, which went at the lowest speed he dared let them run at.

MR. ILLINGWORTH: The Government did that after they had dismissed the Commissioner.

MR. DARLOT: Yes. This was under the Government's manager, when they had done away with the Commissioner. They found they had made a mistake, and they handed the thing over to another commissioner, the result being that, instead of raising the freights, they lowered them, and gave the people greater despatch. They stopped the bullock teams from coming into Geelong, carrying wool, and competing with the railway line—a thing which had not been seen for 30 years.

MR. MORAN: The same old bullocks, I believe.

MR. DARLOT: The emigrants from Ireland ate them, I think. But to be serious on the subject, I cannot do otherwise than support the member for the Williams (Mr. Piesse), who has served the country well for four and a half years. If there be a man qualified to bring forward a recommendation of the kind now before us, it is he, and I think the members of the House will do well to support the motion standing in his name.

THE COMMISSIONER OF RAILWAYS (Hon. B. C. Wood): I beg to move the adjournment of the debate.

Motion put and passed, and the debate adjourned.

ADJOURNMENT.

THE PREMIER moved the adjournment of the House, and on the question being put it was declared carried on the voices. A division was called for, but the demand was not pressed.

The House adjourned at eight minutes after 10 o'clock until the next Tuesday.