

Legislative Assembly,

Tuesday, 12th August, 1902.

Address-in-Reply, Presentation—Papers presented—Question: South Africa, Permits and Labour Conditions—Question: Railway Bridges, Fremantle—Question: Police Buildings, Fremantle—Leave of Absence—Public Notaries Bill, second reading—Explosives Act Amendment Bill, second reading (moved)—Indecent Publications Bill, second reading (moved)—Roads Act Amendment Bill, second reading (moved)—Railways Acts Amendment Bill, second reading (moved)—Motion: Camels Importation (petition), Select Committee—Return ordered: Abrohos Guano, Export—Stock Regulations, Inquiry—Return ordered: Works and Buildings Authorised—Railway Deviation (projected), Fremantle: Return ordered, Papers ordered—Adjournment.

THE SPEAKER took the Chair at 4.30 o'clock, p.m.

PRAYERS.

ADDRESS-IN-REPLY—PRESENTATION.

At twenty-five minutes to 5 o'clock MR. SPEAKER, accompanied by hon. members, proceeded to Government House to present the Address-in-reply to the opening Speech of His Excellency; and having returned, MR. SPEAKER reported that

HIS EXCELLENCY had been pleased to reply as follows:—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

I thank you for your Address-in-reply to the Speech with which I opened Parliament, and am glad to be assured of your continued loyalty and devotion to the Person and Throne of our Most Gracious Sovereign.

I receive with satisfaction your assurance that your most careful consideration will be given to all matters that may be submitted to you, so that your labours may result in the permanent advancement and prosperity of this State.

PAPERS PRESENTED.

By the PREMIER: Regulations under Land Act.

By the MINISTER FOR RAILWAYS: Return re Railway Station at Victoria Quay, Fremantle, showing cost and revenue; moved for by Mr. Diamond.

Order: To lie on the table.

QUESTION—SOUTH AFRICA, PERMITS AND LABOUR CONDITIONS.

MR. DAGLISH asked the Premier: 1, How many applications for permission to enter the Transvaal and Orange River Colonies were received during

June and July. 2, How many permits were issued during that period. 3, Whether the Government has received any information concerning the condition of the labour market in the South African colonies, and the rates of wages ruling there. 4, If not, whether the Government will cable to South Africa for such information, with a view to placing a reliable statement on the subject before the public.

THE PREMIER replied: 1, No record kept of number of applications. 2, One hundred and forty-three. 3, No. 4, Inquiries are being made.

QUESTION—RAILWAY BRIDGES, FREMANTLE.

MR. HIGHAM asked the Minister for Works: Whether any reports have recently been made as to the effect of the tides and dredging on the Fremantle railway bridges. If so, the nature of these reports.

THE MINISTER FOR WORKS replied: Soundings are taken in the vicinity of the bridges every month, and the Resident Engineer of Fremantle Harbour Works states that there is no such action taking place at present as to call for attention.

QUESTION—POLICE BUILDINGS, FREMANTLE.

MR. HIGHAM asked the Minister for Works: 1, What steps are being taken re Water Police and Police buildings condemned as unfit for habitation by the Fremantle Board of Health. 2, Whether it is intended to replace these buildings with suitable ones. 3, If so, when; if not, why.

THE MINISTER FOR WORKS replied: Provision had been made on the Estimates, which were now under consideration.

LEAVE OF ABSENCE.

On motion by the PREMIER, leave of absence for one fortnight was granted to the member for Geraldton (Mr. Hutchinson), on the ground of illness.

PUBLIC NOTARIES BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. Walter James), in moving the second

reading, said: This Bill has been before the House previously, on two occasions. It provides for the confirmation of the appointment of existing public notaries, and provision is made for appointments in the future. Until perhaps the last three years, appointments appear to have been made as a matter of course, by the Governor. The question arose as to the validity of the appointments, and on account of the doubts expressed no further appointments were made. Now it has become desirable that some provision should be made dealing with the question. Members no doubt will remember the Bill which passed through all its stages in this House last session. This Bill provides in the first instance for the confirmation of the appointment of all existing notaries public. Then it provides, by Clause 5, the qualifications of an applicant for the appointment of a public notary. By sub-clause (b), provision is made that an applicant must be a practitioner of five years standing; or, by sub-clause (c), must be a practitioner of the Court, and must have practised for seven years as a public notary in some part of His Majesty's dominions. Objection was taken to that provision in another Chamber last session, on the ground that the term of five years was too long. In regard to the practice which has obtained in the past, an applicant was appointed as a public notary as a matter of course on his admission to the Bar of the State. It may be thought that the same privilege should be granted now, and that there should not be any probationary period. I have always thought that the practice was essentially a bad one, as a public notary should be a man who is well known to the Court and should have some few years' knowledge of the country. A public notary is authorised by the law of this State, as by the law of nearly every civilised country in the world, to place his seal and certificate upon a great number of legal documents, and by virtue of that seal and certificate to give to those legal documents a status they otherwise would not possess. Therefore it is essential that the men who are appointed should be well known to the Court, and men in whom the Court could justly place confidence. It must be always borne in mind that, so far as we locally are concerned,

the value of a public notary is nothing. Beyond a comparatively small amount of work, that of noting and attesting bills, there are few matters which arise inside our own State. The reason for the existence of a public notary depends on the fact that we have a certain recognised authority in the State who can authenticate documents passed in the State and which may be used elsewhere. Therefore a man appointed to the position of a public notary should be one who is worthy of credence wherever the document and certificate is received. When one bears in mind the importance attaching to the office, and by the appointment representing the person to the world as being trustworthy in the particular State, it will be seen that a five years probationary period of a practitioner of the Court is by no means too long. In the old country a public notary is distinct from a solicitor. There are different qualifications. Applicants have to undergo a special examination, and the authorities are very strict indeed there of the manner in which they make the appointments.

MR. ILLINGWORTH: All bills have to be attested, do they not?

THE ATTORNEY GENERAL: The great value of the measure is not in the attesting of bills, because that is of little value. The great importance of the work of a public notary is when he is called upon to authenticate documents. If a public notary witnesses a document and affixes his seal and certificate, it goes forth to the world, almost to every civilised portion of the world, as *prima facie* evidence of that document. There are a good many instances where Courts refuse to accept ordinary attestations. They want a document signed by a public notary, on whose certificate they place great weight and reliance. Therefore particular care should be taken when appointing persons to this position. That is one objection which was taken last year. The next objection was taken to Clause 6, which provides that where a person applies to be appointed, he shall satisfy the Chief Justice, who has the power of appointment, that he is qualified to act, and, according to sub-clause (b.), that there is need for the appointment of a public notary at the place where he is practising. I am at a loss to know why that was objected to. I am at a loss to

know why a person who is asking for appointment should not be disqualified if in the same place there are a dozen, or two dozen, or three dozen notaries public. I cannot realise quite what the objection to the sub-clause was. I think I am right in saying that the main objection to the Bill of last year was that certain individuals, who had not been in the State for the full probationary period, were not allowed to be appointed and attest documents. That objection was taken no less than two years ago; but what the objectors do not seem to realise is that, until the Bill is passed, there is no chance of making an appointment at all. As soon as we get the Bill passed, so much the better for those who desire to be appointed. The probationary period of five years is less by two years than the period provided when the Bill was introduced, I think a couple of years ago. It has been perused by Mr. Burt, who was Attorney General, I believe, when the Bill was first introduced, at any rate I know he went through the measure and improved it, and it has met with the approval of the Chief Justice, on whom appointments turn, and who thinks that the conditions imposed by the Bill are not harsh. I move the second reading.

Question put and passed.

Bill read a second time.

EXPLOSIVES ACT AMENDMENT BILL.

SECOND READING (MOVED).

THE COLONIAL SECRETARY (Hon. W. Kingsmill), in moving the second reading, said: This little Bill provides some machinery which has been found wanting in the working of the main Act. It is brought forward as the result of seven years' working of the Act, and amends it in only one or two minor details which have been found necessary. Members will see, from reading the Bill, that the object is to secure more provision for the inspection of magazines, and in the second place to bring our explosives law in greater conformity with the Act in force in England, by allowing inspectors of explosives to attend inquests and examine witnesses thereat for the purpose of better carrying out their duties. It makes provision also for fixing by statute, instead of as in past years by the will of the Ministry, the fees for licenses

to keep magazines. [MR. MORAN: Are the fees the same?] Practically the same. The reason for the appointment of sub-inspectors has been found in the fact that there are too few on the fields, and those few have often immense distances to travel in carrying out their duties. It has therefore been found necessary to increase their number. I do not think any member will deny the desirableness of these inspectors having the privilege of attending inquests where it may be suspected people have been either injured or killed by explosives unfit for use. Regarding the fees, hon. members will find they are, on the average, approximately the same as those proposed to be fixed by the principal Act. I beg to move the second reading.

MR. J. J. HIGHAM: I move the adjournment of the debate.

Motion put and passed, and the debate adjourned.

INDECENT PUBLICATIONS BILL.

SECOND READING (MOVED).

THE PREMIER and ATTORNEY-GENERAL (Hon. Walter James), in moving the second reading, said: The Bill now before the House is based upon an Act of the Imperial Parliament passed in 1889, and also upon an Act passed in the Parliament of New South Wales in 1901; and it deals with an evil of which I think every member of this House must have some knowledge. At present the provisions against the evil aimed at in this Bill are comprised in Section 204 of the Criminal Code; and by that section it is provided that any person who publicly sells or exposes for sale any obscene book, etc., or exposes to view in any place to which the public are permitted to have access, whether on payment of a charge for admission or not, any obscene picture, etc., or publicly exhibits any indecent show or performance, is guilty of a misdemeanour, and is liable to imprisonment with hard labour for two years. The section makes the offence a misdemeanour punishable by fine or imprisonment, the imprisonment being for as long as two years; and the offence will in ordinary cases be tried before a jury. The number of offences specified is somewhat limited. We have, firstly, public sale or exposure; secondly,

exposing to view in any public place; and thirdly, publicly exhibiting any indecent show. Now those provisions are by no means adequate to meet the difficulties which have arisen. Somewhat similar provisions have been for years in force in the old country. The Imperial Bill was first introduced in the House of Lords on the 8th April, 1889; and in moving the second reading, very little indeed was said, because there appears to have been a unanimous feeling that there was a need for a Bill of this nature; and I found when I looked through the House of Commons *Hansard* that there was no discussion at all there: they accepted the Bill entirely; it was put through its first and second-reading stages, referred to a select committee, and then passed through very promptly in the ordinary course.

MR. NANSON: Is this a copy of the English Act?

THE PREMIER: No; not a copy. In moving the second reading there, the introducer said:—

The result is that it is almost impossible to pass down certain streets of this large city without having thrust into one's hands indecent and filthy publications which ought not to come before the eyes of any decent man or woman. The cause of this is the present impunity for disseminating such indecent literature, and I think your lordships will agree with me that it is very desirable that general powers should be given to the magisterial body for the purpose of putting in force the enactments and dealing with this evil.

MR. MOREAN: Does this cover the publication by newspapers of "spicy" cases, such as divorce suits?

THE PREMIER: Not unless the reports are held to be indecent.

MR. ILLINGWORTH: The Imperial Act was an attack on Zola's works.

THE PREMIER: I cannot find a reference to Zola's works in the discussion.

MR. ILLINGWORTH: That was so, nevertheless.

THE PREMIER: No; I do not think that was the case with the Bill to which I refer. As a fact, the introducer of the Bill refrained from entering into details, because he thought they were not fit for publication; but he said he had abundant justification to be produced when the select committee sat; and after it did sit, the Bill was the result of the work of that committee, which apparently made

the farther passage of the Bill so smooth. And I would remind the hon. member that this Bill is aimed at a class of literature which is scattered broadcast here in Perth. The Archbishop of Canterbury, dealing with the Imperial Bill, said:—

I am glad that this Bill has been introduced, and I thank the noble and learned lord for pointing to very necessary amendments. It is, of course, exceedingly important that in pressing forward measures of this kind no injustice should be perpetrated. At the same time, few people are aware of the underground prevalence of this evil, which may in large measure counteract the good done by education. The child leaving school is supplied with literature of this kind to an astonishing extent. Indecent papers, professing to be of a medical character, are scattered broadcast. Even the recreation grounds of the poor of London are defiled by literature of this character, and thus turned into a propaganda of evil. The country is strewn with these abominable papers. There is no religious society which operates, by the distribution of leaflets and pamphlets, with the vigour of those who circulate these publications.

Now this Bill is based more largely on the New South Wales Act of 1901 than on the Imperial Act. The Imperial Act deals firstly with the offences of fixing or inscribing on any house, building, wall, hoarding, gate, or any other thing whatsoever, in such a way as to be visible to a person passing along the street, also of delivering or attempting to deliver, or exhibiting to any inhabitant, or any person being in or passing along any street, any matter of an indecent or obscene nature, or throwing down the area of any house, or exhibiting to public view in the window of any house or shop any picture or printed or written matter of an indecent or obscene nature; and provides that the offender shall on summary conviction become liable to the punishment prescribed. Section 5 of the Act indicates more clearly the class of literature aimed at; that section will be found condensed in Clause 4 of this Bill; and it is principally at the class of literature indicated by Clause 4 that the Bill is aimed. My attention was quite recently drawn to this matter by the Council of the Pharmaceutical Society, who sent me a specimen of the books published by one of those advertising firms who cure all diseases, and complained that this class of literature was being distributed most freely throughout all parts of Western Australia, being handed indiscriminately

to all sorts and conditions of men, and to women and children as well; and the society reminded me that the right which such firms now enjoy is being exercised to the great detriment of good morals. They drew my attention to legislation in the old country and in New South Wales, and expressed the desire that similar legislation might be introduced here. I think such legislation will commend itself to every member of this House. I believe we shall be impressed with the need of it in the same way as were the legislators of the old country when it was introduced to their notice. There it did not give rise to any contentious discussion, so far as I can learn from *Hansard*; but it appeared to be recognised there was some need of providing by legislation a summary method of checking the abuses that flourished in Britain, and which, I regret to say, flourish equally throughout various parts of Australia.

MR. ILLINGWORTH: Is this Bill similar to the Victorian Act?

THE PREMIER: Similar to the New South Wales Act. Speaking from memory, I think there are two Acts in New South Wales; the second Act amending and extending the first.

MR. ILLINGWORTH: The law was not successful in New South Wales.

THE PREMIER: It was amended in 1901. It may not have been so successful there as it ought to have been, because that country seems to be a happy hunting-ground for the gentry aimed at by this class of legislation; but I hope that in Western Australia, if we get legislation of this nature, we shall make it effective.

MR. NANSON: Does it, in Clause 2, Sub-clause 1, prohibit the publication of old classics?

THE PREMIER: No. The question was raised during the discussion on the English Bill whether it would strike at the publication of the works of Boccaccio; but it was held it would not. As to the precise effect of Clause 2, Sub-clause 1, I can look into that before we come to the Committee stage; but I certainly say we must not, for the purpose of preserving the free publication of old classics, so far modify the language of the Bill as to permit the publication of certain other works. It would be far wiser to specify the class of works which should be covered by the Bill, and specially to

exempt the classics. Anyhow, I shall look into that matter before the Bill passes through Committee; and I shall consider also any question of a similar nature which may be raised in the course of this discussion. However, I think members will agree with the justice of this legislation; and I believe the medical members know more thoroughly than I the need of it. I move the second reading of the Bill.

MR. C. J. MORAN (West Perth): As to the importance of this Bill, I quite agree with the Premier. It is a measure with which we must exercise much care. Members will notice it gives the widest scope for defining what are indecent publications. It deals in generalities only; and when it comes to be administered, if it should pass, it will be found very difficult for Ministers to draw the line, and to decide what is punishable under the Act, and what is not. Many people believe much that appears in the ordinary newspaper reports of the Supreme and other courts is indecent, and as injurious to the rising generation as the very class of literature aimed at by the Bill, and more so, because it is more easily procurable, and more readily enters into the home.

THE PREMIER: Much of that sort of reporting should be checked.

MR. MORAN: I would point out to the Premier that whilst we are aiming here at the shadow, we are missing the substance. In New Zealand, a move has been made to deal with a more formidable danger than the publication of indecent literature; and it aims at stopping the importation of what are known throughout the civilised world as preventives against the operation of the ordinary laws of nature.

THE PREMIER: If we stop the display of them we stop the sale.

MR. MORAN: They were never advertised largely, I should think. This is a very important question, and European literature is included in the powers of suppression in the Bill. I have a desire to see the Bill studied, and more particularly I should like it to be discussed in the metropolitan and other newspapers of this State; therefore I ask the Premier to allow the debate to be adjourned for a week; and in order to give effect to

that request, I move that the debate be adjourned for one week.

Motion (adjournment) put and passed, and the debate adjourned.

ROADS ACT AMENDMENT BILL.

SECOND READING.

THE MINISTER FOR WORKS (Hon. C. H. Rason), in moving the second reading, said: I do not intend to make lengthy remarks on this measure. It is an important Bill, and is essentially one for discussion in Committee. Such a consolidating measure has been made necessary by the growth of the roads boards in this State, under the advancement of the State itself. In the year 1894 there were only 48 roads boards in Western Australia, whereas now there are nearly 100; and I am glad to be able to inform the House that amongst them are boards which have struck a rate, and in that way have assisted themselves in carrying out improvements in their districts. Last year the boards which struck a rate in their districts raised altogether over £8,000 by that means. I desire also to tender my thanks to the Roads Boards Conferences, of which four have been held annually in this State, and at those conferences very good work has been done and many valuable suggestions have been made to assist the Government; suggestions which, to a great extent, have been taken advantage of and are included in this Bill. Briefly, I may say this measure is more a consolidating Bill than an amending one. Where amendments have been made, they are to a great extent the outcome of suggestions brought forward by the roads boards in conference; and I can assure the House that this Bill finds favour with the roads boards, which have given a considerable amount of study and attention to it. In Clause 6, extended power is given to the Governor-in-Council in regard to the constitution of roads boards, and there is power to divide a roads district into wards in the case of a large district and where it is the desire of the residents that it should be so divided. There is protection against the splitting up of districts unnecessarily, and the power given can be exercised only after due notice published in the *Gazette*; provision being made for an inquiry to be held, if

inquiry is asked for. Another change is in regard to the ending of the financial year, which in the Bill is made to correspond in the case of roads boards with the financial year of the Government system. It has been found very awkward in the past to have the financial year of roads boards ending on the 31st December, and the financial year of Government departments ending on the 30th June. There is a consequential change in the date for holding elections, which now take place in September; so that in future these elections will take place in March. Provision is made, and this is taken from the Divisional Boards Act of Queensland, for enabling application to be made to the Supreme Court for ouster from office of any member who is charged with being a partner or having an interest in any work or contract undertaken in connection with that particular roads board. The qualification of electors is substantially the same as at present, but the Bill removes the disqualification which now exists through a ratepayer not having paid his rates up to the 30th June, and it provides that a ratepayer shall be able to pay any arrears that are due right up to the date of election, and record his vote. Proxy voting is abolished, and provision is made for voting in absence, as is parliamentary elections. Candidates for election are required to make a small deposit of £5. The Bill also deals with the proceedings of roads boards, and enables the boards to appoint committees. Part 5 of the Bill deals with the powers and duties of boards, and extends their powers so as to make provision for water supply, and for enabling cycling tracks to be constructed; also power to make drains on private lands for the drainage of roads. Restriction is provided in regard to the laying out of roads of a less width than 66 feet, which is not to be done without the consent of the Governor. Clause 104 facilitates the taking of land required for the purposes of this Bill. Clause 116 enables roads boards to establish public pounds. Clause 118 considerably extends the powers for making by-laws, particularly with regard to heavy traffic on roads. This clause also regulates the supply of water, and prevents the pollution of water-courses, wells, etc. Provision is made as to driving camels on roads or in close

proximity to a road. Power is given to the Governor to place the control of parks and recreation grounds under roads boards, where the power is at present given only to trustees. Referring to the financial portion of the Bill, all officers having control of money are required to give a guarantee bond. Unfortunately we have had rather numerous instances of secretaries of roads boards making large defalcations in their accounts, and the State has been a considerable loser in consequence. In Clause 127 the provisions as to rating have been recast, and provision is made that in estimating the value of improvements, no regard is to be had to the value of minerals; also, in the definition of land for the purpose of valuation, mining machinery is not included. Due provision is made for facilitating appeals in respect of the valuation of ratable lands; and the provision for effective auditing has been considerably improved. It is proposed in the Bill that instead of, as at present, the resident magistrate of a district being the auditor for the Government and the board appointing another auditor, the auditor shall be elected in the same manner as members of a board are elected, and that the Governor-in-Council shall nominate another auditor, not necessarily the resident magistrate of the particular district. By this means it is hoped to secure a more effective system of auditing the accounts of roads boards than has obtained in the past. With these few remarks, I commend the Bill to the House as being not only an important measure, but a useful and very necessary one for the effective control of the roads boards of this State, and a measure which meets with the direct approval of the roads boards themselves.

MR. F. ILLINGWORTH (Cue): To ask the House to read this Bill a second time is a pretty large order, and it would be well if the Government would consent to allow the country time to consider this measure, and also to enable it to get to the various country districts. It would be a great mistake to pass this Bill hurriedly. I believe most of the provisions were before the House last year, in the Bill which was then considered but not passed. I move that the debate be adjourned until this day fortnight.

Motion (adjournment) put and passed, and the debate adjourned.

RAILWAYS ACTS AMENDMENT BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. W. Kingsmill), in moving the second reading, said: I feel, from the importance of the subject it deals with, and also from recent great changes in the department to which the Bill has reference, that I have a task of some importance in front of me. I ask members to assist me as much as possible in this task, by considering the Bill not from any controversial aspect and not from any feelings tinged with party politics, but actuated by a desire, which I hope will be found on both sides of the House, to view this proposed legislation, dealing as it does with the great earning and spending department of the State, with the one idea of achieving the best ends for the prosperity of the State and the good conduct of our railway system. I hope that in this respect my wishes will be met, because it might be supposed that after the recent debate we have had in this House on the motion of no-confidence in reference to railway administration, the political atmosphere might be somewhat charged with party feeling. I hope that any such feeling which may have existed at the beginning of the session will have worked itself off, and be succeeded, as I have suggested, by a desire to achieve the best ends for the State of Western Australia. I hope also that members will postpone any inquiry which they may have to make, until the Bill reaches the Committee stage, and will assist me in a task which I regard as a somewhat difficult one by giving me as patient a hearing as possible. It may perhaps be of some assistance to members who have not looked up the subject lately, if I touch lightly on the railway history of the other States and also of this State. We find that in the year 1888, or approximately that date, a wave of feeling swept over Australia which found its expression in a desire that the railways of nearly every State should be removed from political control. We shall see, in the case of individual States, what the action has been, and what modifications of that action have since occurred. Taking first

the case of Queensland: in 1888 the people of Queensland, realising that political influence, as exercised in that State apparently, was not for the best interests of the railway system, resolved to place that system under the control of a board of commissioners. This was done, and the railways were removed from political control and placed under the control of three commissioners.

MR. MORAN: What powers had those commissioners?

THE COLONIAL SECRETARY: They had, practically, the powers of the railway commissioners as provided in the existing Act of New South Wales.

MR. TAYLOR: They were most unsatisfactory.

THE COLONIAL SECRETARY: Reading the history of the railways of Queensland, I am led to believe, contrary to the expression just made by one hon. member, that a decided improvement was at once apparent in the railway system of that State. However, the three commissioners who took over the control of the railway system in Queensland continued to manage it until in 1895 it was found advisable to reduce the number of commissioners, and an amending Act for that purpose was brought into Parliament—the terms of which I commend to hon. members—for reducing the number of commissioners from three to one. This I think members will agree, especially when they read the Act—which will not take them many minutes—was not changed in any vital principle, but in detail. The Act I allude to can be found on page 5698 of the Statutes of Queensland; and it has practically only one important clause, which says:—

Notwithstanding the provisions of Section 7 of the principal Act, the Governor-in-Council may, by commission under his hand and the great seal of the colony, appoint a commissioner for a term not exceeding three years, commencing from the determination of the office of the existing commissioners, and upon such appointment—

And this is the part of the clause I wish to draw members' attention to:

all the functions, duties, rights, liabilities, privileges, and powers imposed and conferred upon the commissioners under the principal Act shall thereupon devolve upon and be performed and exercised by the Commissioner. I wish to lay emphasis upon the latter

portion of the clause, because thereby it is apparent to members that there was absolutely no change in the principle, but more or less in a matter of detail, in the number of the commission. Under that system the railways of Queensland are now worked. Let us take the case of South Australia, which was at the same time, that was in 1888, affected by the feeling which actuated Queensland in coming to the conclusion which they had done, wishing to remove the railways from political influence, which also seems to have been considered in South Australia as well as in Queensland. In South Australia a Railway Act was introduced appointing three commissioners, and the power of the commissioners is pretty well—in the case of all the States except Victoria—the same. Their duties, privileges, and rights were founded on the same basis, and they exercised the same powers. Reading the railway history of South Australia, and from the information which I gained when in the State, it appears the beneficial effect of the appointment of commissioners was extremely marked. There again, partly from motives of economy, I believe, in 1895 an amending Act was brought in, which reduced the number of commissioners from three to one; again I say altering a detail in the number of commissioners, but leaving the important principle of management by commissioners untouched.

MR. ILLINGWORTH: Just a return to a general manager in both cases?

THE COLONIAL SECRETARY: I expected the hon. member for Cue to be a persistent interjector during this debate; but I hope to show the hon. member that the return was not to that of a general manager, but was only on a matter of detail; and I hope the hon. member will be convinced at the close of my remarks. I must honestly admit that I expected the interjections from the hon. member. When I say the principle was unaltered, it certainly was, to a very slight extent, altered by the creation of a board of advice in South Australia. The final sentence of Section 2 of the South Australian amending Act of 1894, and which came into operation in 1895, is as follows:—

And all property, real or personal, and all powers, authorities, immunities, rights, privileges, functions, obligations, and duties

vested in or imposed upon "the South Australian Railway Commissioners" by the principal Act, or by any means whatever, shall, by force of this Act, be transferred to and vested in the Commissioner provided for by this Act in his corporate name.

Yet the member for Cue says it is a return to the system of general management.

MR. ILLINGWORTH: So it is.

THE COLONIAL SECRETARY: If the hon. member still persists when it is expressly stated in the legislation on the subject that the powers and duties hitherto enjoyed by three commissioners are transferred to their one successor, if he says that one successor is a general manager, I have nothing more to say, because it is absolutely evident that the hon. member's mind is shut to anything on the subject. I would say it is the concentrated essence of the system of commissioners, rather than the diluted solution. The board of advice which was appointed in South Australia—if members will turn up that Act, they will find—was constituted of the Engineer-in-Chief, the General Traffic Manager, and the Locomotive Engineer; and if hon. members will look through the Bill which has been laid on the table of the House this evening, they will find the idea that it is proposed to follow here is that this board of advice shall be included as commissioners with the exception of the Engineer-in-Chief, and the reason of the exclusion of the Engineer-in-Chief is that in South Australia the commissioner had the power of construction, which we do not intend to confer on commissioners here. For the purpose of giving advice on matters of construction, the Engineer-in-Chief was consulted in South Australia. The principle in this case was not altered, and South Australia is still managing the railways under these conditions.

MR. MORAN: Were the board of advice and the board of commissioners separate bodies in South Australia?

THE COLONIAL SECRETARY: They worked together there, and were included in the same statute. Section 3, which succeeds the one detailing the power of the commissioners, and which creates the board of advice, reads as follows:—

A Board of Advice for the assistance of the Commissioner is hereby constituted, consisting of the Engineer-in-Chief, the General Traffic

Manager, and the Locomotive Engineer. Meetings of such board shall be convened by and presided over by the Commissioner, and shall be held not less than once a month; and minutes of the proceedings of such board shall be forwarded every month to the Minister.

MR. YELVERTON: It was a separate body from the commissioner.

THE COLONIAL SECRETARY: The body acted with the commissioner to assist him in matters of detail. Section 4 is rather an important one, from which members will see the importance attaching to the office of commissioners. Section 4 reads as follows:—

The Minister may decide any matter in which the Commissioner may differ from all the members of the Board of Advice, in like manner as by Section 4 of the Act 512 of 1891 is provided for the decision of differences between the Chairman and the other two Commissioners.

Mark this: "from all the members of the board of advice." That is to say that the board of advice, consisting of three members, is apparently looked on as equal in importance, and in the opinions they offer, to the commissioner, who is chairman.

MR. MORAN: And the Minister is the sole arbiter.

THE COLONIAL SECRETARY: The Minister is the sole arbiter. We find that in South Australia the principle initiated in 1888 was not departed from, and the railways in South Australia are now being managed under that Act. Now we come to the State of New South Wales. In that State, strange to say, as in other States, there seems to have been a wave of suspicion of political influence at work in the railways coming into existence, and a board of commissioners was appointed consisting of three members, and that board is still in existence. There has practically been no amending Act. There certainly was a small amendment which provided—on one occasion when Mr. Kirkcaldie was offered a somewhat higher sum than he was receiving in New South Wales to go to Victoria to take the chief commissionership there—that his salary should be raised in order not to lose his services, but the power of the commissioners was not altered one jot. New South Wales is an example in railway management to all parts of Australia, and indeed, I suppose, to a good many countries outside of Australia; but

I must admit that a great deal of the success of the commissioner system in New South Wales was due to the appointment of their first chief commissioner. That gentleman, Mr. Eddy, I am informed, achieved the success which he made in New South Wales a great deal more from his common sense and the business ability he brought to bear on the railways of the country than from his experience in railway management. There were other men on the board of commissioners in New South Wales who had, when they started in that State, a great deal more railway experience than Mr. Eddy had, but they did not seem to have his wonderful way, his ideas of the country, and his business ability and common sense, which enabled him to make such a success of the railways of New South Wales, and which he set before the succeeding commissioners as a pattern which they have not seen fit to depart from.

MR. HARPER: Did he recognise the railway associations?

THE COLONIAL SECRETARY: I do not think Mr. Eddy did. I have not looked up the point, but speaking from the idea I have in my mind, I do not think Mr. Eddy did recognise the railway associations.

MR. CONNOR: His success was his complete control.

THE COLONIAL SECRETARY: His success was not due to his complete control, because he relied to a great extent on his fellow commissioners. Now I come—and I am sure the member for Cue is glad—to the State of Victoria.

MR. ILLINGWORTH: A shocking example.

THE COLONIAL SECRETARY: I am perfectly well aware that when that hon. member speaks, he will hold up the State of Victoria as the most awful example of the shocking effects of the system of railway commissioners. I do not know whether I shall be able to convince the hon. member—a task I admit I undertake with some diffidence—by proving to him that the system of commissioners is right. Still I hope I may influence, to some extent, the minds of other members and show them the alleged failure of the railway commissioners in Victoria.

MR. ILLINGWORTH: It was not alleged, it was actual.

THE COLONIAL SECRETARY: The hon. member has often alleged it. The alleged failure in Victoria was not due alone to the principle of commissioners, but to the circumstance of the railway legislation under which the commissioners were appointed. Victoria was the first State in Australia which started a system of commissioners. In 1883 the Railway Management Act was introduced appointing three commissioners, and ever since that time the Government have been, at short intervals, tinkering with the Railway Act of Victoria. The first amendment was in 1892, a farther amendment was made in 1896, and hon. members will find that in Victoria now the railways are run by one commissioner in conjunction, as in South Australia, with a board of advice, only that the board of advice is taken, not so much from expert railway officers employed in the service as from Parliament. Of course I do not wish to asperse Parliament in any way whatever, but I scarcely think that is absolutely the best board of advice for any Commissioner to have. The advisory board meets once a month; and again we find that in certain cases the influence of the board is, I will not say so little thought of, but so little thought of in comparison with the powers of the commissioner, that where decisions are given by the board, the final appeal has to be from the board to the commissioner; so hon. members will see that though the advisory board is appointed to advise the commissioner, the commissioner is not by any means bound to take that advice. And I thought I recognised—and I believe the happenings of the next few months in the political life of Victoria will bear me out—a disposition to return to the old system of three commissioners. Now I should like to touch, to a limited extent only, upon some causes of the failure of the commissioner system in Victoria. The powers of commissioners in the different States can be very shortly dealt with. In New South Wales, which practically was the model copied by Queensland and South Australia, the railways are absolutely and entirely within the control of the railway commissioners. In the cases of New South Wales, Queensland, South Australia, and in this Bill, the value of the three commissioners is practically equal.

The majority of the three commissioners decide everything. But in Victoria, there was initiated what I consider an absolutely wrong principle, that the chief commissioner could absolutely override the wishes of his fellow commissioners. Now I think a board so constituted was foredoomed to failure. Again, members will recollect that about three years or so after the Victorian commission was appointed, there came over Victoria one of those fluctuations in commercial life to which Victoria has ever been subject, only that this was a somewhat more severe fluctuation than any that preceded it. I refer to what is known as the land-boom period. While that boom was at its height, the commissioners to a great extent fixed their estimates of freight and traffic, and of their requirements for new lines; and as might have been expected, all those estimates were very erroneous. It appears to me, from a careful perusal of the debate on the amending Bill of 1892, that Victoria had to find some sacrifice to this great god "boom"; and the handiest people, and those most before the eyes of the public in Victoria, being the railway commissioners, they were haled before the altar of this great god and very promptly sacrificed. And that, I think, has largely contributed to the condemnation of the commissioner system in Victoria. We find those commissioners, who after all were only human, advising an absolutely unwarranted extension of lines. Perhaps the member for Cue (Mr. Illingworth) will remember the Outer Circle Railway. We have them also building upon an estimate of traffic which was never realised. Of course, it is easy to be wise after the event. I dare say, and in fact I know, thousands of the inhabitants of Victoria had the same high hopes that the boom would last for ever, and that Victoria was to be always on the up-grade; and I dare say they failed as dismally in their estimates as the commissioners who had control of the Victorian railways. But I should like to point out that even Victoria, which I am well aware is about to be used as a most awful and shocking example of the evil effects of the commissioner system—even Victoria still adheres to the same principle, with the addition of a board of advice. Now let

us come to the conditions which have obtained in Western Australia. Our railway history has been rather peculiar. In 1878, when the first and main Railways Act came into existence, power was provided to appoint one commissioner; and hon. members cannot but agree with me when I say it was never contemplated by the terms of any Act on our statute-book that such commissioner should be a political head of the railways. [MR. MORAN: We had then no Responsible Government.] That absolutely emphasises my argument. [MR. MORAN: But he became a member of the Executive.] Yes; when we had Responsible Government. But if, by the operation of the Act, he became a political head of the railways, why should not the Government put things right?

MR. MORAN: Both Messrs. Thomas and Wright were members of the Cabinet before Responsible Government.

THE COLONIAL SECRETARY: For some years after the appointment of Mr. Thomas he was not a member of Cabinet. Ultimately he was; and as to the reason why, I am informed by the highest authority, a then member of Cabinet, Mr. Sept. Burt, that it was really to avoid sending for him. As I have previously said, a railway in this State was then a most peculiar and unaccustomed machine to members of Cabinet. They wanted to know a great deal about it; they were always sending for Mr. Thomas; and came to the conclusion that as they were losing much time by waiting for him, and he in coming to them, he had better be made a member of the Executive Council; and that accordingly was done. Railways are, I regret to say, a subject on which I do not think anyone who will ever enter the world will have a last word. There is always bound to be a great diversity of opinion about railways and the best way to manage them. We find that when this gentleman became a political head of the railways he employed somebody else, whom he called a general manager. The functions of this general manager it is somewhat hard to define, for the reason that they are not defined anywhere. He apparently had absolutely no statutory powers—[MR. MORAN: Like any other civil servant]—so far as I can see, by any Railways Act. He apparently

had no responsibility. [MR. MORAN : There was Ministerial control.] Through the general manager's not having any statutory power, the Minister, as the railway system grew—and members will admit that it has grown fast in Western Australia—had to accept an ever-increasing load of responsibility for detail, which he never should have had to accept, with the result that the Minister for Railways has really little time to devote to what should be his especial study—the policy of the railways; and his time is almost entirely taken up with petty details of administration which should never come before him, and which he should never have to consider. Again, we find what I hope exists to a less degree than in any other State, but which exists here to a very appreciable degree, and to a degree which does not accord with the wellbeing of the railway system of Western Australia. Political influences have crept in. Take one example of political influence. Members of this House are always requiring sidings, always requiring that trains which, from a business point of view, do not pay, and sometimes are not justified for the convenience of the public, shall be run. We find the train mileage is thereby very largely increased; and, worst of all, we find that strong political influence is used in the appointment and the dismissal of minor railway employees. This is a state of things which I do not think satisfactory; at all events, we have put up with it for the last twelve years, and members are never sick of saying to what an awful state of chaos the railway system has drifted in the last twelve years; but I would beg to remind them that all the drift cannot have occurred within the last twelve months. That is an absolute certainty. Perhaps I may be vain in believing it, but I believe that there has been a slight tendency to check the drift within the last twelve months. But at the most, I hold that the best way to stop the drift once and for all, to get rid of this influence, which I believe is pernicious and not for the good of the railways, is by placing them under the administration of a board of commissioners. [MR. MORAN : Queensland pays 1·2 per cent. under commissioners.] Quite so. The hon. member, who is a man of intelligence, is scarcely justified in comparing the rail-

way system of Queensland, the land of his birth, where everything as he must know is at present in a state of absolute dearth, where the country itself is just struggling for existence, with the railway system of a State like this, where we are enjoying a prosperity which we hope will be permanent. [MR. MORAN : Take every other State.] There is another thing, too, of which the Premier has reminded me. The Queensland railways are run under a great disadvantage. Members have often referred in terms of contumely to what are known as "cockspur" lines. Now the lines of Queensland are all cockspurs, running inland from various points on the coast; and Queensland has nowhere such a great trunk system as we have in Western Australia. It is with a view of altering the unsatisfactory state of affairs which has existed for the past twelve years that this Bill has been introduced, and that I am asking hon. members to support it. During the debate on the Governor's Speech I have heard, through interjections and otherwise, that members accuse this of being a hybrid Bill. [MR. CONNOR : The Labour members.] The hon. member, who I know often casts somewhat savage glances on the Labour bench, will not deny the Labour party the privilege of being members of this House. I said "members," and did not specialise. I do not think "hybrid" is a very good expression to use. Some of the best systems, some of the best nations, some of the best products that we see around us to-day are the results of judicious hybridisation. [MR. MORAN : Half-castes, for instance.] No; not half-castes, for instance. The hon. member will recollect that the supremacy of the British race is due to judicious hybridisation. [MR. MORAN : Plenty of Irish blood.] That example bears out what I say. And if hybridisation has such effects, why should not we be supported in our endeavours to place on the statute-book an Act which will do it credit, which will have the best effects; an Act comprising those measures considered best in the legislation of other countries? And it is with that view, with a view to bringing about a reconciliation of business management with a due responsibility to Parliament—a method which I think will guarantee, if it can be brought about,

a perfect railway system—that this Bill has been introduced.

MR. MORAN: Why not stick closely to New South Wales?

MR. MORGANS: Does the Bill remove the railways from political control?

THE COLONIAL SECRETARY: It entirely removes the administration of the railways, which is the important part of the railways, from political control. Those parts of the policy of the railways which I think should be under the direct control of Parliament are still left under that control; but the administrative part of the railways is absolutely removed from political control, as the hon. member will see if he take the trouble to read the Bill.

MR. MORGANS: You do not give the commissioners under this Bill control of the railway employees?

THE COLONIAL SECRETARY: Their control will affect the individual employees of the railway; not the employees regarded as a body. In the way it is proposed to deal with the matter, we do not alter the present condition in the least.

MR. MORAN: What is the reason for departing from the New South Wales system?

THE COLONIAL SECRETARY: The reason is that this Bill is fairer to Parliament and fairer to the country than the provisions which exist in New South Wales.

MR. MORAN: Give us the reasons for departing from those provisions.

THE COLONIAL SECRETARY: I have endeavoured to give a few reasons. I say that in my opinion the policy of the railways should be under the control of Parliament, and the administration of the railways should be absolutely and entirely under the control of commissioners. That is what is aimed at in this Bill. I am sorry to say I have learned that those members who occupy the back cross-bench on this side of the House (Labour members) have a decided objection to the appointment of commissioners; and I suppose that when they rise in their places to speak on the Bill we shall hear their reasons. At present I am somewhat at a loss to understand them. I am certain it cannot be that those members wish to use the railways of the State for the benefit of any par-

ticular class; nor that they fear any injustice will be done to a particular class by allowing them to be controlled by a body of men chosen for their special ability and also for their fairness, as I hope these commissioners will be when appointed. I cannot therefore fathom at present the reasons of those members for not desiring to see this Bill placed on the statute-book. I would remind them that the conditions under which the railway employees of the other States work are already favourable, as the result of management by commissioners, though not quite so favourable as here; but this more favourable condition has been brought about by the greater unanimity of the railway employees here in the matter of associations, and by the greater alacrity with which the Government of the day have recognised those associations. In so far as the railway employees in this State are concerned, they are already in possession of most of the points they can fairly ask for, and a great deal of this is due to the action of the Government. [MR. MORAN: Which Government?] The Government of which this is a succession. If members will bear with me, I will take a few of the clauses in the Bill.

MR. MORAN: It was the Forrest Government that gave the railway employees the recognition of their association, and we all supported that.

THE COLONIAL SECRETARY: Referring to clauses, hon. members will notice that in Clause 3 the Government may appoint three persons as railway commissioners who, subject to provisions in the Bill, shall each hold office for five years. That is a somewhat shorter term than in New South Wales. Most of the commissioners in the other States, including New South Wales, were appointed originally for seven years. Clause 4 provides that the commissioners, as is usual in such cases, shall be a body corporate with a common seal, and that one of the three commissioners shall be appointed by the Governor as chairman. In Clause 6 the salaries of the commissioners are provided for; and here is one of the most important and one of the best points in the Bill, namely that each of the two commissioners (other than the chairman) may, and if required by the Governor shall, hold the office of head of any branch

of the railway service without additional salary. If that is put into operation, then whereas in other States the salary of the commissioners has been a departure in the way of extra expenditure, there will be here practically no extra expenditure; not that I think extra expenditure is anything, so long as we can get good management, but even this reproach is avoided by making it possible for either of the two commissioners, not being the chairman, to be appointed, if so required, as head of a branch of the railways.

MR. ILLINGWORTH: And cease to be commissioners.

THE COLONIAL SECRETARY: Certainly not. Clause 7 provides, as is usual in these cases, that the commissioners shall be eligible for re-election for a like term of five years. Clause 8 provides that nothing in the Public Service Act (1900) or the Superannuation Act shall apply to a commissioner. We are thus relieved from the necessity of pensioning these gentlemen off after a certain term of service. Clause 11 gives an outline of the powers of the commissioners, and there we see that the commissioners shall have the management, maintenance, and control of all Government railways open for traffic, and that, with the approval of the Minister, they may make improvements to existing lines; also, that they shall have the powers and be subject to the liabilities of a Commissioner of Railways under the Railways Act. Again, in Clause 12 we have absolutely the only trace of political control that exists in the Bill, and that is the control of all fares, tolls, and freights, which shall be fixed by regulations approved by the Governor and published in the *Government Gazette*. I think Parliament should have the first and the last word; therefore, the clause provides that the regulations so made shall be laid before both Houses of Parliament within 14 days after publication, if Parliament is then sitting, or if Parliament is not sitting, then within 14 days after its next sitting.

MR. MORAN: Laying on the table does not seem to give parliamentary control.

THE COLONIAL SECRETARY: When regulations are laid on the table, it is open to any member of the House to move that a particular regulation shall be rescinded; and if the hon. member (Mr. Moran) will cast back his memory he may

recollect that on one occasion I had the honour to make a motion to that effect, and in that action he bitterly opposed me.

MR. MORAN: Suppose Parliament does not sit for four months after regulations come into operation?

THE COLONIAL SECRETARY: That is one of the risks Parliament must take by proroguing.

MR. MORAN: Then that is not parliamentary control.

THE COLONIAL SECRETARY: You cannot have Parliament sitting all the year round. The regulations must be approved by the Governor, and be published in the *Government Gazette*.

MR. MORAN: If approved by Parliament, that would be parliamentary control.

THE COLONIAL SECRETARY: That system is absolutely impossible unless we have Parliament sitting all the year round, or unless we provide that no alteration shall be made when Parliament is not sitting. I do not think that is a feasible plan. This is really the plan under which we are working now, that all alterations of fares, tolls, and freights shall be fixed by regulation to be laid on the table of both Houses of Parliament, and to be considered by Parliament, I presume on a motion to rescind.

MR. HASTIE: Can you make an alteration in rates when Parliament is not sitting?

THE COLONIAL SECRETARY: Yes; as under the present system.

MR. MORAN: Then it is not parliamentary control.

THE COLONIAL SECRETARY: I should like the hon. member to give some definition, when he speaks on the Bill, of what is parliamentary control. I submit that in Clause 12 we have parliamentary control of fares, tolls, and freights; and this practically controls the whole policy of the railways. Clause 14 deals with a subject which has caused considerable trouble in the past, and that is the possibility of disagreement between two great departments, namely the Railways and the Public Works Departments. It has unfortunately been the case, in connection with the construction of several of our railways, that when they were being built either one department did not care to consult the other, or the other did not take sufficient interest in the construction

of that railway. It is undoubtedly a fact that on several lines of railway, stations have been put in the wrong places; that at several places where only a small traffic could reasonably have been expected, huge station buildings have been erected, and some thousands of pounds have thus been lost to the State. The clause provides that the commissioners shall decide on the position, character, and suitability of all stations, platforms, sheds, etc. So this will do away with a system which has been extremely annoying to the officers of each department, and extremely expensive to the State.

At 6-30, the SPEAKER left the Chair.
At 8 o'clock, Chair resumed.

THE COLONIAL SECRETARY (continuing): I was engaged, when the House rose for tea, in considering in a summary manner, as far as possible, some of the details provided by the clauses of the Bill before the House. I find that inadvertently I have gone to Clause 18, and have skipped one of the most important clauses of the measure, namely Clause 13, which provides that :

All railway employees, except the clerical staff, shall be subject to the provisions of any Classification Act for the time being in force.

Members will remember that in the Governor's Speech mention was made of the intention of the Government to bring in a Classification Bill for the purpose of classifying railway employees and providing therein for the creation of an internal appeal board. This is a step in the right direction. We have already in one branch of the railway service an internal appeal board that applies to the punishment meted out to engine-drivers, firemen, and cleaners, and the work of that board, I think, has been fairly satisfactory to both sides. Members will notice, therefore, that Clauses 12 and 13 comprise actually all the political control that occurs in the Bill, and this political control, I submit, should certainly be kept within the power of Parliament. Clause 15 provides for the method in which the commissioners shall conduct their finances: they may apply to the Minister for stores, plant, material, rolling-stock, stations, sheds, etcetera. Clauses 16, 17 and 18 provide really the standing orders under

which it is proposed the commissioners shall hold their meetings. I would draw the attention of members and particularly, if I may be permitted to do so, the attention of the member for Cue, to the fact that this Bill differs to a great extent from the Act introduced in Victoria in 1883, and which is, as I have already stated, often held up as a bugbear to this House in the direction of opposing the appointment of commissioners. In the Act of Victoria of 1883, as I have already stated, the chief commissioner had absolute control to override and go directly against the verdict of his brother commissioners. Members will see it is not proposed to confer any such power on the chief commissioner under the Bill in question. Clauses 20 and 21 provide for the preparation and presentation of quarterly and annual reports. Parliament will be kept better in touch than at the present time with the proceedings of the Railway Department. Clause 22 is, I venture to think, a fairly important one, and one which will have the effect of removing as far as possible from political influence the commissioners. It is proposed by Clause 22:

Any deputation in which a member of Parliament takes part, or at which he is present, shall interview the Minister and not the Commissioners.

A very wholesome and necessary provision. Clause 23 is taken from the New South Wales Act, and provides for the suspension and removal of commissioners, and for the cause for which that suspension and removal take place. Clause 24 provides the penalty for commissioners becoming interested in business in which they should not be interested. Clause 26 is the next of any importance, and it provides :

The powers, duties, and obligations under the Railway Acts of the Commissioner of Railways, in relation to the acquisition of land and construction of railways, are transferred to the Minister for the time being administering the Department of Public Works.

It is not proposed to create under the Railway Department another Public Works Department, but it is proposed to leave the construction of lines with the Minister, while the commissioners can make suggestions as to construction, and no Minister would flout such suggestions. It is proposed to leave the detail work of

the construction of lines absolutely in the power of the Minister for Works. This, I think, is a good provision, and should be in the Bill. There is one clause to which I must turn back: it is Clause 3, which, in addition to detailing the appointment of commissioners, also provides:

The person holding the office of Commissioner of Railways at the commencement of this Act shall be one of the Commissioners, and, until the appointment of Commissioners under this Act, may exercise all the powers of such Commissioners.

It will thus be seen that the Government have not to be hurried in their action. It is proposed that the Act shall come into force by proclamation, and until the Government are ready—until they have satisfied themselves that they can find men who are fit and able to take the position of commissioners—they will not have to make any appointments: thus the need of making an appointment in a hurry is absolutely obviated. I have very few words to say in conclusion. To summarise the remarks I have already made, I think I have pointed out, by reference to the legislation of other States, that the statements which have been made, that other States in Australia which have tried the commissioner system have found it wanting, have absolutely no foundation in fact. The utmost that has been done has been not to destroy the management by commissioners, but to somewhat modify—what is after all a detail—the number of commissioners. In other States, to a very slight extent where at all, has the principle been modified. It is a peculiar thing that to-day those States which have shown an inclination to depart from the system have suffered the greatest loss in their railway management. As I say, this Bill is an effort, and I think a reasonable effort, to take what is good from the legislation and experience of other countries; to really endeavour, as I have said, to make a reconciliation between business management and unnecessary political control; and I would ask members to consider the measure in that spirit. I would repeat the request which I made when I first commenced speaking, that anything of a party feeling should disappear from the debate, and that the House should consider the measure actuated by one desire, to arrive at the

best solution of the difficulty that surrounds our railway system. I most certainly admit that there are difficulties, and I ask the co-operation of members on both sides of the House to overcome these difficulties in the most business-like, the most common-sense, and the most advantageous method. I commend the Bill to the House, and now have much pleasure in moving the second reading.

On motion by MR. NANTON, debate adjourned until the next Tuesday.

MOTION—CAMELS IMPORTATION, INQUIRY.

MR. F. C. MONGER (York) moved:

That a Select Committee be appointed to inquire into the statements made by Faiz Mahomet, in his petition as presented to this House on Thursday, the 16th January, 1902.

This motion, which was similar to one placed on the Notice Paper towards the end of last session, referred to a petition presented by Faiz Mahomet, or on his behalf, on the 16th January of this year. The petitioner stated that about the month of September, 1900, he being aware of the difficulty of importing camels, although not aware of or not recollecting the Order-in-Council dated the 3rd February, 1897, interviewed Sir John Forrest, then Premier, and discussed with him a proposal to import camels and drivers from Kurachi. The Premier, though recognising the services of the petitioner and his firm in the interior of the colony, and admitting the inadequacy of the camel supply on distant goldfields, regretted he could not give permission to aliens to land in charge of camels, and suggested a written application. The petitioner wrote, on the 3rd October, 1900, requesting permission to import 400 or 500 camels with drivers in charge, and asking for a letter of authority to be used in India to facilitate proceedings. The letter was referred to the then Colonial Secretary (Hon. G. Randell), who, on the day of its date, indorsed on it the following memo.: "Provided the facts are as stated, the Act enables me to do as requested, and I will have pleasure in granting the certificate." Relying on this letter, the petitioner soon afterwards left the colony for India, and there purchased camels, with fodder and stores,

negotiated the charter of a vessel, and made other large disbursements. Early in January, 1901, the petitioner and his legal advisers became aware of the Order-in-Council of the 3rd February, 1897; and on the 14th January, 1901, his solicitors wrote to the Commissioner of Crown Lands on the subject. Several interviews took place between the solicitors and the Minister and officers of the Crown, and the matter was ultimately referred to the Stock Department, with the result that the petitioner was told that the concession asked for would be granted on the name of the vessel being furnished. The petitioner accordingly chartered a steamer to import the camels. About the end of 1901 there was a change of Ministry, Mr. Throssell becoming Premier and Mr. Moran Commissioner of Crown Lands. On the 23rd March, 1901, the latter Minister notified in the *West Australian* that he would prohibit the importation of camels; and he wired to that effect to the Government Resident at Kurachi. The petitioner learnt of this publication about the 18th April, 1901, in India. On the 10th May, 1901, the matter was discussed between his solicitors and Mr. Moran; and after the petitioner's case had been put in writing, the petitioner believed that a promise was given that a permit would be granted and the prohibition on the camels withdrawn. This was agreed to in Executive Council, and in the *Gazette* of the 14th May, 1901, appeared an Order-in-Council dated 21st May, 1901, exempting from the operation of the Order-in-Council of the 3rd February, 1897, the shipment of camels sent to the petitioner from Kurachi. Of this the petitioner was advised by cable, and he completed the arrangement for shipment. The order of the 21st May, omitting formal parts, read thus :—

Now therefore His Excellency does, by the advice of the Executive Council, exempt from the operation of the Order-in-Council made under the fifth section of the Act, dated the third day of February, 1897, a shipment of 500 camels from Kurachi to Fremantle, the property of Faiz Mahomet, who accompanies the consignment.

That notice was gazetted on the 24th May. On the 1st June, 1901, notice was sent from the Premier's office to the petitioner's solicitors that the order of the 21st May would be cancelled, "and

the same was cancelled. The notice read :—

I have the honour, by direction, to inform you that steps have been taken to cancel the Order-in-Council of the 21st ult., and that no modification of the Order-in-Council I made on the third February, 1897, will be allowed. I presume you will inform your client of this decision.

First, the petitioner was granted permission, duly gazetted, to import his camels, and then was served with a notice to the effect that this permit had been cancelled. All would agree that had Faiz Mahomet been a Britisher he would not have had to appeal to a member of Parliament for the redress now sought. Mahomet had been more than a white man in the wilds of the goldfields, in his treatment of those with whom he came in contact in times of famine and drought; and it was but fair that just measure should be meted out to him, and some recompense given him for the harsh treatment he had received.

MR. T. F. QUINLAN (Toodyay) seconded the motion. The petitioner's difficulties arose from the action of one or two former Governments. Someone had blundered, and certainly had almost ruined Faiz Mahomet, a most honourable man in his daily life, while the fact of his being a man of colour should rather appeal to our sympathy. The committee should undoubtedly be appointed.

MR. C. J. MORAN (West Perth) supported the motion. For 15 months he had waited for this opportunity. Early last session the then leader of the Government (Mr. Leake) had said something with reference to him (Mr. Moran) which had never been followed up. The subject-matter of the petition had been under consideration of the Government long before Sir John Forrest left office. It was an immoral act to deprive Faiz Mahomet of the fruits of the promise given him by a previous Government. If a mistake had been made, it was in giving him the permit he received, which led him to go to India, buy camels, and incur other expenses. Though the opinion of the Crown Law authorities had been taken on that permission given, however irregularly given, it was immoral, however legal, to deprive that man of the fruits of his enterprise and expenditure. The then Colonial Secretary (Hon. G. Randell)

had given a permit in his own handwriting, leading Mahomet to believe that all his course was plain sailing, that he might import his camels. When he (Mr. Moran) took office as Minister for Lands under the Hon. G. Throssell's Premiership, he decided to stop camel importation; and he did so as to all new applications for permits. During his recent election campaign in West Perth, some "snakes in the grass" had been spreading rumours about him, brought under his notice by members of the Opposition; and it was due to himself that whoever had spread those rumours should, as soon as possible, be given the lie. He was proud and pleased to defend himself on the floor of the House from any defamer, whether member of Parliament or private citizen. The matter of Faiz Mahomet did not concern him, but rather the previous Government. There was on the file the opinion of Mr. Morton Craig that a permit could be given and had been given, and there was farther the opinion of the Crown Solicitor that the Government neither legally nor morally had a leg to stand on. The Act was a mere machine in a matter which had long passed the stage of refusal. Many subsequent applications for permits to introduce camels into Western Australia had been refused by himself, in concert with the head of the then Government. Possibly those refusals were unwise in the interests of the goldfields, but it was considered better to encourage the use of horses and so create a demand for chaff. One farther application for a permit was made by Mr. Sebastian de la George, a goldfields doctor. That gentleman applied for a permit, but was refused it. Then Mr. de la George came to see him personally, and said that the importation of camels was a matter of urgency to himself, and that he was prepared to contribute a thousand pounds to the revenue in return for a permit. The reply was that the revenue was not in absolute need of a contribution of one thousand pounds, and that the permit must be refused. Mr. de la George, however, returned to the charge, backed up by a public man.

MR. MONGER: Names should not be mentioned.

MR. MORAN: The hon. member had no reason to be afraid. The public man in question had no knowledge of Mr. de

la George's underground engineering, and thought himself to be simply doing his duty as a public man. Mr. de la George thereupon came again to see him (Mr. Moran) privately, and said that so urgent and pressing was his need to import some camels that he was prepared to contribute the sum of one thousand pounds to any charity, at the same time mentioning the name of a Roman Catholic charity. Thereupon Mr. Clifton and Mr. Morton Craig were informed by him (Mr. Moran) of Mr. de la George's proposal, and were notified that he (Mr. Moran) would have no more to do with that gentleman. On the next Saturday night, happening to walk with the present Colonial Secretary (Mr. Kingsmill), and Mr. Hubble in Hay Street, he was called aside by Mr. de la George, who popped up again. Then it came pretty straight, Mr. de la George saying that he was not particularly desirous of contributing one thousand pounds to a charity, but would give the amount to anything he (Mr. Moran) might like to nominate. The reply was, "Mr. de la George, I will thank you not to speak to me in the street any more." He (Mr. Moran) thereupon called Mr. Kingsmill up and said, "You see that gentleman there. Goodness knows what may happen in the future, and I ask you as a friend, though you are a political opponent, and I also ask Mr. Hubble, to note that that gentleman has offered me a bribe of one thousand pounds." No doubt Mr. Kingsmill would remember the incident. A sinister rumour had been heard around Parliament, and a highly injurious report had been spread around the West Perth electorate. That rumour would not have been mentioned to him by the member for the Williams (Hon. F. H. Piesse) or by the Hon. B. C. Wood, if it had not been widely current. Mr. de la George at that time was down for appointment as doctor in Kimberley, which appointment, however, the gentleman never entered upon. The rumour bruited about must have been seriously regarded, otherwise it would not have attracted the notice of Mr. Piesse and Mr. Wood. Having no virtue to spare, it was awful for him to be called on to repudiate such a slander. The man who paraded his virtue was like a woman parading her's: the virtue was to be highly distrusted in

either case. Except for the purpose of justifying the party to which he belonged, and the position which he had had the honour to hold, he would not have noticed the report at all. However, what little virtue there might be in doing one's duty and refusing to be tampered with, was in this case turned by a lying report into a major vice, into a confounded and infamous slander. He believed hon. members would be glad to hear this explanation—[MEMBERS: Hear, hear!—] and glad that he could bring indubitable witnesses to testify to his innocence, particularly when one of those indubitable witnesses was a political opponent.

MR. ILLINGWORTH: The hon. member mentioned the matter to him the very next day.

MR. MORAN: That was so. Let hon. members consider how painful to him had been certain misleading references made to the matter when he had the misfortune to lose his seat at Kalgoorlie; how painful it had been to him to be compelled to remain silent until he could challenge the men and the papers upon the floor of this House. Turning to the subject of this motion, undoubtedly an injustice had been done to Mr. Faiz Mahomet, and that injustice ought to be undone. The Cabinet record in question should not have been destroyed. Injustice had been done to Faiz Mahomet, and undoubtedly injustice had also been done to himself, who had lost many votes through the machinations of certain persons in mixing up two matters and converting a minor virtue into a major vice. A rumour of that nature, one which he could not controvert, was as heavy a disadvantage as a young man could labour under. Not wishing to burden his speech on the Address-in-reply with this matter, he had delayed reference to it until the present more fitting occasion. He had great pleasure in supporting the motion.

THE COLONIAL SECRETARY (Hon. W. Kingsmill): In rising to speak on this motion, he had no desire to enter into the merits or demerits of Mr. Faiz Mahomet's case, but simply wished to state that the circumstances as narrated by the member for West Perth (Mr. Moran), concerning that hon. member's meeting with Mr. Sebastian de la George in Hay Street, were exactly and precisely

in accord with the facts, and that the communication which the hon. member stated he had made at the time was made.

THE PREMIER (Hon. Walter James): When discussion arose on this matter some 12 months ago, he had not taken much interest in it, having no personal knowledge of the subject, and not occupying at that time a position in the Cabinet such as justified him in taking on his shoulders more work than he could help. On glancing through the petition, however, it did seem to him that the complaint made called for inquiry; and the Government would not object to the motion. It appeared that ever since the year 1897 there had been a prohibition, under the Stock Diseases Act, against the importation of camels into Western Australia.

MR. MONGER: Against their importation only from certain ports.

THE PREMIER: Quite so. In October, 1900, when the matter apparently was first brought to the attention of the Government informally, the permission sought from the Colonial Secretary of the day was more for the purpose of observing the provisions of the Immigration Restriction Act than for the purpose of meeting any difficulty created by the Stock Diseases Act. Clause 9 of Mr. Faiz Mahomet's petition, published in the Votes and Proceedings of last year, stated:—

This letter was referred to the honourable the then Colonial Secretary, and on the day of its date the said Colonial Secretary indorsed upon it the following memorandum:—"Provided the facts are as stated, the Act enables me to do as requested, and I will have pleasure in granting the certificate—although if the persons mentioned can write English there is no necessity for a certificate."

This clearly showed that the application then in hand was for the purpose of avoiding any difficulties which might arise in connection with the old Immigration Restriction Act. The petition proceeded:—

Acting in good faith, and relying upon this letter, your petitioner soon afterwards left the colony for India, and there purchased a large number of camels, and negotiated the charter of a vessel, and made large purchases of fodder and stores, and made other large disbursements for men's wages and otherwise, and incurred large liabilities involving an expenditure of a large amount of money.

The observation which struck one at that point was that if the petitioner was relying on a letter at that stage, it was not a letter authorising the importation of camels, but one sanctioning the importation of the necessary Afghan attendants.

MR. MONGER: The Premier ought to see the letter.

MR. MORAN: Yes; that was where the mistake occurred.

THE PREMIER: In any case, whether the camels were mentioned in the letter or not, if the proclamation under the Stock Diseases Act of 1896 did not affect or deal with the port from which the camels were coming, there was no need at all, therefore, to apply for leave to import those camels. It did appear that in January, 1901, some months after this correspondence had taken place between certain Ministers and Faiz Mahomet, and some months after Faiz Mahomet had left the State for the purpose of purchasing camels in Kurachi, then for the first time the attention of Faiz Mahomet was called to the proclamation of the 3rd February, 1897, and that then first it was thought necessary to take some steps to ascertain whether that proclamation would be extended to camels imported from Kurachi. Several interviews took place, and Faiz Mahomet's advisers were informed that the concession asked for would be granted, and they were requested to ascertain and furnish the names of the vessels by which the camels would be shipped, whereupon, they were informed, the necessary permission would be granted. Faiz Mahomet was notified of the result of these negotiations, and he made preparations and chartered a steamer. Then, from 1897 onward there was a prohibition against the importation of camels from certain parts. In March, 1901, however, the then Commissioner of Crown Lands—Mr. Moran was in office at that time, he believed—published a notice intimating that he would prohibit the importation of all camels; and the then Commissioner cabled the Government of Kurachi to that effect. There was a distinct announcement, therefore, that the importation of camels would be prohibited. Next, on the 21st of May, about two months after the date of the intimation that the prohibition applied, came a

notification in the shape of an Order-in-Council of that date exempting a shipment of 500 camels. The Throssell Government resigned on the 21st or 24th of May; so that when Mr. Leake took office he found there had been this old, existing prohibition of the year 1897, an intimation in March, 1901, that the prohibition would be insisted on, and the exemption granted only a day or two before the Throssell Government left office, after it was known that the elections had gone against them. On the 1st June, 11 days after the granting of the exemption and a few days after the Leake Government took office, the prohibition was re-enforced. Hon. members should bear in mind, therefore, that so far as Mr. Leake was concerned, he would have only this knowledge. Here, on the 21st May, 1901, was the first official record, the first official act sanctioning exemption; and Mr. Leake had a right to think—as anyone, *prima facie*, would have a right to think, and as he indeed did think—that if he stepped in so promptly, on the 1st of June, an interval of only 11 days having elapsed, during those 11 days the injustice now said to have been done to Mr. Faiz Mahomet would not happen. It appeared the whole difficulty had been occasioned by this verbal promise which was given in February, 1901, when for the first time Faiz Mahomet became aware of the regulations of 1897. The concession upon which Faiz Mahomet might say he morally relied was certainly not a legal one; and it was a strong thing for a man to go into obligations involving the purchase of 500 camels and importing them from Kurachi merely relying on one's promise.

MR. MORAN: He took that letter with him.

THE PREMIER: He did not rely upon the letter of the Colonial Secretary, because the letter of the Colonial Secretary was in October, 1900, whilst Faiz Mahomet said in the petition that early in the month of January, 1901, he and his advisers became aware of the Order-in-Council of February, 1897, and they then wrote to the Minister for Lands.

MR. MORAN: The Minister for Lands before him (Mr. Moran) absolutely confirmed the order.

MR. MONGER: The letters referred to explained themselves.

THE PREMIER: Immediately after October, 1900, Faiz Mahomet went to Kurachi, and it was about three months after that he placed himself in communication with the Government, because he then became aware of the Order-in-Council of February, 1897; and in January, 1901, he was not satisfied to rely upon the prior promise, and thought it necessary to obtain farther assurance from the Government.

MR. MORAN: Which he got.

THE PREMIER: Which he apparently obtained. So far as one could see from this petition, the earliest point of time at which Faiz Mahomet had a moral claim, if any arose, would be in January, 1901, when he recognised the need of obtaining some assurance from the Government. In January, 1901, he thought the matter so important that he wrote from Kurachi through his advisers to get this concession. This concession was given, but it was not by order in Council. When Mr. Leake came into power he found that this exemption had only been granted so far as he could see on the 21st May, 1901. He found that on the 23rd March, 1901, the Minister for Lands (Mr. Moran) himself did what Mr. Leake did on the 1st June, 1901, and he assumed, as he had a right to do, that on the 23rd March, 1901, the Government came to the conclusion that Faiz Mahomet had no right to have that concession. A change took place on the 29th March, 1901. On the 21st May, no intervening facts having occurred, the exemption was granted, and that 21st May was the very eve of the resignation of the Throssell Ministry. On the 1st June, Mr. Leake reimposed the prohibition, thinking perhaps, and naturally so, though it may perhaps have been somewhat hasty, that if the exemption was granted only on the 21st May, 1901, no serious injury could be occasioned if it were removed only 11 days afterwards. The desire now was to place before the House the position which Mr. Leake occupied at that time so far as one knew it.

MR. ILLINGWORTH: Bubonic plague came into the question.

MR. MORAN: That was the trouble.

THE PREMIER: The observations by the member for West Perth (Mr. Moran)

afforded him much pleasure, and he thought that too frequently accusations of dishonesty and unfair dealing were made against members. On this occasion the hon. member had not only given a vindication—which he (the Premier) never asked for and never thought necessary—but had given such substantial statements as to convince even the most sceptical.

MR. R. HASTIE (Kanowna): The member for York (Mr. Monger) assured us that Faiz Mahomet had a moral and legal claim upon the Government. If Faiz Mahomet had a legal claim, one wondered why it was necessary to bring the matter before the House. If there was no particular legal claim, he did not suppose the House would refuse a committee; but what did the hon. member mean by Faiz Mahomet having a legal claim and yet not taking the remedy at law?

MR. F. ILLINGWORTH (Cue): With the proceedings in connection with this camel question he had a good deal to do. He was urgently requested by constituents in his own district to take steps in connection with forbidding this importation of camels. The member for North Murchison (Mr. Holman) was at that time secretary of a strong organisation, and telegraphed to him asking him to wait upon the then Minister for Lands (Mr. Moran) to see what could be done. He waited upon the Minister, who assured him it was his determination to prohibit the landing of all camels. At that interview the hon. gentlemen informed him of the proceedings he had to-night detailed to the House, and the impression received from him was highly commendatory to his honour and integrity as a Minister at that time. This question was pressed with the importance it appeared to him to possess to the people of his district. He represented that information had come direct from Kurachi as to the danger concerning this shipment of camels. First of all there was bubonic plague at Kurachi at the time, and we were in some trouble in connection with that disease in this State. Then there came information that not only the camels were coming, but a very large quantity of fodder, and not only were the camels and fodder to be landed, but the attendants also, under a supposed promise or permit said to be granted. Every assurance possible was received

from the Minister. In the course of the changes which took place, when the Ministry of which he (Mr. Illingworth) was a member came to deal with this question they found the position very much as had been stated by the Premier. The appearance of things then was that the law said that camels should not be imported; that the Colonial Secretary (Mr. Randell) had given an assurance that this particular shipment of camels would be allowed to land; that in the changes of Ministry which took place the Minister for Lands (Mr. Moran) had reverted to the law as it stood, and refused permission; that this was reconsidered in Cabinet (probably very nearly the last Cabinet held by that Ministry), and the Government felt that they should stand by the promise, whether it was wise or otherwise. That was a question of judgment, and the Leake Government had to consider the question from that standpoint. They decided to stand by the law as it stood, to refuse to sanction the permit, and to withdraw the Order-in-Council which had been given. That order was cancelled. They were fully aware that difficulty might arise, but the whole of the Cabinet felt that it was desirable to protect this State from the dangers arising from a shipment of camels and a large shipment of fodder coming from a diseased district. Their duty to this State from a health standpoint alone was sufficient to warrant the Government in taking the course they did, and if the Government had remained as it then stood, they would have been prepared to take the responsibility of their action in that particular. If a liability arose the House would, he was satisfied, be prepared to act justly and wisely in connection therewith, and he had every pleasure in supporting the motion. The case should be examined. He thought it would be found, as the Premier showed, that there was very little real liability resting upon the State; but whether the liability was large or little, the motive which caused the Government to act at that time was a sincere and earnest desire to prevent a great evil coming upon this State, and he believed Parliament would support their action.

MR. F. WALLACE (Mt. Maguet): Representing a district which was very much disturbed through the expected

arrival of camels, and in justice to the member for West Perth, it was right to state the purport of the communications which the member for West Perth when acting as Minister for Lands sent to him (Mr. Wallace). At election times there were candidates who resorted to any practices mean and despicable to gain an advantage over an opponent, and one of his opponents at the last election, who was now a member of the House, made the most out of the camel question, although he (Mr. Wallace) was doing his best to oppose the introduction of the camels. He was given to understand that the Afghans were walking off the boat at Geraldton and that the camels were on the sandpatch near Geraldton jetty when he first heard of the matter. He wrote at once to the Minister for Lands and got a reply, but notwithstanding the fact that he brought forward the Minister's telegram at the meetings which he addressed, there were many persons who were ready to dispute the accuracy of the telegram. We knew now the camels never even left India. The then Colonial Secretary gave the permit to Faiz Mahomet to land the camels. At the time these camels were to be imported there were in the State white men who could not obtain a living, and the introduction of the camels meant the giving of farther work to Afghans. Thanks were due to the then Minister for Lands and to Mr. Leake for the action which they took, no matter what it might cost the State, and he hoped Faiz Mahomet would get fair consideration and justice. The State would rather give Faiz Mahomet some recompense for the loss which that person believed he had sustained than that the camels should be admitted, for to-day there were sufficient camels in the country to do all the work necessary. If more camels were introduced it meant giving more work to Afghans. We were fighting against the taking away of the daily bread of the white man, therefore we should stop the importation of camels. He hoped the committee would deal justly with the claim of Faiz Mahomet, at the same time remembering that there was a suspicion surrounding the issue of the permit. If the committee would deal with the heads of the department which sanctioned the permit being given to Faiz Mahomet,

it was wise in the interests of justice that inquiry should be made, and if officials had done wrong they should be punished. There had been too much one-man Government in the past, also slipshod administration, and now the people's money had to be given away to patch up wrong-doing. He hoped the committee would do justice, no matter of what nationality the petitioner was. He believed Faiz Mahomet had been misled; at the same time if a man knew that he was inciting another to do wrong, the question arose as to how much compensation should be awarded.

MR. J. B. HOLMAN (North Murchison): Seeing the member for Cue received first intimation that the camels were to be landed in this country from him (Mr. Holman), it was only right that he should give a little information on this subject. About 18 or 20 months ago a letter was handed to him, which had been sent from Kurachi by one Afghan to a relation in this State. The letter was written in English, and as the Afghan to whom the letter had been sent could not read English it was given to an Englishman to read. That was the way the information was conveyed to him. The letter contained a statement that Faiz Mahomet was purchasing 500 camels to bring to Western Australia, and that 80 Afghans were coming with them, also a quantity of clothing, fodder, and trappings. He (Mr. Holman) at once telegraphed to Perth to obtain some information, as the letter stated that the Afghan who wrote it had relations who had died of plague, and that plague was very bad in Kurachi. When he knew that the camels were destined for the Murchison a serious question arose, especially when plague was reeking in Perth, and in the interests of the people on the Murchison and of Western Australia generally, it was his duty to do what he could to stop the introduction of the camels. He wrote the member for Cue a strong letter, stating that if it was not possible to stop the camels from being landed, every possible means should be taken to quarantine them until every trace of disease was gone, and that all the fodder, clothing, and trappings should be destroyed, as the disease clung to them.

MR. MORAN: That was all provided for.

MR. HOLMAN: Word was received that if the camels left Kurachi they would be quarantined and all the trappings, clothing, and fodder destroyed; and it seemed strange to him that Faiz Mahomet should spend months buying camels in and about Kurachi, travelling miles and miles to purchase the animals in small lots, when he only had a verbal permission to land them in this country.

MR. MORAN: It was not verbal; it was in writing. It was not a permission: here was a misunderstanding.

MR. HOLMAN: The information which was received from the member for Cue was that the landing of camels was prohibited in this country. Somebody must have blundered in giving permission to land 500 camels. He did not think that anyone knew it was intended to introduce such a large number of camels, and the information only got about through the letter which he had spoken of, and in this way a considerable amount of trouble was saved to Western Australia. If a select committee was appointed we should be able to find out who was to blame at the commencement. It was unfair for the member for York to say that because Faiz Mahomet was not a Britisher he would not be fairly treated. If a Britisher had tried to do what Faiz Mahomet had attempted, the Britisher would have been driven out of the country, as it was a menace to the community. It was only by sharp practice that the permission was given to bring the camels in. If a committee was appointed, we should get at the bottom of this matter and find out on whom the blame rested.

Question put and passed.

Ballot taken and a committee appointed, comprising Mr. Atkins, Mr. Butcher, Mr. Gordon, Mr. Holman, also Mr. Monger as mover; with power to call for persons and papers and to sit during any adjournment of the House; to report this day fortnight.

THE PREMIER suggested that the evidence be printed in narrative form, and somewhat condensed. To read through a full question-and-answer report was rather burdensome, and a condensed narrative would be more useful to all.

MR. MONGER: The suggestion would be adopted.

RETURN—ABROLHOS GUANO, EXPORT.

On motion by MR. HAYWARD (Bunbury), ordered: "That there be laid upon the table of this House a return showing,—1, the total quantity of guano exported by Messrs. Broadhurst and Co. from the Abrolhos Islands during the year ending 30th June, 1901. 2, the total quantity supplied during the year for use in this State to the same date. 3, also the same returns for the year ending 30th June, 1902."

MOTION—STOCK REGULATIONS, INQUIRY.

MR. J. J. HIGHAM (Fremantle) moved:—

That a select committee of this House be appointed to consider and recommend how far the existing stock regulations restricting East Kimberley cattle may be amended or removed. The motion would doubtless be received with much more sympathy than was a similar one made some six years ago, when a select committee appointed to consider the existing prohibition against importing to the south East Kimberley cattle, which had practically closed East Kimberley, discussed the question at length, securing the services of Mr. Handcock, a Queensland expert, and concluded that tick-infested cattle might safely be brought to the South for slaughter in quarantine, either at Fremantle or on the goldfields. The result had been immensely beneficial to the southern parts of the State, even at that time, when the meat supply was much larger than at present; and the benefit was much greater last year when, owing to droughts in the Eastern States, imported meat had virtually been at famine prices. Most members realised the importance of the two Kimberleys as beef-supplying districts, and the report of the Stock Department showed that last year the Kimberleys provided 16,820 bullocks as against 6,853 imported from the Eastern States, while it might fairly be estimated that 67,000 would cover the number supplied from the country lying between the De Grey and South-Western districts. No doubt the amendment or the removal of any of the existing restrictions would be viewed with jealousy and dread by many interested in stock-raising in the South-West and intermediate portions of the State.

There was no reason to fear that the recommendations of the committee would lead to more dangers than existed now. The hon. members who might be selected to serve on the committee would certainly not be foolish enough to recommend the removal of any restriction if its removal was likely to result in injury to the stock of our South-Western districts. There were two points in especial, in connection with the existing stock regulations, into which inquiry was desirable. One had to do with the restriction that all stock imported from East Kimberley must not be landed in the ordinary way on Robb's jetty, but must be swum ashore over a considerable distance and then retained in stock-yards until slaughtered. This regulation might be amended so as to allow of stock being landed in the same way as stock from the Eastern States; then, after a shipment had passed over the jetty, steps might be taken to remove every possibility of infection by thoroughly cleansing the wharf by means of steam, as might be done with ease and economy. Thus any ticks which might happen to have dropped during the period of landing would certainly be destroyed. The second point calling for inquiry had reference to the possibility of introducing store and breeding cattle, after a suitable period of quarantine. Cattle which by such quarantine had been proved to be free from tick infection, or which as the result of such quarantine had become absolutely free from it, might be distributed in the Southern districts, where store cattle and breeding stock were so much required. The recent report of the stock inspector on the comparative immunity of East Kimberley cattle from tick was most gratifying. The report contained the following paragraph:—

The latest reports from East Kimberley are of a more satisfactory nature, as they tend to show that the cattle on stations which have been infested for a considerable period are now apparently immune to the disease, and the mortality is much lighter than when the tick first made their appearance in large numbers. The parasites still infest the herds, but the stock show but slightly any ill effects. A mob of 334 Sturt's Creek cattle experienced a loss of 40 head in travelling through to Wyndham; but with this exception, none but ordinary station losses have been reported.

The report also stated that dairy cattle in

and around the goldfields towns, grazing over country which might be deemed infected from the fact that tick cattle had passed over it, were absolutely free from any sign of tick. The truth seemed to be that the high, dry lands of this State were not a suitable habitat for the tick. It also seemed clear that a large proportion of our Southern districts would not provide a home for the tick. Nothing, of course, should be done to incur the remotest possibility of spreading tick through the Southern and South-Western districts; but the question was one which might well be examined, and on receipt of the report of the proposed select committee the House might proceed to consider what steps should be taken.

MR. T. HAYWARD (Bunbury) seconded the motion. The experiment suggested by the mover might well be tried. At any rate, all possible information on the subject should be obtained. If cattle from the East Kimberley district could be distributed through the Southern and South-Western districts without much risk, their importation was very desirable.

THE PREMIER (Hon. Walter James): Hon. members would not, he hoped, consider him discourteous if on this and other occasions in the course of the session he called attention to the need for curtailing the abundance of select committees. Hon. members had had a heavy burden in the shape of select committee work cast on them during the past session, and it was necessary to limit that burden during the present session. Those hon. members who worked on committees devoted a good deal of their time to that duty, and deserved the thanks of the House; but, at the same time, the fact must not be overlooked that no responsibility was cast on the members of committees. Those members were not the persons who had to make up their minds as to what should be done, nor were they the persons who had to "foot the bill" on the adoption of a report involving the payment of money. The absence of a sense of responsibility sometimes tended to lessen the value of select committees' reports. He sympathised fully with the objects and largely concurred in the remarks of the mover. The Government were keenly alive to the urgent need for providing some means by which the over-

flowing supply of cattle in the North-West might be conveyed to the people in the South and South-West, where the supply was extremely short. The Government thoroughly recognised that the supplies in the North-West should be tapped, not only for the purpose of providing the Southern portions of the State with breeding stock, but also for providing them with meat. The matter had been receiving attention for some weeks past, and the Government had referred it to the advisory board, who would consider it in the course of a few days. The advisory board was the old Bureau of Agriculture. When the Bureau was abolished and its work placed under the control of the Minister for Lands, the members of the bureau were formed into an advisory board, and their duty was to advise the Minister for Lands on matters of general importance. Whilst all reasonable means should be adopted for the securing of cheap meat and the providing of cattle for breeding purposes in the farming districts of the South-West, we should not take any step which would involve serious risks to the flocks in the South-West being devastated by the introduction of the tick pest. No one would look at the matter in a merely selfish light and say, "Because we want cheap meat, therefore we will seize on any supply which may be available." However, it did seem to the Government that by a process of dipping and quarantine all reasonable risk might be avoided. The Government had been in communication with the Eastern States, and had only to-day received from Queensland the suggestion that by two dippings, made at intervals of eight or nine days, cattle were rendered clean for all practical purposes. It seemed, therefore, that with one dipping at Kimberley and another dipping on the arrival of the cattle at Fremantle, there was a sufficient interval between the dipping at the port of departure and that at the port of arrival. Moreover, the ship on which the cattle were conveyed was clean and free from infection, because the invariable practice was to disinfect steamers after discharging their stock in Gage Roads and before sending them for a fresh cargo. There was no reason to believe that the method described would not be found practicable. He assured members that

the Government were honestly and keenly anxious to remove all possible difficulties in the way of providing a plentiful meat supply, present and future, and also to meet the shortage of breeding stock. Possibly the mover, having heard that the Government were keenly sympathetic towards his object, would let the matter stand over pending the report of the advisory board, which should be known in the course of a week. If the report of the board were favourable, immediate steps would be taken to arrange for the dipping as described.

MR. STONE: Who were the members of the advisory board?

THE PREMIER: Mr. Richardson, Mr. Harper, Mr. Gale—

MR. STONE: Were these gentlemen cattle-owners?

THE PREMIER: If they were, they were only small cattle-owners, anyhow. The hon. member, no doubt, did not desire to convey the suggestion that because some or all of the members of the advisory board were cattle-owners they would not furnish an impartial report. Mr. Richardson was in favour of the unqualified and unrestricted introduction of East Kimberley cattle into our Southern and South-Western districts, because, in his opinion, the tick could do no damage here. The mere fact of being a South-West farmer with a few cattle would not influence any member of the board. With all respect to members of this House, he ventured to say that the board were better qualified to deal with the matter than any select committee could be. Moreover, there was the consideration that it was not desired to appoint during this session so many committees as during last session.

MR. HIGHAM: Could the debate be adjourned?

THE SPEAKER: Yes.

On motion by Mr. A. E. THOMAS, debate adjourned until this day fortnight.

RETURN—WORKS AND BUILDINGS AUTHORISED.

On motion by MR. HIGHAM (Fremantle), ordered: "That a Return of all works and buildings authorised in last Estimates, and not yet commenced or completed, be laid on the table of this House."

RETURN—RAILWAY DEVIATION (PROJECTED), FREMANTLE.

On motion by MR. DIAMOND (South Fremantle), ordered: "That a Return be laid upon the table of the House, showing—1. The length of double line of railway proposed from the existing line at East Fremantle to the proposed high-level bridge near Rocky Bay. 2. The estimated cost of this section, exclusive of land. 3. The proposed gradient of same. 4. The length of the proposed high-level bridge. 5. The estimated cost of the proposed bridge and approaches. 6. The proposed height above high water level. 7. The consideration given to the possible superiority of a swing bridge. 8. The length of double line of railway proposed from high-level bridge to the existing line near Cottesloe. 9. The estimated cost of this section, exclusive of land. 10. The proposed gradient."

PAPERS—RAILWAY DEVIATION (PROJECTED), FREMANTLE.

MR. HIGHAM (Fremantle) moved:

That the plans of the proposed deviation of the Perth-Fremantle Railway, between East Fremantle and Cottesloe Beach, showing route and bridges, be laid upon the table of this House.

In making this motion, he had no other object than to allow the plans of the proposed deviation of the Perth-Fremantle railway to become public property. The deviation was likely to entail considerable expenditure, approximately £400,000; therefore it should be fully discussed. There were several alternative schemes.

Question put and passed.

ADJOURNMENT.

The House adjourned at 9:44 o'clock, until the next day.