

## NOES.

Hon. H. P. Colebatch	Hon. M. L. Moss
Hon. J. D. Connolly	Hon. W. Patrick
Hon. D. G. Gawler	Hon. C. Sommers
Hon. V. Hamersley	Hon. T. H. Wilding
Hon. A. G. Jenkins	Hon. E. M. Clarke
Hon. R. J. Lynn	(Teller).
Hon. E. McLarty	

Clause thus negatived.

New clause:

Hon. J. E. DODD moved—

*That the following new clause be added to stand as Clause 8:—(1.) Any two or more industrial unions consisting of employers or workers engaged in the same industry or in related industries may apply to the Registrar for registration as one union. (2.) The application shall be under the respective seals of the unions concerned, and shall be signed by their respective chairman and secretaries. (3.) The application shall be accompanied by (a) A list of members and officers and the trustees (if any) of the proposed new union; (b) Two copies of the rules of such proposed union, such rules being in accordance with section seven of this Act; and (c) A copy of a resolution authorising the application and approving of the rules on behalf of each union concerned, passed by a vote of the majority of the members present in person at a general meeting of such union, which copy shall be verified by the statutory declaration of the secretary. (4.) Every application hereunder shall be deemed to be an application by a society for registration under this Act, and the succeeding provisions of this Act shall (so far as applicable) apply thereto, and in respect thereof accordingly. (5.) On the proposed new union being registered as an industrial union under this Act—(i.) The registration of every union affected shall be deemed to have been cancelled under subsection (1) of section twenty-six; (ii.) All the property, rights, duties and obligations whatever vested in or imposed on the unions affected shall become vested in or imposed on the new union.*

The clause was designed to facilitate the amalgamation of unions, which in the past had sometimes taken as long as 12 months to effect.

Hon. M. L. MOSS: The Committee might formally agree to the new clause. It was his intention to deal with the large unions in related industries on the recommendation of the Bill and it would be just as well to have this amendment in print.

New clause put and passed.

New clause—Absence of President:

Hon. J. E. DODD moved—

*That the following further new clause be added to stand as Clause 46:—(1.) In case of the illness or unavoidable absence of the president, the Governor shall appoint some other judge to act during such illness or absence. (2.) The judge so appointed may act in any matter commenced before him until the conclusion thereof.*

New clause passed.

Schedule, Title—agreed to.

Bill reported with amendments.

House adjourned at 10.7 p.m.

## Legislative Assembly,

Wednesday, 30th October, 1912.

	PAGE
Question: Railway service on Show Day ...	2817
Bills: Workers' Compensation Act Amendment, Report stage ...	2818
Government Tramways, 1s. ...	2818
Municipal Corporations Act Amendment, 1s. ...	2818
Money Lenders, 2s., Com. ...	2827
Game, 2s., Com. ...	2829
Timber Lines Traffic 2s., Com. ...	2836
Motions: Railway construction, Brockton-Kunjin ...	2818
Abattoirs and Chilling Works at Geraldton ...	2823

The SPEAKER took the Chair at 4.30 p.m., and read prayers.

### QUESTION—RAILWAY SERVICE ON SHOW DAY.

Mr. TURVEY (for Mr. Carpenter) asked the Minister for Railways: 1, What number of trains, ordinary or special, were despatched from Claremont

to Fremantle between 4 p.m. and 7 p.m. on Show Day? 2, What number left Claremont for Perth or intermediate stations during the same time?

The MINISTER FOR RAILWAYS replied: 1, Sixteen trains. 2, Thirty-nine trains. The bookings west of Claremont on Show Day were 7,016, and east of Claremont, 25,696.

#### BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Report of Committee adopted.

#### BILL—GOVERNMENT TRAMWAYS.

Introduced by the Minister for Railways and read a first time.

#### BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Introduced by Hon. W. C. Angwin (Honorary Minister) and read a first time.

#### MOTION—RAILWAY CONSTRUCTION, BROOKTON-KUNJIN.

Mr. HARPER (Pingelly) moved—

*That having regard to the promise made by the Premier on 10th November, 1911, that the settlers along the route might reasonably anticipate the construction of the Brookton-Kunjin Railway to provide transit in time for the present harvest, and the fact that up to the present time the construction of the line has not even been commenced this House is of opinion that the Government should at an early date proceed with the construction of the said line.*

He said: I do not wish to delay the House very long on this matter, for it has been thrashed out on a previous occasion, but I would like to mention that the people in this immediate locality, and of the surrounding district, have been living in the hopes of getting a railway for the last five or six years. There are in the immediate neighbourhood some of the best farmers in Western Australia. They are a long-

suffering people, exhibiting a wonderful degree of patience, and have put up with very great hardships. They have been instrumental in advertising the agricultural resources of Western Australia, and have done excellent work in furthering the interests of the State. I know that owing to their energy and splendid work, farming has become more popular in that district of Western Australia. The railway promised to them four or five years ago by Sir Newton Moore has not yet been built, and these people are left in isolated positions at Arldanga, Gilliminning, Cross Roads, Landscape, Markegin, Balyarling Springs, White Well, Boyagawa, and other places where settlers have been for a long time pioneering the agricultural districts. I know this railway has been somewhat delayed owing to the uncertainty in regard to the route of the Transcontinental railway, but since that route has been decided upon and agreed to by both Houses in respect to the section from Coolgardie to Merredin, the Transcontinental railway is out of the question, for the reason that, carrying the trunk line westward as far as Merredin brings it almost due north of Kunjin. Even if the railway goes *via* Armadale to Brookton, it will not answer the purpose of a railway from Brookton to Kunjin. This Brookton-Kunjinn line was sanctioned by Parliament on the 16th February, 1911, with other railways, such as the Quairading-Numajin, the Hotham Valley, the Wongan Hills railway, and several more, some of which have been completed, while others are in course of construction. I want this railway to be dealt with on its merits as compared with other railways. We had the promise of the Premier to a deputation on the 11th November, 1911. On that occasion the Premier read a minute which he had received from the Minister for Works, and stated that there was no reference to the time when the line was likely to be completed, and that it would be for Mr. Johnson to go into the matter of the construction of the different lines in their order of merit. That conveyed the meaning that the railway was to be proceeded with

almost immediately. It is nearly 12 months ago. Later on we had a deputation to the Minister for Works and he was also sympathetic with the deputation. I think the deputation impressed the Minister quite sufficiently that a railway was wanted and that it was highly desirable that it should be constructed at an early date. I want to impress upon the Minister for Works the great necessity for this railway. The people along the route, both north and south, have just about come to the end of their resources, and perhaps long ago some of them have come to the end of their resources and it is the last straw that breaks the camel's back; this is their position. They have been living in hope for quite a number of years. Owing to the railways being pushed out further to suit some of the recent settlers these people have been deprived of a railway. I am speaking now more particularly of the people of Arldanga, Landscape, White Well, and that neighbourhood. Some have been there eight years and have now found themselves as far from getting railway communication as ever. Sir Newton Moore, when Premier, and another member of the Cabinet traversed that country and gave the settlers great hopes in those days that a railway would be constructed at an early date, and I think they would have had a railway had not agricultural expansion increased so rapidly. I would like to know as definitely as possible when the line can be started. As far as the Trans-Australian railway is concerned, that need not influence this railway for a moment. It may go as far south as Brookton—that is a matter for the engineers to decide—but it would have to go at right angles south for 40 miles and west to Kunjin, which angle is out of the question. As far as the railway from Brookton to Kunjin is concerned, I submit that that can be started immediately. In the Loan Bill passed in February, 1911, a sum of £10,000 was voted for this Railway, and I regret that owing to these unforeseen circumstances the railway has not yet been started. The Premier a year ago, when asked a question,

said personally he thought the railway would be ready for next harvest. The Minister for Works, in reply to a deputation on the 29th August, thought he would be able to decide within a month about the Trans-Australian railway. From what I can gather it will be several months before the Government decide on the route of the Trans-Australian railway as to whether it will go from Armadale or Midland Junction. I ask the Ministry to give the matter their earnest consideration and to have this line started immediately. Nearly all the lines passed at the time this one was approved by Parliament are either in course of construction or have already been completed. It is very hard on these people, and I sympathise with them very much. I know that some of them cannot even get the titles of their land owing to this railway survey passing through their land and they are put to great hardship and loss because the Agricultural Bank cannot advance them any money until this matter is decided. We know the settlers are suffering very great hardships and I think the Minister for Works also knows of hardships in that connection, and I think it would be well if the Government could see their way clear to have this railway started the first on the list. I would not like to see any other railway put ahead of this one, because the people would be seriously disappointed and they will suffer great loss if it is not constructed at an early date. As far as the Trans-Australian railway is concerned, that is simply out of the question in connection with the Kunjin line, and I do not see any reason for further delay on that account. My opinion is that the Brookton-Kunjin railway as a spur line would be one of the most used and profitable in Western Australia, for the reason that if this country gets railway communication, which I think is justified and warranted a near route would be made from Armadale to the Great Southern, and probably Brookton would be the junction. But in any case this spur line from Brookton to Kunjin will become a trunk line in future and will be a direct route from Guerkadilling,

Koorikin, Coolin, Kurrenkutten, Corrigin, and many other fertile districts in the eastern portion of the agricultural areas. That line will serve the district north and south for 20 miles, and I look forward to the produce coming direct over that line to Armadale in the near future. I have nothing more to say in the matter but would like to urge on the Minister for Works the great necessity for the construction of this line. I cannot emphasise the matter too much and I think he is pretty cognisant of all I have said and I hope he will see his way clear to start it immediately.

The MINISTER FOR WORKS (Hon. W. D. Johnson): I do not want any convincing as to the class of settler in this particular locality, neither is it necessary to outline the need for railway communication to this particular portion of the State. But it has been represented to the hon. member and to the country that the difficulty in regard to this particular line is the fact that there is just the possibility of the Trans-Australian railway going pretty close to the route proposed for this line. I think members will realise that the course suggested would be a ridiculous attitude for the Government to adopt, seeing that a survey of the Trans-Australian railway has been made from Armadale to Brookton and that from Brookton onwards there is no engineering difficulty, and that we are only surveying in another locality to see if a cheaper proposition can be obtained before we decide where the Trans-Australian railway can go. Having that information it would be absolute nonsense to immediately proceed with the construction of an agricultural railway seeing that the particular line might have to be pulled up in order to lay down the Trans-Australian line. It is true that this railway was passed by the Chamber some considerable time ago, but still the fact remains that it is not out of its order of precedence up to date. There is no justification for this line to take precedence over other lines under construction, and it is true an injustice would be done if we were to construct other lines that have been passed

since before we started the Brookton-Kunjin line, but we have not arrived at that stage yet and as far as I am concerned, I desire to serve this area before we proceed to serve other areas that have been favoured to the extent of having a Bill passed for those particular areas. I want it clearly understood that as far as I am personally concerned the Brookton-Kunjin line has been passed by Parliament and while I do not agree with the route—

Mr. Monger: You do not agree with the route of any railway passed by your predecessors.

The MINISTER FOR WORKS: That is not so. I think many of the lines passed by the previous Administration are all right, but with this particular line, unless we are careful we shall have a repetition of the unfortunate state of affairs that exists in Yorkkraine, inasmuch as we will have settlers 18 or 19 miles from a railway. I think it is a crime to put people more than 12½ miles from a line, and the Government in adopting this particular route have erred in judgment. If we look at the map we will not want any convincing on that score. If we do not believe in a 12½ miles radius it is all right, but if we do it will be wrong. I believe in a 12½ miles radius and less if the country would stand it, and for that reason I do not think the wisest route was adopted, but it is not for me to argue that point. Parliament passed it and it is my duty as Minister for Works to construct the line unless Parliament alters its opinion in regard to the route. What has stood in the way of the actual construction of the line is the fact, as already stated, that the Trans-Australian railway may possibly go along in close proximity, if it does not actually traverse this particular route.

Mr. Monger: Is that an assurance?

The MINISTER FOR WORKS: I say there is every probability. The Premier outlined that in the Budget speech. We have the survey completed, as far as Brookton is concerned, and there is no engineering difficulty from Brookton onwards, and we have three survey parties

concentrated on what is known as the Swan Valley to get that route completed in order to enable us to get out the cost and compare the two propositions. It is only a matter of £ s. d., and before we can arrive at a conclusion on that question we have to have this other survey completed so that the comparison can be made.

Mr. Harper: Supposing the railway goes to Brookton, what then?

The MINISTER FOR WORKS: I observed the point which the hon. member made. He argued that, because he could not see how the line would run from Brookton it would not interfere with the Brookton-Kunjin line. The hon. member must recollect that the Trans-Australian line as surveyed runs into Brookton. It has to get out of Brookton and go in the vicinity of the Brookton-Kunjin route. Wherever it goes it will be somewhere near it, and that being the case, we will not run two lines within a mile or so of each other. There is no hope at all of doing that, and it would be unsound for us to arrive at any conclusion until the route of the Trans-Australian railway is adopted. The hon. member stated what is true, that I informed the deputation that within a month I thought we would be in a position to decide the route, and I am keenly disappointed that I have not the information to date. It has been alleged that there is no difficulty in following the Swan Valley route, and that we can get a grade of one in eighty. As a matter of fact the surveyors have been hanging on by their eyebrows to get a route through the Swan Valley. Three different trials have been made, and they have not got a one in eighty grade at reasonable cost. They could get the grade if we had the money, but the Government desire to get the railway through at this grade and at the cheapest possible cost to the country, and there is only one way in which that can be done, and that is by being careful with the survey and exhaustive in our inquiries so as to get all the detail and compare the notes and thus determine which is the better route to adopt. I stated that I expected to have this within the month. The difficulty has been

greater than even the engineers anticipated. We have three survey parties out, and Mr. Muir, the engineer, is devoting special attention to it personally. He is on the spot trying to push the matter through so that the Government can come to a conclusion in regard to their recommendation to this Chamber. Under these circumstances I would rather that the hon. member should withdraw the motion. If he forces the motion to a division, I have no alternative but to vote against it. If, despite the information I have given, the motion is forced I must ask the Chamber to vote the motion down. It would be unfair to the people of the district to force the motion now and it would be unfair to the Government. It may not be necessary to build the line at all, but if the Chamber says that despite the fact that the Trans-Australian railway may go in this direction the line should be built at an early date, it would not be fair. The hon. member says that although the Trans-Australian railway may go in this direction, there is nothing to interfere with the construction of this line, but I think there is. Take the line from Armadale to Brookton, that is a line which should receive serious consideration and would have received it before this if it had not been that the Trans-Australian railway might go there. If it does go through that district then we shall save that line. If it goes through Brookton then we shall save the Brookton-Kunjin line. We have to take these things into consideration. Under the circumstances I appreciate the difficulty the hon. member is in. I would not for a moment say that these people are not justified in feeling that they are unfortunate, but they cannot have a grievance against the Government and they cannot have a grievance against anyone else further than the fact that the line authorised by Parliament is not under construction, but it is not under construction for the reasons I have outlined. To put it under construction now would present grave difficulties. Once the Trans-Australian route has been decided on the Government will come to a definite decision as to the construction of the line. We are not delay-

ing the construction of the line wilfully and we are not desirous of constructing another line in preference to the Brookton-Kunjin line.

Mr. Monger: When will that decision be come to?

The MINISTER FOR WORKS: It is impossible to say. There are three survey parties getting information now. I do not know how long it will take. I have given one estimate and I have been wrong and I do not wish to give another estimate of time. The difficulties are greater than one would fancy. Under the circumstances I trust the hon. member will not force the motion to a division.

Mr. Broun: Why not make up your mind and put the Trans-Australian line through from Armadale?

The MINISTER FOR WORKS: Possibly one would like to come to a decision on that. I have my own personal opinions about the matter. I trust the motion will be withdrawn, because to force it will compel opposition.

Mr. MONGER (York): During the absence of the member for Pingelly I came in contact pretty frequently with the settlers in the locality this line of railway is going to serve. They were led to understand for months past that the line would be started at a very early moment and it must naturally be rather severe on them when they see other lines of railway brought forward by the present Administration and hear that these lines of railway, passed 12 months after the Brookton-Kunjin line was adopted by the House, are going to be started, at all events before next March. What sort of a position must these people along the route and in the neighbourhood of Kunjin feel at the treatment they are receiving?

The Minister for Works: What treatment? You are only assuming that other railway lines will be started before this one; only an assumption on your part.

Mr. MONGER: The Minister for Works and the Premier only recently, during his South-West tour, stated that a certain line of railway starting somewhere in the vicinity of Nanajin would be commenced before next March. We want to know exactly where we are in connection

with this proposition. I heard the Minister for Works distinctly assure a deputation that this line of railway would be constructed whether it be the Transcontinental line or otherwise, prior to the other lines of railway being built. Does the Minister remember that assurance?

The Minister for Works: I do not think the hon. member is right in saying that I stated I would start the Transcontinental line. What I said was that this line would take the order of precedence over any other line.

Mr. MONGER: That is the only assurance I want.

The Minister for Works: Well I have given it several times.

Mr. MONGER: Having that assurance I have nothing further to say.

Hon. J. MITCHELL (Northam): I wanted to hear what the Minister for Works had to say in connection with this line. I realise that he could not give any other assurance than what he has given that an examination is being made of all possible routes for the Transcontinental railway, and I understand that examination is not complete but will be in the very near future. I think the route will be the Avon Valley one, and inquiries so far as I understand, are in favour of that route.

The Minister for Works: You know more about it than I do then.

Hon. J. MITCHELL: That being so, there is nothing to delay the construction of the Brookton-Kunjin line.

The Minister for Works: You are not trying to pull any strings are you?

Hon. J. MITCHELL: I am trying to pull the Minister for Lands. The member for the district is more than justified in asking that this line should be constructed as early as possible, and that there should be no great delay. I understand that the line cannot be built before the information has been obtained in regard to the Trans-Australian railway, but the Minister will see that as soon as the investigations are completed in regard to the Trans-Australian line this railway will be put in hand. These people have been long promised this line. I agree with the Minister that it would be a pity

that the line should be constructed along a route if it is the wrong route, but I do not agree with the Minister that it is wrong. To serve the whole of the people in that area the line must go south of Brookton. We have often heard that the line from Dowerin to Merredin has been put in the wrong place, but the deviation should have reduced the distance and should not have increased it as it did there. If another line is constructed through Yorkkrakine then the distance that settlers will be from the railway will be about  $7\frac{1}{2}$  miles. The Minister knows that between York and Meckering the distance is only 20 miles between the two lines. The Minister knows I advocated a 25-mile limit as against a 30-mile.

Mr. Broun: That is as the crow flies.

Hon. J. MITCHELL: It goes without saying that farmers should be able to do the journey to the railway with their wheat in one day, but the Minister can rectify the Yorkkrakine mistake without any difficulty. The line has been constructed and we now have an opportunity of rectifying it by having another line built. I agree with the member for the district that he is more than justified in asking the Minister to say this line should be built. The Minister says that within a short time, he hopes within a month, to have definite information on the point. Having that information from the Minister I think the hon. member can very well withdraw the motion.

Mr. HARPER (in reply): With regard to the line not being altogether in the right place, as the Minister for Works remarks, I may point out that a very short line taken out about 18 miles would meet all the requirements in that case. A line could be run out about 18 miles with a short spur each way, and that would meet all the requirements, that is if the Trans-Australian line does not traverse the route to Brookton. If that is the case, the line would have to go north to suit the people there and it would only necessitate a very short line. The Minister for Works knows that he was waited on by a deputation of people from the district south of the line a few months ago. Having the assurance of the Min-

ister that the work will be started as soon as possible, and that all due haste will be made with the survey of the Trans-Australian railway, I ask leave to withdraw the motion.

Motion by leave withdrawn.

#### MOTION—ABATTOIRS AND CHILLING WORKS AT GERALDTON.

Debate resumed from the 16th October on the motion by Mr. Dooley, "That this House is of opinion that in the interests of the health and convenience of the public of Geraldton, and for the purpose of meeting the requirements of the farmers, fruit growers, and pastoralists of the surrounding districts, the establishment of abattoirs and chilling works at the port of Geraldton is an immediate necessity," and on the amendment moved by the Minister for Lands that the words "an immediate necessity" be struck out and "desirable" inserted in lieu.

Hon. J. MITCHELL (Northam): I am very glad that the hon. member has brought forward this motion. It has long been an idea of mine that each of the ports of the State should be provided with abattoirs and chilling works. The hon. member, I think, made out a good case and there was evidence that he took a good deal of trouble to get information about the capabilities of the district he represents. The land in the Geraldton district is suitable for mixed farming, probably as no other land is in Western Australia. It is splendid for sheep as well as for producing cereals, and, if the industry of sheep-raising is to be encouraged, facilities such as those the hon. member for Geraldton is urging will have to be provided. Hitherto, sheep have been grazed in this district for their wool, but it has been realised that it is much more profitable to raise sheep for purposes of export. It is known that in South Australia some years ago it was impossible to export, because there were no facilities. Now, however, a large export trade has been built up, with the result that farmer's produce has become of a better quality, and is worth a considerable sum of money to them, and the fact is also known that every acre of cultivated land has in-

creased £1 per acre in value as the result of the Government works which have been established at the ports. Geraldton is peculiarly situated; it is 300 miles by rail from the metropolis, and this makes it almost impossible for the lamb-producing business to be undertaken, because if they had to be carried that distance by rail to the port of export, the loss of weight would be so great that it would be necessary for them to be prime so as to arrive at the market in a condition that would result in a profitable sale. There is also in connection with this matter the possibility of a profit being made on the works. In New Zealand every town of 2,000 inhabitants has its own abattoirs, and I think that system should be adopted here. The abattoirs at Geraldton are wanted not only for the export trade but so that the meat supply might be supervised and controlled and economically dealt with. Since we have Government steamers it would be well to have freezing works at Geraldton in order that the lambs might be killed there and sent to the Perth market. This would save a considerable amount and bring to the metropolitan market a bigger supply of meat during the lamb season. Putting all these things together, it will be seen how easy it will be to deal with the meat through the abattoirs and by steamer, and with better results for the farmer as well as for the consumer. I was sorry to notice that the Minister for Lands in Geraldton the other day said to the people, "Show me the lambs and I will produce the abattoirs." If that idea is to guide the Ministry in all their undertakings, I am afraid there will be very little agricultural development. It is necessary that marketing facilities should be available when the stock are ready for the market, and the Minister should give serious consideration to this question, first, because the district is capable of producing lambs fit for export, and secondly, because there can be no real development along the lines we desire unless export facilities are provided. It would be just as futile to ask farmers to produce wheat without giving them wharves, as to ask the people in Geraldton or anywhere else to go in for the

production of lambs suitable for export unless we provide facilities for export. I believe that the works to be constructed at Fremantle are to be put in hand soon, while the works at Albany are almost completed, and I hope it will not be long before the wish of the hon. member for Geraldton is realised, because these works are so much needed. Our attention has been directed towards Geraldton because we realise the development of sheep-raising in that district is an important matter, and the export of a large number of lambs would return to that district a tremendous sum of money. I hope the Ministry will see that there is no delay in providing the facilities which have been asked for. Unless this is done the people in those parts will have to revert to the old idea of producing wool and wheat.

Mr. DOOLEY (in reply): I was rather disappointed that the Minister for Lands should have found it necessary to move an amendment to my motion, particularly as I must confess that his replies when analysed did not justify the amendment or any addition to my motion in the direction he adopted. At the outset, the Minister admitted the undoubted fertility of the district and its great possibilities. Therefore it is all the more regrettable that he did not see his way to allow the motion to pass in its entirety, because the points that were raised did not justify the alteration of the motion, that is to say, that the works were not an "immediate necessity," but were merely "desirable." I would like to state that in putting the motion, I was guilty of a slight error with regard to the period at which the lambs are considered to be at their highest marketable value when I stated that the period was early in November. I found subsequently on inquiry that it is about the latter end of October that the lambs in that district were at their best; that is the time when they are weaned. It is recognised that the district of Geraldton is three weeks earlier than anywhere else south of that place. The Minister for Lands appeared to lay great stress on the fact that we are not in the position to produce the right sort of lambs for the market, and he went on to quote



the New Zealand regulations in connection with the trade, which are very stringent in regard to the preparation of lambs for export. I know that that is a fact. The Minister also stated that in New South Wales they had been investigating the matter for a considerable time with the object of developing a high class of marketable lamb, but he overlooked what South Australia has been doing for seventeen years, and that the people there have been making as good a deal as any other country not excepting New Zealand. There was no preparation with regard to the lambs that they would submit to market, and I contend that even if that were necessary it could be done in a matter of six months. It would be only necessary to tell the farmer just what class of lamb was required, and he had only to make his arrangements prior to the breeding season, in crossing sheep, and in six or twelve months he would supply a suitable lamb for the market. Another point raised by the Minister for Lands was the fact that mutton and lamb were a higher price in this State than anywhere else, and he considered that we should supply the local market before we thought of exporting. That is a very good contention until we analyse it and until we recognise that every other State that is exporting meat to other countries did not take into consideration the question of whether their local markets were supplied first. I contend that both should run concurrently. We have a small population here, and, so far as the metropolitan market for lambs is concerned, it is limited indeed. Farmers are business men and they look ahead and say, "I am going to make all sorts of preparations to try and get to the local market" and then when that market is surfeited there will be no profit for him and he will make arrangements for export. That is the object the farmer has in view when he asks that abattoirs and chilling works should be erected. The Minister admits that abattoirs are a necessity, and they should be so constructed as to provide for expansion, as I pointed out when moving the motion. I think that the figures I have brought forward, and which the Minister did not attempt to re-

fute, amply show that this is a matter of immediate necessity, and I sincerely hope that the Minister will see at an early date that it is so.

Mr. SPEAKER: The hon. member must not discuss on the amendment the question of immediate necessity.

Mr. DOOLEY: I was replying to the Minister. He traversed my motion and I was of opinion that I was closing the debate; however, I shall endeavour to conform to the Standing Orders as nearly as I can. The member for Northam (Hon. J. Mitchell) was not quite fair in his references to the Minister's remarks at Geraldton. On that occasion the Minister practically reiterated what he said in this Chamber with regard to having his doubts as to the suitability of the lambs for export, and the advice he had received from other States, and also from the Commissioner for the Wheat Belt. I would like to point out that when the hon. member was Minister for Lands he wanted to exact a guarantee of at least 10,000 head of lambs before he would entertain the idea of establishing freezing works. It is only right that we should be fair in these things, and have the matter properly placed before the House. I regret very much that the hon. member for Greenough (Mr. Nanson) was so sensitive in regard to what I said, and that he thought I had in mind any notion of party politics in connection with this matter. When moving the motion, that was the thing furthest from my mind.

Mr. Nanson: But you blamed the late Government.

Mr. DOOLEY: I referred to previous Administrations. I made no reference to the immediately preceding Government, and I want to say that the hon. member's electorate has just as much to gain from this proposition as mine has. In fact, the direct gain to his electorate would be greater, and I really thought he would have overlooked any error in expression which had crept into my remarks and would have supported me more strongly than he did. The hon. member seemed to stress very greatly the statement I made that Geraldton was to-day a back number, but I think that anyone who read

my remarks, or heard me speaking, could come to no other conclusion than that I was speaking comparatively. In opening my remarks I said that I was going to be slightly discursive in outlining the early history of Geraldton, and I pointed out that in its early days Geraldton ranked almost equal with the metropolitan district itself. It then fell, comparatively speaking, from that position, and other districts forged ahead of it. The place is certainly moving at a very rapid rate to-day, but still, had other Administrations—I am not referring to the immediately previous Administration, but to all Governments for 20 years back—kept abreast of the times and done a fair thing for Geraldton, the town and district would be very much further ahead than they are to-day. I think the hon. member was unfair in laying stress upon those remarks, and not adducing stronger arguments in support of the motion.

Mr. Green: The fact that you brought up the motion shows that you are loyal to Geraldton.

Mr. DOOLEY: I thought the place was not getting the deal it should get, and I want to see it brought up to the position that its importance demands. In connection with my statement that previous Administrations had not been considerate to Geraldton, the member for Greenough mentioned the resumption of pastoral leases, but every one knows that the Forrest Government fought against those resumptions in season and out of season. Reference was made also to the attitude of Mr. Drew and the *Geraldton Express*, but it must be well-known that that journal fought for most of the time single-handed in advocating the resumption of those pastoral leases. The continual battering by that paper—and I do not wish to detract from the efforts of the member for Greenough also in that direction—had its effect in due course, and the pastoral leases were resumed and great benefit to Geraldton resulted. The fact of being practically surrounded by large squattages has seriously militated against the progress of the district, and it was only about the time when the Labour party first came into power in this State that the repurchase of large estates was

made a live question and the Government began to move in the matter. When I referred to the neglect of the previous Administrations, I was alluding more particularly to Geraldton, and I contend that even the late Government did not do all they should have done to help the district. I refer, amongst other things, to the necessity for improved harbour and shipping accommodation.

Mr. SPEAKER: The hon. member cannot discuss that just now.

Mr. DOOLEY: This subject has been mentioned by a previous speaker and has a material bearing on what I have already said.

Mr. SPEAKER: The hon. member's motion makes no reference to harbour works at all.

Mr. DOOLEY: In dealing with my statement that previous Administrations had not treated Geraldton properly, one speaker made reference to the works that had been carried out. However, as I am not allowed to reply to that statement, I want only to say that the hon. member for Greenough would have been better employed, in my opinion, in adducing stronger arguments and more data in support of the motion instead of endeavouring to find fault, not so much with the matter of the motion as with the manner in which I presented it. As the Standing Orders will not permit me to reply to certain remarks that have been made, I do not desire to say anything further, beyond expressing the hope that the Minister will see that there is a necessity for constructing these abattoirs at once.

Amendment put and a division taken with the following result:—

Ayes .. .. .	21
Noes .. .. .	15

Majority for .. .. 6

AYES.

Mr. Angwin	Mr. Munsie
Mr. Bath	Mr. O'Loghlen
Mr. Carpenter	Mr. Scaddan
Mr. Collier	Mr. B. J. Stubbs
Mr. Dwyer	Mr. Swan
Mr. Hudson	Mr. Thomas
Mr. Johnson	Mr. Turvey
Mr. Johnston	Mr. Walker
Mr. McDonald	Mr. A. A. Wilson
Mr. McDowall	Mr. Helmann
Mr. Mullany	(Teller).

## NOTES.

Mr. Broun	Mr. Monger
Mr. Dooley	Mr. Moore
Mr. Gill	Mr. Nanson
Mr. Green	Mr. S. Stubbs
Mr. Harper	Mr. Taylor
Mr. Lefroy	Mr. F. Wilson
Mr. Lewis	Mr. Male
Mr. Mitchell	(Teller).

Amendment thus passed.

Question as amended put and passed.

and seems to have been wisely thought out, and I think it provides all that is necessary with the exception of the amendment I have just mentioned. I support the Bill. I hope that it will become law, and further than that. I hope that Ministers will see that its provisions are enforced.

Question put and passed.

Bill read a second time.

*In Committee.*

Mr. Holman in the Chair, Mr. Dwyer in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Definition of "money lender":

Hon. J. MITCHELL moved an amendment—

*That the following be inserted to stand as paragraph (e):—"Any incorporated company performing and discharging the acts and duties of an executor, administrator, trustee, attorney, or agent under power and authority in that behalf conferred upon it by Act of Parliament."*

The member for Perth had no objection to this.

Mr. DWYER: As a matter of fact, a company incorporated for the purpose mentioned by the hon. member would be included in paragraph (d), but as there was no desire to militate against the easy passage of the Bill he accepted the amendment, especially as pawnbrokers had been exempted.

Amendment passed, the clause as amended agreed to.

Clause 4—agreed to.

Clause 5—Registration of restrictions on money lenders:

Mr. CARPENTER: Persons often lent money which was not their own. Would this clause require the name of the actual owner of the money to be registered, or only the name of the person actually lending the money?

Mr. DWYER: It was not intended that a person by employing an agent could use the latter as a cloak to lend money at an exorbitant rate of interest and appear before society as not being a money lender or as not taking

## BILL—MONEY LENDERS.

*Second Reading.*

Debate resumed from the 16th October.

Hon. J. MITCHELL (Northam): The member for Perth, Mr. Dwyer, must be congratulated for bringing down this Bill providing that persons who desire to lend money should charge only a fair rate of interest. Of course there are occasions when it pays a man to pay a high rate of interest for money. I remember one case where a man borrowed a sum of money and agreed to pay seven per cent. on double the amount he borrowed, and that man made a fortune. The Bill provides that more than ten per cent. may be charged, but it is also provided that the court may direct that not more than ten per cent. shall be paid. The hon. member has in view people who go to money lenders in Perth and borrow small sums of money at a high rate of interest, and who are charged enormous rates of interest in order that the accommodation may be extended. I am entirely with the hon. member in regard to that aspect of the question. The hon. member also proposes that the name of every money lender shall be disclosed. As money lenders trade under various names, and the identical name of the actual money lender is often hidden, I think the provision in this regard is also a good one. The hon. member has made it clear that he does not wish the provisions of the Bill to apply to the banks or to people who carry on business under any Act of Parliament or to pawnbrokers. I have an amendment which I shall move; I have discussed it with the hon. member; it will relieve executive companies in a similar manner. The measure seems to be an excellent one,

part in money lending. Though he employed an agent, he must register, otherwise he was liable to a penalty.

Clause put and passed.

Clauses 6, 7—agreed to.

Clause 8—When rate of interest not per annum more than ten per cent. not to be recoverable, etcetera:

Mr. GREEN: Would the Bill still allow, as apparently was intended in this clause, people to lend money to civil servants at exorbitant rates of interest? If that was so, the utility of the Bill was absolutely worthless to deal with matters of that kind.

Mr. DWYER: The object of the Bill was that when a rate of interest was exorbitant, and action was taken to recover the interest or the principal, the judge of the court would consider all the circumstances of the case and, having in view the risk the lender had taken, would say whether or not the transaction was reasonable and fair. If it was so then the plaintiff would get judgment; if, on the other hand, in the judge's opinion, it was not a fair transaction, the money lender would not be able to recover. Clause 8 required that in the case of a person lending, say, £5. for a month and writing out a promissory note for £6—which would represent 120 per cent. per annum—the contract should set out the full rate of interest per annum, or else the total amount to be paid. If this were not done the lender would not be able to recover. The clause was dealing only with the manner in which the contract must be made out. Even if the contract were made in accordance with the clause, that would not relieve the money lender from his liability in the event of the judge considering that more than a fair amount of interest had been charged.

Mr. GREEN: Could not the member for Perth see his way clear to insert a clause limiting the rate of interest? The principle obtained in several of the United States, and had worked beneficially. Lots of illiterate people borrowed money from money lenders at exorbitant rates of interest.

Mr. DWYER: To limit the rate of interest which might be charged would

be to rend the cure as bad, if not worse than, the disease. There were circumstances when the risk called for a large rate of interest. He would prefer to leave the matter to the finding of the court. If a man took a big risk in lending money he was entitled to a larger rate of interest than he otherwise would require. If such a provision as that suggested by the hon. member were to be inserted the man badly in need of money might be unable to obtain it. There should be no attempt to interfere with the freedom of contract.

Clause put and passed.

Clauses 9, 10—agreed to.

Clause 11—How loan to be made:

Mr. CARPENTER: The clause was a little drastic, and it was not at all certain that it would be operative even if agreed to. It provided that in the case of a man obtaining a loan there should be no deduction made from the amount of the loan for the first quarter's rent. He could not understand that a simple proposition of that sort should be prevented by law. It was sometimes a convenience to the borrower to pay his first quarter's interest from the actual money received as a loan. Surely there was nothing very wicked about that. Even if the clause were to pass in its present form it was doubtful whether it could be enforced. We should not attempt to devise restrictions which would not hold, even if agreed to. He would vote against the clause.

Mr. DWYER: In the first place any amount charged for discounting a promissory note would be beyond the purview of the clause. The position taken up by Mr. Carpenter was altogether untenable. Indeed there was a strong element of fraud in the proposition. If a man borrowed £100 and had to pay ten per cent. or twenty per cent., and was told that he must pay it down now, the man did it because he was forced to borrow, and could not get the money on any other terms than that of interest in advance. As a matter of fact the interest was not due until the end of the quarter, or half year, as the case might be. Why, then, should it be paid to the money

lender in advance? To strike out the clause would be to throw opportunities in the way of money lenders to say to a borrower, "Now give me back £20 of that money by way of interest."

*Sitting suspended from 6.15 to 7.30 p.m.*

Mr. DWYER: Before tea he was defending Clause 11. Frequently reductions which were quite illegal were made from loans by unscrupulous persons. Sometimes, in order to come within the purview of the law, the lender handed over the money and requested the return of a portion of it immediately. The clause provided that loans should be handed over in full, and nothing could be deducted by way of interest or otherwise. If interest was payable, it would be payable in accordance with the contract, and in no other way.

Clause put and passed.

Clause 12—agreed to.

New clause—Prohibition on carrying on business as a "bank":

Mr. DWYER moved—

*That the following be added to stand as Clause 8:—(1.) No person shall be registered as a money lender under any name including the word "bank," or under any name implying that he carries on banking business. (2.) If a money lender in the course of carrying on the money-lending business issues or publishes or causes to be issued or published any circular, notice, advertisement, letter, account, or statement of any kind containing expressions which might reasonably be held to imply that he carries on banking business, he shall be liable on summary conviction to the like penalties as if he had failed to comply with Section 5 of this Act.*

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

#### BILL—GAME.

Order of the day for the resumption of the debate on the second reading from 16th October read.

Question put and passed.

Bill read a second time.

#### *In Committee.*

Mr. Holman in the Chair; the Hon. H. B. Lefroy in charge of the Bill.

Clauses 1, 2, 3—agreed to.

Clause 4—Interpretation:

The ATTORNEY GENERAL: Light should be given on the definition of "guardian." Was it intended that the service should be voluntary?

Hon. H. B. LEFROY: The intention was that the appointments should be honorary. Gentlemen in certain districts took an interest in these matters, and might allow themselves to be appointed as guardians. Perhaps police constables might, in some instances, be entrusted with the duties.

Clause put and passed.

Clause 5—agreed to.

Clause 6—Power to Governor to proclaim (a) Close season for native game; (b) Reserves; (c) What game to be strictly preserved:

The ATTORNEY GENERAL: The clause empowered the Governor to declare a close season throughout the State, or in one or more districts. Who was to see that the provisions of the measure were carried out?

Hon. H. B. LEFROY: The Bill provided that there should be a Minister in charge of the administration.

The Attorney General: That is not enough.

Hon. H. B. LEFROY: And the Minister would ask for a proclamation declaring a close season for any particular game in certain districts.

The Attorney General: Officers are appointed to administer all Acts.

Hon. H. B. LEFROY: This Bill repealed four other Acts, and those Acts provided that the Minister should be charged with the administration just as the Bill did.

The ATTORNEY GENERAL: If this was a substitution of an Act or Acts then the expense of administering it would be borne by the State. If we were to utilise officers of the State for the carrying out of the present game laws then the Bill ought to have been introduced by Message and ought not to have origin-

ated in the Legislative Council. The Bill involved an expense to the State to carry out its provisions and it was to that extent a money Bill because it was a charge on the taxpayer.

Hon. J. Mitchell: This is only amending an Act.

The ATTORNEY GENERAL: It was more than an amendment of an Act, it was a substitution, it was a repeal of other laws. We could not carry out this Bill without the payment of men to carry it out.

Hon. H. B. Lefroy: There is no provision for the expenditure of money.

The ATTORNEY GENERAL: But it would entail the expenditure of money, and it could not be carried out without the expenditure of money.

Hon. H. B. LEFROY: The previous Game Act was carried out without the expenditure of money. The police had always performed the duties required under those Acts, and the same thing would apply under this measure. The Bill dealt with the expenditure of money in this respect, in that it provided for fines and penalties, portions of which were to be handed over to the Acclimatisation Society. There was a Message from the Governor at the present time in the House, but it had not yet been handed to the Speaker. This Message was in regard to Clause 24 which was in the Bill, but had not been considered by the Legislative Council. So far as the ordinary machinery of the Bill was concerned it was not contemplated that there should be any more expense than there was under the game laws which were repealed by the Bill.

The MINISTER FOR LANDS: It was true that he had in his possession a Message covering this Bill, but he had not placed it in the Speaker's hands because when the Committee reached Clause 24 he would take the opportunity of asking the Committee to report progress in order that that Message might be placed before the Speaker. He was going to ask members to eliminate Clause 24 because it was altogether premature in a measure of this kind to commit the Committee to a definite sum for the administration of the

measure. At the present time provision for the work of the Acclimatisation Society was made by a definite sum in the shape of a vote of £200 on the Estimates.

Mr. Taylor: It does not go very far.

The MINISTER FOR LANDS: The Government were dealing with the Acclimatisation Society generously when they provided that sum.

The ATTORNEY GENERAL: Clause 24 had been passed and the attention of the Legislative Assembly was drawn to it by its being printed in italics, and although it had been passed by the Legislative Council it was part and parcel of the Bill.

Hon. H. B. Lefroy: That clause has not been passed.

The ATTORNEY GENERAL: This was a mere evasion of our Standing Orders and our constitutional principles, and he was entering a protest against this form of legislation which it would be possible to introduce in a money Bill in the Upper House by announcing there that the Bill would be submitted afterwards to the Legislative Assembly with the money clauses printed in italics. The particular clause printed in italics was perhaps considered by the author of the Bill as the very vitality of the Bill, and that was why he (the Attorney General) raised the question that a Bill with the provisions which were contained in this measure could not be carried out without the incurring of considerable expense, and without this clause, if it were eliminated afterwards, the Bill would be practically useless. He submitted that the Bill carried upon the face of it the expenditure of public money. It could not go on without it. The Bill would call upon the energies of the men already employed in the State, and when those men were working upon this Bill they would be using Government moneys in order to carry out the provisions of the measure.

Hon. J. Mitchell: That applies to every Act.

The ATTORNEY GENERAL: That was not correct. This Act must have men attending to it personally.

Mr. Taylor: Every Act of Parliament needs administration.

The ATTORNEY GENERAL: But not the expenditure of money on the employment of men as this Bill did. Apart from simple measures which provided penalties for violation of their provisions, this Bill necessitated the employment by the Government of men to be in attendance and devote their time to the administration of this measure; therefore, it was a money Bill. The hon. member who introduced the measure in another place was cognisant of that fact, as was shown by the form in which Clause 24 appeared. The clause was supposed not to be in the Bill, but that supposition was only in order to get the Bill through the Upper House in spite of the Constitution. The measure should have originated in this Chamber and should have been covered by Message; in fact, the hon. member in charge of the Bill admitted that there was already in the hands of a Minister a Message which would be submitted in proper time.

Hon. H. B. LEFROY: Standing Order 309 applied to the question raised by the Attorney General—

With respect to any Bill brought to the House from the Legislative Council or returned by the Legislative Council to the House, with amendments, whereby any pecuniary penalty, forfeiture, or fee shall be authorised, imposed, appropriated, regulated, varied or extinguished, the House will not insist on its privileges in the following cases:—1. When the object of such pecuniary penalty or forfeiture is to secure the execution of the Act, or the punishment or prevention of offences. 2. Where such fees are imposed in respect of benefit taken or service rendered under the Act, and in order to the execution of the Act, and are not made payable into the Treasury, or in aid of the public revenue, and do not form the ground of public accounting by the parties receiving the same either in respect of deficit or surplus. 3. When such Bill shall be a private Bill for a local or personal Act.

The Bill only provided that certain fees should be charged and appropriated for

the carrying out of the Act. The Attorney General was dealing with the Bill as a whole when he maintained that the measure should have been introduced in the Assembly by Message from the Governor. That course was not necessary. The course adopted was perfectly in accordance with the Standing Orders, but it would not have been correct if Clause 24 had been passed by the Council in the first instance. It was the practice that where a Bill was introduced in the Legislative Council which made an appropriation of public funds, the clause making that appropriation should remain blank and not be dealt with until the Bill reached the Assembly, when a Message from the Governor was brought down.

The ATTORNEY GENERAL: The member for Northam (Hon. J. Mitchell) when Minister for Lands introduced a Game Bill on all-fours with this and that Bill was introduced by Message. He was protesting against the dangerous precedent involved in this measure, and he had made a similar protest when sitting in Opposition. He was aware that the amendment of the Constitution Act had given the Upper Chamber power to make suggestions in regard to money clauses. He had contended then, and he contended now, that even that amendment was a violation of the privileges of this House as laid down in the Constitution. He was again formally protesting against what he called a side way of getting money Bills introduced in another Chamber and without a Message.

Clause put and passed.

Clauses 7, 8, 9—agreed to.

Clause 10—License to sell game:

Mr. McDONALD: Shortly after the commencement of this session the member for Roebourne (Mr. Gardiner) had asked a question as to the prosecution of aborigines for having been found killing game in certain watercourses in the district of Roebourne. It was not by any means an unusual thing for natives to go out to kill game for their own purposes, or for other persons who might employ them without paying a license. Some time ago a complaint had

been made to an association of which he was a member that although the members of that association held licenses for killing kangaroos as a means of livelihood, they were yet debarred from entering on certain pastoral stations under a previous Act or regulation. At the same time complaints had come to hand that aborigines had been employed by the holder of the areas in at least two instances to kill game, and no license had been paid by those owners. The idea was that the natives in their lust to kill would destroy more game than was necessary for their own requirements, and the skins would then be sold by the owners of the station for their own profit and to the detriment of the men who paid licenses and depended on kangarooing for their livelihood. He would like to see those anomalies rectified, and protection given to those who paid licenses. In the event of the hon. member in charge of the Bill not being able to make clear to-night what he was prepared to do in this direction, it would be well to report progress so that the matter could be given further consideration.

Hon. H. B. LEFROY: There was no necessity to report progress. The clause simply stated that no person should sell or take or kill for the purpose of selling any native game and dispose of it for gain, but it did not prevent natives killing kangaroos for their own use. If, however, a person employed natives without a license to destroy game which he was afterwards going to sell, he would become liable under the Act.

Clause put and a division taken with the following result:—

Ayes	..	..	..	13
Noes	...	..	..	20
				—
Majority against	..			7
				—

## AYES.

Mr. Allen	Mr. Lefroy
Mr. Bath	Mr. Mitchell
Mr. Broun	Mr. Monger
Mr. Collier	Mr. Taylor
Mr. Harper	Mr. F. Wilson
Mr. Heitmann	Mr. Male
Mr. Johnson	(Teller).

## NOES.

Mr. Angwin	Mr. McDowall
Mr. Carpenter	Mr. Munsie
Mr. Dooley	Mr. O'Loughlen
Mr. Dwyer	Mr. Swan
Mr. Foley	Mr. Thomas
Mr. Gardiner	Mr. Turvey
Mr. Green	Mr. Walker
Mr. Hudson	Mr. A. A. Wilson
Mr. Lander	Mr. Mullany
Mr. Lewis	(Teller).
Mr. McDonald	

Clause thus negatived.

Mr. McDONALD: In view of the division progress should be reported. He moved—

*That progress be reported.*

Motion put and a division taken with the following result—

Ayes	..	..	..	14
Noes	..	..	..	18
				—

Majority against .. 4

## AYES.

Mr. Angwin	Mr. Lewis
Mr. Dooley	Mr. McDonald
Mr. Dwyer	Mr. Mullany
Mr. Foley	Mr. Munsie
Mr. Gardiner	Mr. A. A. Wilson
Mr. Green	Mr. Carpenter
Mr. Hudson	(Teller).
Mr. Lander	

## NOES.

Mr. Allen	Mr. O'Loughlen
Mr. Bath	Mr. Swan
Mr. Broun	Mr. Taylor
Mr. Collier	Mr. Thomas
Mr. Harper	Mr. Turvey
Mr. Johnson	Mr. Walker
Mr. Lefroy	Mr. F. Wilson
Mr. McDowall	Mr. Male
Mr. Mitchell	(Teller)
Mr. Monger	

Motion thus negatived.

Clause 11—agreed to.

Clause 12—Persons offending against this Act to give name and address and deliver up game, etcetera:

Mr. MALE: It was provided that an offender's name and address must be given to any person who might demand it. It was too much power to give to any person.

Mr. LANDER: It might be a black gin who came along and demanded a person's name and address. Practically it was the power to arrest that was given



by a clause in a recent Bill to recognised inspectors. On that occasion members rejected the provision. This clause should go out for the same reason.

Hon. H. B. LEFROY: There was nothing novel in the clause. It was the provision in the Game Act and was not found to work detrimentally. It was wise to allow any person to take an interest in the protection of native fauna and be a guardian. Hon. members might well allow the clause to remain as it was printed.

Mr. DWYER: The objection raised by the member for Kimberley (Mr. Male) would disappear if the hon. member would read the first line of the clause. It was not a case of any person demanding certain things from another person. It was not even a case of a person who found game in the possession of another person demanding certain things. It was a case of a person offending against the provisions of the measure.

Mr. HUDSON: Who is to determine whether it is really an offence?

Mr. DWYER: If the person who interfered took action against another who had not really offended against the measure the prosecutor would have to accept the responsibility. The main point was that a person must be found offending against the measure before anybody else could make the demands mentioned in the clause.

Mr. THOMAS: It was a very wide definition. It might happen that in the Christmas season a man would go out and have the luck to shoot a decent turkey, and on returning would be accosted by another individual who would demand both the turkey and the gun. By the time the case reached the court the turkey would have been consumed, and its original owner left lamenting. Such a joke might develop into a habit with some people.

Mr. DWYER: They would have to pay heavily for the joke.

Mr. THOMAS: But it might be a very difficult matter subsequently to identify the individual who had got away with the turkey. Certainly some provision ought to be inserted giving a slight pro-

tection to the individual in original possession of the game.

The MINISTER FOR LANDS: Although it might seem drastic, the clause was altogether inadequate to protect our native game, particularly the native bird life mentioned in the Second Schedule. Although frequent comment was made on the scarcity of bird life in Western Australia there was still to be found those who regarded it as something in the nature of a sporting afternoon to go out and shoot indiscriminately as many specimens as possible of the few varieties of bird life which we had. On his own selection at Tammin he had, on occasions, warned off the premises people who had come out deliberately on Saturday afternoon to shoot indiscriminately parrots, magpies, and the few birds that had happened to congregate on the place. Unless we could arouse interest and at the same time provide some means by which such people could be brought to book it was to be feared that the measure would have very little effect. He hoped that some day we should have in Western Australia some organisation like the Gould society of New South Wales and Victoria, the object of which was to inculcate, not only in adult people, but in children in the schools, a desire to protect the native bird life. Under these circumstances, although the provision might appear to be drastic, it was entirely warranted by the object sought to be secured.

Mr. FOLEY: All hon. members were sincere in the desire that native game should be protected. Just the same, no right thinking man would care to give to another the privileges provided in the clause. Some responsible person should be given the administering of the Act, and a staff of inspectors should be provided.

Mr. LANDER: Could it not be provided that police constables or stock inspectors or, indeed, all Government inspectors should take the necessary action? Only in this way could the Act be properly administered. When it came to giving every Jack, Tom and Harry the right to interpret a breach of the Act

and take both the turkey and the gun it was going a bit over the fence, and was most unfair.

Mr. DWYER: If the clause were deleted we would have a small army of civil servants specially provided for the protection of native game, which was impossible from all points of view. We could not attain our object except we gave to every person the power the clause proposed to give.

Mr. THOMAS: If it was to be understood that the proposed Act could not be administered unless we gave the power to every irresponsible person to arrest others upon the shallowest of pretexts, then the country would be as well without the measure. Who was to be a judge of the offence against the Act? Presumably the irresponsible individual who came along and demanded the turkey. Any person in the community could be accosted by another, and if the one who accosted happened to be the bigger man then the man with the turkey would sustain a loss every time. It appeared to be legislation run mad. Under it a man's liberty would not be safe, and even the hon. member in charge of the Bill might be walking home with a brace of ducks and be apprehended by some vagabond who had a political grudge against him. The proposition was absurd.

Mr. McDOWALL: The protection of native game was a duty we owed to our country. It was nonsense to say that the whole of the community would be turned into a body of amateur police. Surely there was nothing dreadful in the proposal if people were guilty of this kind of murder which denuded the State of its game. Certain things must be taken for granted in every Act of Parliament. If a person ignorant of the law shot a turkey, no one supposed that he would be severely punished. As one who believed in the preservation of native game, he supported the clause, and would like to see it go further. No effort could be too great to preserve the native game of the country.

Hon. H. B. LEFROY: Whilst he was satisfied members desired to protect the bird and animal life of the country, he

would like them to take the measure seriously. The clause provided that no one could be interfered with unless he was offending against the law. It was the duty of every member of the community to know the close season. People should be made to thoroughly realise the necessity for protecting the bird and animal life, and preventing the young people from developing a spirit of vandalism; otherwise our game would be exterminated. This provision had been in existence for years, and it was desirable that it should be continued. The people should be encouraged to take an interest in the bird and animal life, and they should have power to prevent depredations wherever possible.

Mr. ALLEN: Opponents of the clause had presented extreme cases which were hardly likely to arise. It was unlikely that anyone would bail up his fellow man, and go to the extreme, if he refused to give his name and surrender his bird and gun, of arresting him. The member for Perth had shown the safety of the clause. A person had to be found offending.

Mr. Turvey: It will give the power to detain a person who attempts to offend.

Mr. ALLEN: It would be safe to pass the clause which had been the law for a long time.

Mr. Dwyer: It has been the law since 1892, and there have been no complaints.

Mr. CARPENTER: The remarks of the member for West Perth (Mr. Allen) convinced him of the necessity for modifying the clause. That member admitted it would be sufficient if an offender was suspected. Was it usual that any person, authorised or unauthorised, could arrest another on suspicion? The average citizen would not be too eager to make himself objectionable by trying to arrest another.

Mr. Thomas: If he was vindictive he might.

Mr. CARPENTER: The clause would give power which should not be given. Objections might be removed if the persons who exercised the power were specified, as justices, constables, or guardians.

Mr. Dwyer: You may as well have no law at all.

Mr. CARPENTER : Ample protection would be given if his suggestion was adopted. He moved an amendment—

*That "person" in line 1 be struck out and the words "justice, constable, or guardian" inserted in lieu.*

Mr. MALE : The clause was important, but the member for Perth struck the point when he said that what was everybody's business was nobody's business. Apparently the provision had been ineffective, as it had had the force of law for years, and still our birds and animals were diminishing in number. If the duties were undertaken by certain individuals, better results would be achieved. It was doubtful whether the member in charge of the Bill could show that one prosecution had resulted under the present law. That might be an argument that the clause would do no harm, but we required a clause that would do some good. It was desired that the game should be preserved, and by giving the duties to particular people that end would be gained.

Hon. J. MITCHELL : The clause might be worded to give even wider powers than would be provided even by the amendment. Landowners might also be included. Unless the clause was amended a tramp might come along and demand a man's gun. The section similar to this clause, in the existing Act, had not been put into operation because no one had known of its existence. As it was it went too far, and should certainly be amended.

Mr. TAYLOR : The clause would receive his support. It might appear to be drastic, but there was nothing, in his opinion, too drastic where it concerned the protection of native game. He had seen game ruthlessly destroyed not only in this State but in the States of New South Wales and Queensland, many years ago, and the clause which gave power to any person who was satisfied that another had offended to bring that person to book did not go too far. There was great necessity to protect the native game in Western Australia, and the Committee should pass the clause as it stood.

Mr. THOMAS : The childlike belief the member for Mount Margaret had in

human nature was to be admired. Who was to decide whether a person had been offending against the measure ?

Mr. Taylor : The court.

Mr. THOMAS : One man apparently would be locked up and the other man would be free, and when evidence came to be taken it would be a question whether the other man could be found or not. He was actuated by the same desire as other hon. members for the protection of game, but it should be done in a commonsense fashion. Suppose one unfortunate poacher had not succeeded in getting any game and he discovered a more fortunate individual returning home with a fair supply, he could thereupon arrest that person if the latter did not divide the spoil. The object of the Bill, it seemed to him, was to create criminals, and altogether it would bring about an undesirable condition of affairs. If a man shot a quail in the close season he could be arrested, but if a reputable citizen found a scoundrel beating his wife he could not do anything, unless he interfered at the risk of getting a hiding.

Mr. McDOWALL : An amendment had been moved to strike out the word "person" with a view to inserting other words: was the hon. member in order in going outside of that ?

The CHAIRMAN : The hon. member was not in order.

Mr. THOMAS : What he was endeavouring to prove was that it was desirable to amend the clause. If we were going to leave the clause as it was we should make some provision for every other kind of offence that was committed against human beings. We were going to extremes for the protection of birds that we would not go to for the protection of human life.

Hon. H. B. LEFROY : The member for Bunbury pointed out that this would create a new class of criminal, but the hon. member might be informed that it was the law at the present time, and where were the criminals which had been created under it ? He denied that we were going to extremes. The fact of the matter was that governments in the past had not taken sufficient interest in this

subject, and the police had not been encouraged to see that the Act was carried out. If the Bill did not go through the Act of 1892 would remain in force with the section of which Clause 12 was a copy, with the exception, of course, of the word "guardian" which had been added in the Bill. Personally he could see no objection to the clause as it stood. No doubt it was taken from a Game Act in some other State.

The Minister for Mines: It has been 40 years in existence in Victoria.

Hon. H. B. LEFROY: It would be a pity to have the clause interfered with.

Mr. LANDER: The clause was a dangerous one; often it was very hard to detect who was destroying game, and if a person had a set on another he would accuse him of having offended against this measure. The reason why the police constables did not carry out the law in this respect was that they got no support when they came before magistrates. They might bring a man in 40 miles and the court would only fine him sixpence.

Mr. Allen: Do you know of any such case under the Act?

Mr. LANDER: Such cases had occurred in regard to the game laws and other Acts. The justices would not support the police officers. No one was more in favour of protecting native game than he was, but he did not believe in giving every Tom, Dick, and Harry power to arrest any person who came along.

Amendment put and negatived.

Clause put and passed.

Clauses 13 to 23—agreed to.

The CHAIRMAN: Clause 24 was in erased type and it would have to be moved as a new clause; that could not be done without a Message from the Governor. The clause was not at present before the Committee.

Progress reported.

## BILL—TIMBER LINES TRAFFIC.

### *Second Reading.*

Debate resumed from the 16th October.

Hon. J. MITCHELL (Northam): This is only a very small measure. Under the Land Act any person holding a timber

permit may construct a railway or tramway for the purposes of his business, but it is provided that the Governor may make conditions compelling the owner of such railway or tramway to carry passengers and goods. Under most permits that have been issued these conditions have not been enforced. The member for Forrest (Mr. O'Loughlen) says that hardship has been occasioned in consequence of this omission, and so he has brought down a Bill which will make it necessary for all persons who own tramways or railways connected with the Government railway system to carry passengers and goods. I do not know that very much hardship will be occasioned by the passing of this measure, but I think it right to point out that a timber tramway may be put in for the purposes of a timber company, and under this Bill it will be necessary for the company to provide trucks for the carriage of a farmer's produce. It may be that he will have a fairly large quantity of hay or wheat, and the company will be required to provide facilities for the handling of those goods just as the Government do on their railways. It will also be necessary for the company to carry passengers at the company's risk; that is, the company will take exactly the same risk as the Government, and they will not carry passengers in ordinary trucks but will be required to provide covered vans. This may cause the companies extra expense, especially where the tramway is only a few miles in length. It is further provided that the fares charged on these tramways shall be at the same rate as those on Government railways. I doubt if that is not asking a little too much. I believe that the fares now charged are fairly moderate, but still higher than the Government fares, but when we remember that it is not part of the original intention of the tramway builder to carry passengers and goods, he should receive some consideration from the House when fixing the rates that he may charge. The traffic cannot be nearly as cheaply or economically handled on these private lines as on the Government system. I understand that some companies do all that is neces-

sary at the present time, but in some cases the conveniences which the settlers think they are entitled to are not provided. In this connection, the member for Forrest urges that Government lines have not been laid down in many places because timber lines already exist, and they should provide the conveniences necessary for the settlers. I should like to hear what the Minister for Railways has to say upon the Bill. I confess that I know little of the requirements of the settlers along these timber lines.

The Minister for Mines: They are mostly in the South-West.

Hon. J. MITCHELL: Yes, but some of them are to be found on the goldfields and run for fairly long distances. The hon. member in charge of the Bill should be ready to give the House every information when the Bill gets into Committee. Very few members have had much experience of these private tramways, and it may be possible that in our ignorance we are doing more harm than good. I hope the measure will be fully discussed, and if it is proved that harm is being done it will be our duty to oppose it. I do not propose to oppose the second reading, but I hope that in Committee much more information will be given than we have at the present time.

Mr. LANDER (East Perth): I am going to support this Bill because it is very necessary. It is like a Dexter cow, little and good. If the hon. member for Northam (Hon. J. Mitchell) had much experience of these timber tramlines he would see the necessity for giving the settlers and their families the right to travel on these lines and to have their goods carried to and fro. On some of the lines no provision is made at all for the women to get from the bush into the camps, and it is distressing to see women sitting on a truck alongside a jarrah log. Some lines to-day are not as bad as they used to be, but in years gone by there were some very bad ones. In reference to goods, it is practically impossible for the employees in some of the timber areas to get any goods from town lest they should compete with the mill stores. While this sort of thing continues, it is our duty to

step in and give those workers the same rights as we ourselves enjoy. We know that workers on the mills have to put up with many things, not only on account of the charges but also through the way their stores are thrown about. When the member for Northam says it costs so much extra I say it costs the country very little extra. The goods are put on the train and they are carried at the owner's risk. I do not see any objection to the Bill going through, and I hope it will.

Hon. J. Mitchell: Where is the Minister for Railways?

Mr. MONGER (York): I have sent copies of this Bill to two or three of the principal trading concerns interested in the large private railways, and I have not had replies to my communications, so I would suggest to the member in charge of this measure that he should allow it to stand over until the early portion of next week. There is one company owning a line of railway that I know has done a great deal of good work in this State for those who have been settled in close proximity to the line. When a water famine was on during last summer this particular company conveyed water free of cost to those that were requiring it along the line. I am referring to the Kurrawang line, in which Mr. Hedges is interested. They conveyed not only water free of charge but also every other commodity that the people along the line required, and they did it free of cost. I am anxious to get further and substantiated statements in order that I can bring them before the House to show what a "terrible" man this Mr. Hedges is, as we have heard him described by the Premier.

Hon. W. C. Angwin (Honorary Minister): Is he mentioned in the Bill?

Mr. MONGER: This Bill affects Millars and the Kurrawang company, and other timber lines. No one knows it better than the introducer of the Bill. Having sent out copies of the Bill to the companies that are particularly concerned, I think I am only within my rights in asking the introducer of the measure to allow a further opportunity of dealing with the Bill.

Mr. Lander: You can hang up any Bill on less than that.

Mr. O'Loghlen: The member for Irwin sent out copies of the Bill months ago, and there is a special representative of these people in the other Chamber in the shape of Sir Edward Witenoom. If you like to stonewall the Bill you can.

Mr. MONGER: It is certainly a very short Bill.

Mr. Heitmann: An innocent looking thing!

Mr. MONGER: It is one of those little innocent dangerous measures that sometimes have been placed on our statute-book, but we do not know where they are going to end. Here is one very innocent little clause, which says that no action shall be maintainable by any person against the owner of a timber line for any cause arising from the obligation imposed by this measure unless the action is commenced within six months after the cause shall have arisen.

Mr. Dwyer: That is to protect your friends. You have no objection to that?

Mr. MONGER: No, but the next clause goes on—

Mr. SPEAKER: The hon. member must not anticipate the Committee stage by discussing the clauses. He must discuss the general principles of the Bill.

Mr. MONGER: As far as I can recollect the mover of the Bill said that these companies charged higher prices for stores than the people living on the lines were to be supplied with.

Mr. Lander: They refuse to carry them in some instances, particularly on the Kurrang line.

Mr. MONGER: I have quoted the instance where not only water but every other commodity was carried on one of the biggest privately-owned lines of railways absolutely free of cost.

Mr. Mullany: They can still do that under this Bill if they wish.

Mr. MONGER: Are we going to bring in this class of harassing legislation to affect any big corporation?

Mr. O'Loghlen: As long as it affects the little man I suppose it meets with your approval?

Mr. MONGER: I am just as much in favour of the little man as the hon. member.

Mr. O'Loghlen: Then show your approval by supporting the Bill.

Mr. MONGER: If it be such a good measure as the hon. member claims, why was it not introduced by the Government instead of by a private member of their party? I admit there are many good ideas in the Bill, but why should we have this thrust upon us at the present moment without being given the opportunity of getting the information I have sent for and asked? And now at the eleventh hour we are told by the introducer of the measure that he and his party are going to foist it on the House.

Mr. Lander: Go to the mills and see them for yourself.

Mr. MONGER: I have seen the timber mills. I have seen as many timber mills in this State as the hon. member. Whether it was because I was personally well known I do not know, but whenever I had occasion to make a purchase at any of these timber stations where I hear of this bleeding process to the poor man being so frequently introduced, it has been my pleasure to buy practically on the same basis as Perth prices.

Mr. Lander: Oh, bunkum! That is wrong.

Mr. Mullany: You must have been a friend of the boss.

Mr. MONGER: I can assure hon. members that I can go into any store at any timber mill in Western Australia, or along any firewood railway, and buy most items at Perth prices. As far as the working man's commodity is concerned, tobacco, or instances of that sort—

Mr. SPEAKER: The hon. member must discuss the Bill.

Mr. MONGER: I think I am. The only note I made on this measure while it was being introduced was that stores were charged for at 25 per cent. above Perth price, and I want to say that so far as the principal items that are used are concerned they can be bought as cheaply on these timber stations as they can in Perth.

Mr. Lander: That is incorrect. You have never been there. Come down with me and I will show you.

Mr. SPEAKER: The hon. member must not interject so frequently.

Mr. MONGER: I shall be very pleased to accept that invitation, and we will have a trip together, and probably while enjoying the kindly side of the hospitality of the timber stations and settlers, I will see the unpleasant versions my friend seems to come in contact with when he is visiting these outside portions of Western Australia. I hope the hon. member in charge of the Bill will not try to force it through to-night.

The MINISTER FOR MINES (Hon. P. Collier): I was not in the Chamber when the member for Forrest moved the second reading of this Bill; but as the member for Northam seems anxious to learn my views in regard to it, and to gratify the hon. member, I have no hesitation in giving my hearty approval to the Bill.

Hon. J. Mitchell: I thought you would.

The MINISTER FOR MINES: Certainly. The hon. member knows very well that on all occasions I approve of everything that is good. Something of a similar nature to this Bill should have been provided when the permits were originally granted.

Hon. J. Mitchell: It would have been fairer then.

The MINISTER FOR MINES: It would have been, but even at this stage it is not too late to rectify a wrong. For many years indeed conditions for travelling on these timber tram lines have been of the most primitive nature. I have travelled on some of the lines in the South-West in the timber country, and the accommodation provided very often for women and children is what ought not to be provided for the carriage of stock.

Mr. Monger: Do they make any charge?

The MINISTER FOR MINES: I believe the charge is anything up to 50 per cent. higher than the charge on the Government railways. I know it is absolutely at the option of the companies on the goldfields as to whether they agree to carry goods or passengers at all, and in one instance where a new find was made some 20 or 30 miles from Kalgoorlie, where the line was the only method by which the prospectors, except by using the

roads, could get their goods, the company charged extortionate rates for the carriage of the goods necessary to enable the people on this new find to live. Moreover, in that case they could have absolutely refused to carry the goods. That field was retarded to a very great extent, in fact it was eventually abandoned, and I believe the high charges made by that company had something to do with the abandonment.

Mr. Monger: What was the company?

The MINISTER FOR MINES: It was not the company in which Mr. Hedges was interested. I can see no force in the argument advanced by the member for York for postponing the consideration of this Bill. He informs the House that during the dry summer Mr. Hedges carried water and goods absolutely free of cost to all those who required them. In that case, in the interests of that gentleman, the member for York (Mr. Monger) should welcome the Bill, because without laying himself open to the charge of initiating anything unfair his friend will in future be able to take advantage of the provisions of the Bill and charge the rates charged on the Government railways. If he is to be permitted by Act of Parliament to charge for goods which hitherto he has carried free of cost I cannot see how the Bill is going to be of a harassing nature to that gentleman.

Mr. Monger: I do not say it is going to be harassing.

The MINISTER FOR MINES: I think we may safely leave it to those gentlemen most interested. Immediately it is announced by the Press that a measure affecting their interests is being introduced they will look after their own interests and see that the members representing them are fully supplied with information.

Hon. J. Mitchell: The Minister granting the permit would be the right man to approach.

The MINISTER FOR MINES: Even if the whole of the timber companies in the State were to offer the most vigorous protest I would still say the Bill is essential. Why should those persons, and a fairly large population at that, who have

to use privately-owned railways in order to get to and from their places of living, in many cases 50 or 100 miles from a Government line, why should they be placed at a disadvantage in regard to travelling facilities or prices charged on their goods as against those people served by a Government railway? There is no reason whatever why those in the timber districts of the South-West and of the goldfields should not be provided with the same facilities as those enjoying the use of Government railways. It has been a neglect for years past, but fortunately it is not too late for the House to rectify that neglect. I hope the Bill will be carried.

Mr. FOLEY (Mount Leonora): When I first read the Bill I thought every tramway in the State would come under its provision, but I find there are at least some wood tramways on the goldfields which will not come within the scope of the Bill. There have been for a number of years tramways carting wood into the various mines. There is not one clause in the Bill which is going to raise the price of firewood on the goldfields. We all wish to see that no additional disadvantages are placed on the mines. This Bill will have the effect of giving the men cutting wood in the bush greater facilities for getting their food and stores than they have at the present time. The Bill will also do a great deal of good, despite the member for York (Mr. Monger) who makes out that the gentleman at the head of the Kurrawang line is a great philanthropist. Past Governments have given that gentleman a chance to do them out of a great amount of railway freights. The Bill provides that one covered-in truck or carriage shall be placed at the disposal of passengers on that railway. That is not a great matter when we consider the fact that for several years on the line spoken of by the hon. member Government trucks in many instances have been running over a railway in direct opposition to the Government lines. We find the Kurrawang line leaves the Government line at Kurrawang. For several miles, for almost 100 miles, that line

runs parallel to the goldfields line, and much of the wood that should be going on to the goldfields line at Bullabulling, and paying Government rates has escaped payment, and the gentleman whom the member for York (Mr. Monger) makes out to be philanthropist has been taking money which should have gone into the coffers of the State. When we take that into consideration we find that the fact of having to place a covered van or carriage at the disposal of persons who intend to use this tramway does not constitute a hardship after all. I think that even my friend, the member for York (Mr. Monger) will admit that we do not wish to put a bar on any industry. On many of these tramways in the past the companies owning them also owned the stores. Some persons will declare that they do not own the stores, because other men have the stores; but I would like my hon. friends to understand that at the present time these tramway owners have the right to prevent any man from taking the goods over these tramways. In many instances men who run the stores on the goldfields wood lines are part and parcel of the company which is exploiting the wood concessions, and if an ordinary man wishes to take goods along that line the tramway owners have the power, and use it too, to stop that man taking those goods to the men cutting wood in the bush. The Bill gives every man or woman the right to take goods out under reasonable conditions. The Bill also provides that if the conditions are unreasonable the Minister may be consulted, and if he does not think the conditions are reasonable he will step in and protect the tramway owner. These provisions will do an immense amount of good. I trust the Bill will go through, because I believe it will do a considerable amount of good without inflicting any hardship upon anyone or any industry. If it were going to do any harm to the mining industry I would be the last to support it, but I believe it is going to do good, because it will give the men in the bush a chance to make their lonely lives a little more tolerable than at pre-



sent, while in turn the companies will get better work from those men. The Bill has my hearty support.

Mr. O'LOGHLEN (in reply): I have very few observations to make, because like other members I am anxious to see the Bill get into Committee. The members for Northam and for York (Hon. J. Mitchell and Mr. Monger) have expressed some little doubt as to the efficacy of the Bill if it becomes law. I might refer to my second reading speech, in which I stated that the people living at the bush landings are denied the facilities which the timber railways should furnish, and that not only are they denied facilities which ordinary civilisation should bring in its train, but they are charged excessive rates for the privilege of riding on the very unsatisfactory trucks provided. I was particularly careful to point out that I was not speaking with any degree of knowledge of the conditions as they existed on the wood lines of the goldfields, that I left it to other members most concerned to say whether the measure would inflict any hardships on the people up there. I am speaking principally for the South-West. There has never been a measure introduced into the House which has received a greater welcome in the South-West than will this. The member for York (Mr. Monger) stated that it was a harassing Bill, but I emphasise again that it is the fairest Bill that has ever seen the light of day. It imposes no undue hardships or liabilities, and it certainly demands in the interests of ordinary civilisation that fair conditions shall operate in the future. As I pointed out, women and children have to scramble over these slippery timber ramps in the bush in wet weather, while in hot weather their clothes are almost burnt off their backs by flying sparks. The Bill only gives to the Minister power to direct that a covered van shall be provided on a certain day in the week. The people, knowing of the provision of this van, will take advantage of it on that day. The prominent feature of the Bill, the vital part of it indeed, is that it compels the various companies owning tramways to carry goods at Government rates. I

think it is a fair proposition that people settled in the remote localities should be allowed to trade in the cheapest market. If they can save money by buying in Perth, then they should have the right to adopt that practice. The member for York (Mr. Monger) will not, I think, offer much opposition to the Bill. I would like to correct him in the statement that goods are sold at the same rates in the timber centres as they are in the City. That is not correct, because it is recognised in the very agreements that ten per cent. extra charge over and above Perth prices shall be added to all goods sold in the timber areas. The employers have said that they cannot sell even at that enhanced price.

Mr. Monger: I was going on the price of tobacco.

Mr. O'LOGHLEN: The working men cannot live on tobacco alone. They have big families, and are required to provide the necessary commodities of a household, with the result that their expenditure is very heavy and, at the end of his month's work, the average man owes the storekeeper £11 or £12. I regret the member for York (Mr. Monger) did not have time to consult the employers most concerned. It is peculiar that the hon. member should be so solicitous as to the welfare of these gentlemen. I do not think there is any other body of men so alert as are the three directors of the biggest timber corporation in the State. They watch every point, know every move, indeed, know our business better than we do ourselves. Consequently if they have any serious objection they should have lodged it. If they have not lodged it, I am not concerned. I do not care a snap of the fingers whether they have objection or not. They have in the past refused and are to-day refusing taxpayers permission to ride on the tramways, and when they get this enormous privilege, the power of operating for a term of 50 or 60 years and denuding these areas of their forest wealth they should be compelled to give taxpayers the right to travel over the lines no matter what the charge may be. To-day they are refusing that right.

Hon. J. Mitchell: You could not do that when Government motor cars have a spare seat.

Mr. O'LOGHLEN: That is an inane interjection.

Hon. J. Mitchell: No, it applies just the same.

Mr. O'LOGHLEN: The community removed from the highways of Government lines should be able to claim the right to ride on these tramways in order that they might trade in the cheapest market, and while this disability exists the need for the measure exists, and consequently I hope that the Bill will have a speedy passage. I want to say before sending the measure into Committee that the member for Irwin (Mr. Moore) who, I believe is president of the Pastoralists' Association and takes an interest in big financial concerns, asked for a copy of the Bill a month ago to send out to the people interested. Sir Edward Wittenoom, a member of another place, I suppose, is taking an interest in the matter as well, so that the member for York (Mr. Monger) need not be concerned that they have not had ample opportunity of dealing with the measure. If he has received no reply to his communications, I take it for granted that there was no reply to send. I hope the Bill will be passed through Committee and will come into operation at an early date.

Question put and passed.

Bill read a second time.

*In Committee.*

Mr. McDowall in the Chair; Mr. O'Loghlen in charge of the Bill.

Clause 1—agreed to.

Clause 2—Passengers and goods to be carried:

Hon. J. MITCHELL: It was provided that passengers should be carried at the risk of the owner of the tramway. These tramways were thrown down on the surface merely for the haulage of goods. They were temporary lines and were not intended for the carriage of passengers.

Mr. O'Loghlen: They carry all their employees over them.

Hon. J. MITCHELL: This Bill gave the people power to demand to be carried, and that being the case they should be carried at their own risk. Many of these lines were not fit for passenger traffic.

Mr. Lander: Some of them are very good.

Mr. O'LOGHLEN: While he preferred to retain the clause in its present form, rather than jeopardise the measure he would agree to the amendment. Many people would be willing to take the risk. It was right that people should be able to demand to be carried. He was not putting up a plea for the Hebrew who went up there with his pack or for the hawker who traded with the people on the timber belts, but the chief object of the Bill was that goods might be carried. He would agree to an amendment as suggested, feeling that the Bill even then would confer many benefits on these people.

Hon. J. MITCHELL moved an amendment—

*That after "rate" in line three of Subclause 2, the words "at such passengers' risk" be inserted.*

Mr. Dwyer: You are putting the amendment in the wrong place.

Hon. J. MITCHELL: The subclause provided that goods should be carried at the owner's risk.

Hon. W. C. Angwin (Honorary Minister): That refers to the charges for goods.

Mr. DWYER: The amendment would have his opposition because he did not believe in exempting the owner of a mill line from liability in this way.

Hon. J. MITCHELL: It was his desire to withdraw the amendment with a view of embodying his idea in a new subclause.

Amendment by leave withdrawn.

Hon. J. MITCHELL moved an amendment—

*That the following new subclause be inserted after Subclause 4—" (5) All passengers shall be carried at their own risk."*

Mr. McDONALD: Although the member for Forrest (Mr. O'Loghlen) had agreed to accept the amendment the

fact that a certain risk was imposed on the owner of the line would make him more careful in the carriage of passengers.

Mr. MUNSIE: There would be a great danger if the amendment was accepted. If an employee met with an accident he should be entitled to damages.

Mr. Broun: He is not.

Mr. MUNSIE: An employee would be if the Workers' Compensation Bill was passed. In some instances on the goldfields the owners of these concessions had done fairly good work in connection with the carting of water, but in other instances they had not done good work. It was unfair to ask the population to travel on these tramways at their own risk after paying full rates.

The MINISTER FOR MINES: If there were no tramways in existence he would support the clause, but it would be somewhat unfair to now impose conditions to make these companies liable for damages for accidents when the permits were granted originally, not for the purpose of carrying passengers, but for carrying timber. The consequence was the rails were laid down to meet the purpose of carrying timber, and not passengers, and they were thrown down on the surface, and nothing like the same degree of care was taken to provide a safe road, as would otherwise have been necessary had they known they were liable for damages in the case of an accident. It would not be fair after these railways were down to ask these people to spend large sums of money in putting the lines in a state of repair that would guarantee a fair degree of safety for the carriage of passengers. Even the Railway Department did not take any liability for passengers except those conveyed in trains specially provided for the purpose. The Bill granted a great measure of relief, and it should not be lost because of containing a condition which would not be accepted.

Mr. MUNSIE: Though the lines were not built for the carriage of passengers, passengers travelled over them.

The Minister for Mines: At their own risk.

Mr. MUNSIE: On each train run by the Kurrawang company there were the

driver, the fireman, and the guard. If it was good enough to allow these employees of the company to run the train for the benefit of the Kurrawang company, it was good enough for the Kurrawang company to take the risk on passengers paying fares.

Mr. O'LOGHLEN: The fireman, the guard and the driver were employees of the company engaged in the occupation they followed for the particular company, and would be covered by the Workers' Compensation Act. They differed entirely from the other employees of the company travelling out to their work, who had no claim on the company in the case of an accident on the line so far as the law at present stood. The object of the Bill was to enable the people on these lines to buy their stores wherever they wished to do so. Had he not thought that the amendment was fair he would not have accepted it. Though accidents happened on these tramway lines, the employees of the company engaged on the trains had no desire to cause accidents by the running of the trains.

Hon. J. MITCHELL: We had granted these permits to carry timber. If the companies desired at any time to carry passengers the Minister for Railways could always make provision that would be satisfactory to the department. At present the lines were altogether unsuited for the carriage of passengers. No one would be less likely to give way on this matter than the member for Forrest if he thought the case was not right, but the hon. member had agreed to the amendment because he knew it was reasonable and because he wanted the Bill to become law. Members would agree to the amendment in order that the Bill might have a better chance of being expedited.

Mr. McDONALD: Was the hon. member uttering a threat?

Hon. J. Mitchell: Certainly not.

Mr. McDONALD: It was not necessary to throw soft soap or melted butter on the member for Forrest. No matter under what conditions these concessions were granted the passengers were carried on these lines at excessive rates, and they would so continue to be carried notwith-

standing that the rates would be reduced by the Bill. If there was a new rush on any part of the goldfields touched by one of these lines, the people owning the line would make a profit out of the carrying of goods and passengers and should be compelled to accept whatever risk was attendant on carrying the passengers.

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

Clause 3—agreed to.

Clause 4—Penalty for default:

Mr. MONGER moved an amendment—

*That the words "and the Commissioner of Railways may disconnect the timber line from the Government railway notwithstanding the provisions of any Act or contract under which the connection may have been made" be struck out.*

This was a most drastic provision. The Minister for Railways had the reputation of being a fair-minded man, and the member for Forrest also had that reputation; but when they wished a measure to be placed on the statute-book giving such drastic powers into the hands of any individual, they were expecting too much.

Hon. J. MITCHELL: The principal objection was that the clause provided a double penalty. There could be a fine of £20 and the possibility of the Commissioner of Railways disconnecting the line. It might be as well to abolish the fine and leave the other penalty in the hands of the Commissioner for Railways. Probably the idea of the member for Forrest was that the company might commit a number of offences and the Commissioner could in that case utilise the alternative power. Under the permit at present there was power to disconnect if the permit holder transgressed.

Mr. O'LOGHLEN: The Bill as originally drafted contained higher penalties; but seeing this power to disconnect the line was included, he thought that the penalty would be sufficient at £20. It might happen they could commit breaches every week and the penalty might not prevent them doing so. The power existed to-day and it was a power which should be given to the Commissioner. The ob-

ject was to prevent a company having geographical advantages defeating the State as they were sometimes able to do.

Mr. Thomas: Why are you re-enacting it if the power exists?

Mr. O'LOGHLEN: Because it was a fair provision. Every Act contained provisions which were not likely to be put into effect but they were there as a healthy check.

Mr. McDONALD: The difficulty might be overcome by providing for a penalty for the first offence and providing that the Commissioner should disconnect for the second offence.

Amendment put and negatived.

Clause put and passed.

Clause 5—agreed to.

Title—agreed to.

Bill reported with an amendment.

*House adjourned at 10.35 p.m.*

## Legislative Council,

*Thursday, 31st October, 1912.*

	Page
Questions: Sleepers for Trans-Australian Railway	2844
Secondary School for Kalgoorlie	2845
Motion: Observatory Transfer, retention of site	2845
Bills: Statutes Compilation Act Amendment, 3a.	2849
Pearling, Report stage	2849
Rights in Water and Irrigation, 2a.	2849
Shearers and Agricultural Labourers' Accommodation, Com.	2854
Workers Compensation Act Amendment, 1a.	2859

The PRESIDENT took the Chair at 3.0 p.m., and read prayers.

### QUESTION—SLEEPERS FOR TRANS-AUSTRALIAN RAILWAY.

Hon. H. P. COLEBATCH asked the Colonial Secretary: 1, Will the Government lay upon the Table of the House the contract (or a copy thereof) entered