

Legislative Council,

Wednesday, 23rd November, 1910.

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

QUESTION — CYCLONE AT BROOME.

Hon. Sir E. H. WITTENOOM (with-out notice, asked the Colonial Secretary: In view of the disastrous storm that has taken place at Broome, can the Colonial Secretary give any particulars, and inform the House whether the Government are taking any action to relieve the sufferers?

The COLONIAL SECRETARY replied: This morning the Premier received a telegram from the resident magistrate at Broome acquainting him of the fact that a very disastrous cyclone had taken place there on Saturday evening. The telegraph wires were down and, presumably, that is the reason we did not hear of it earlier. I have not a copy of the telegram, but it announced that the cyclone was exceptionally severe on land, and that a number of luggers were lost, together with two white men and nine or ten men of the coloured crews. Immediately on receipt of the telegram the Premier telegraphed the resident magistrate, giving him full authority to do whatever is necessary in rendering relief, and he is also making arrangements, if possible, for the honorary Minister, Hon. A. Male, to leave Broome by Saturday's boat

QUESTION—LEPERS AT ROEBOURNE.

Hon. Sir E. H. WITTENOOM asked the Colonial Secretary: 1. If steps have been taken to move the lepers from the

vicinity of Roebourne to an island, and 2, Whether they are now on the island?

The COLONIAL SECRETARY replied: 1, Yes. 2, No, because the island selected proved unsuitable, and fresh arrangements are now under consideration for their removal to Dorré Island.

BILL—YORK MECHANICS' INSTITUTE TRANSFER.

Introduced by Hon. W. Marwick, read a first time, and referred to a select committee consisting of the Hon. A. G. Jenkins, Hon. V. Hamersley, and Hon. W. Marwick, with power to call for persons and papers, to sit on days on which the House stands adjourned and to report on Thursday, 1st December.

BILL—FISHERIES ACT AMENDMENT.

In Committee.

Hon. W. Kingsmill in the Chair.

Clause 1—agreed to.

Clause 2—Amendment of 1905, No. 18, s. 30:

The COLONIAL SECRETARY moved an amendment—

That after "mark" in line 8 the words "being Crown land within the meaning of the Land Act, 1898," be inserted.

This amendment was moved because Hon. J. F. Cullen had pointed out on the previous day that some doubt might arise as to whether the clause would apply to freehold. The object of the amendment was to make it clear that the clause did not apply to land other than Crown land.

Amendment passed.

The COLONIAL SECRETARY moved a further amendment—

That at the end of Subclause 3 the following be added: "or for the suspending for any period the operation of any license at any portion of any foreshore or adjacent land in respect of turtle which the licensee has an exclusive right to take there, and prohibiting for that period the licensee and all other persons from there taking, killing or molesting such turtle."

This gave the Government further power

when leases were granted to make regulations, if it was thought necessary so to do, for the protection of turtle. It was a new industry, and it was not quite known what the effect of it would be. Mr. Kingsmill had pointed out on the second reading that through those engaged in the industry only being able to catch female turtles it might tend to exterminate the turtle altogether; and if the Government found this to be likely, power would be given to prohibit the killing of turtles for a period so that the turtle would not be destroyed altogether. The turtles laid a large number of eggs, some said up to 200 each half-year, and of course there were many enemies destroying the young, but it could hardly be seen what steps could be taken to preserve them. However, the amendment would also give the Government power to frame regulations that might meet the purpose.

Hon. J. F. CULLEN: The proviso limiting the hands of the Government to 75 miles did not seem very wise. Surely if we could trust Ministers up to 75 miles we could trust them for another 75 miles. One could hardly imagine a company putting the capital that would be adequate to the industry into a 75-mile length of coast. Parliament could well trust responsible Ministers not to unduly tie up any of the foreshore. The proviso limiting the area to 75 miles could be deleted as it might cause the holding up of the expenditure of a considerable sum of private money.

The COLONIAL SECRETARY, though personally not objecting to striking out the proviso, considered it was not unreasonable to have some limit, otherwise there would be nothing to prevent a Minister granting an exclusive right from Shark Bay to Wyndham. Therefore it was right that Parliament should have a voice in the granting of any licenses over a certain limit. The proviso was not in the Bill when it passed the Council last session, but it was inserted in another place, and it was extremely unlikely another place would agree to the Bill without the proviso. A length of 75 miles was more than enough for some

people. It all depended upon the length of beach obtained in each particular license.

Hon. J. F. Cullen: It would save a lot of time if it was fixed at 150 miles.

Hon. J. W. Hackett: Seventy-five miles is an enormous length.

Hon. J. F. Cullen: But a great deal of it might be useless. He did not press the point.

Hon. Sir E. H. WITTENOOM: In regard to the amendment moved by the Minister it was a question whether the licensees would take up licenses under such conditions. There would be no knowing how the Government might hamper them. Regulations detrimental to the interests of the company might be made. It was well to consider the matter from all its bearings before arriving at a definite decision.

The COLONIAL SECRETARY: The companies taking up leases would be quite willing to accept any reasonable conditions. No Government would impose conditions in order to make a lessee give up his lease. The conditions would be imposed merely in the interests of the turtle, and if it was necessary to do anything in the interests of the turtle the Government should exercise the right. He had not thought at first an exclusive license was necessary, but the London companies would not touch the industry unless they had exclusive licenses, because when they got their works established they did not wish to be interfered with in regard to their supplies of turtle, or to be compelled to close down their works. They really wanted an assurance of a certain quantity of turtles, but they had no objection to any conditions such as referred to. It was also their desire to protect the turtles, because if the turtles became extinct their leases would become valueless.

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

New clause:

The COLONIAL SECRETARY moved—

That the following be added as a new clause:—'1. If any person shall at any time sell or cause to be sold, or shall offer or expose for sale,

or shall take, catch, or have in his possession or control for the purposes of sale any fish of any kind or species mentioned in the Schedule hereto, he shall be guilty of an offence, and shall be liable on conviction to a penalty not exceeding Five pounds. 2, The Governor may from time to time, by proclamation, amend the said Schedule by adding thereto or omitting therefrom the name of any kind or species of fish. On any such amendment the amended Schedule shall be published in the 'Government Gazette,' and after such publication this Act shall have effect as if the Schedule as for the time being amended were the Schedule referred to in the preceding subsection."

The necessity for this clause was explained by Mr. Kingsmill on the second reading. It was for the better protection of acclimatised fish. The Acclimatisation Committee had done good work in placing fish in some of the South-West rivers, and in the Capel River these fish were caught in such large quantities that people were hawking them for sale; but as it was not the intention of the Acclimatisation Committee that these rivers should be stocked with English fish for the purpose of trade, the clause was provided in order to better deal with these fish. Certainly there was already power to close rivers against net fishing; and it was done in most cases, and in other cases in the South-West it would be done; but, at the same time, poachers could not always be caught in the act. This provision, taken from the New Zealand Act, would allow persons to be convicted if found with proclaimed fish in their possession. The clause would also apply to native fish, and the Governor could add any native fish to the schedule. Again, if acclimatised fish became so numerous that they could be sold, by proclamation the schedule could be altered and the fish allowed to be sold.

Hon. J. W. HACKETT: Was it understood an absolute close season could be converted into "closed waters"?

The COLONIAL SECRETARY: A close season could be formed now by closing a river.

Hon. J. W. HACKETT: Only to nets.

The COLONIAL SECRETARY: And also to lines, if necessary. This was only a further provision to enforce that closure. If persons were caught with such fish in their possession they could be prosecuted.

Hon. J. W. HACKETT: If the Bill passed into law there would be absolute prohibition. He did not see any power to convert that prohibition into a close season; if there was not that power then the Minister should take it.

The COLONIAL SECRETARY: This did not apply to the close season at all, only to the selling of the fish.

Hon. J. F. CULLEN: What were the fish?

The COLONIAL SECRETARY: English perch and carp. It would not be absolutely necessary to have a close season any more than there was a close season at the present time. The provision was only for the sale of the fish.

Hon. J. F. CULLEN: This new clause struck him as a kind of wholesale sort of net. It would be unlawful to catch certain fish.

The COLONIAL SECRETARY: Not to catch, only to sell. Persons could catch fish for their own benefit or for their friends, but could not sell them.

New clause put and passed.

New Schedule:

The COLONIAL SECRETARY moved—

That the following schedule be added:—Crucian carp, English perch.

Schedule put and passed.

Title—agreed to.

Bill reported with amendments.

BILL—SOUTHERN CROSS-BULLFINCH RAILWAY.

The COLONIAL SECRETARY (Hon. J. D. Connolly): This is a Bill to construct a short railway from Southern Cross to Bullfinch. I need not remind hon. members that Bullfinch is the newest goldfield we have in Western Australia. The Bullfinch mine was pegged out 12 months ago, in November, 1909, but there was absolutely no work done during the summer weather on account of want of water, but the prospector returned to it in April of this year and in a very few

months it was proved to be one of the richest mines in Australia, if it is not proved to be one of the richest in the world. This is probably a record in regard to railway building in this State, that is to say, to a goldfield where the first four pegs were put in only 12 months ago we now propose building a railway, but, in view of the particulars which I shall give later on, I think the Government are amply justified in the action which they are taking. The length of the line is 22 miles, and the estimated cost £40,000 (this includes the cost of the rails and fastenings, £15,000), or equal to about £1,800 a mile. The estimate is exclusive of provision for ballast, telephones, culverts, etcetera, which would involve another £4,000. We shall receive back in the railage freight on sleepers £8,900 and on the railage of rails £2,700, or £11,600 through the Railway Department.

Hon. W. Patrick: It will be charged to the department.

The COLONIAL SECRETARY: It will go back, but it will cost the department something to carry that for which they will receive £11,600. The principal reason for building this railway is the phenomenal mine which I have mentioned, the Bullfinch, but in that district, a district which I, in company pany with my two colleagues, the Minister for Mines and Mr. McKenzie, had the pleasure of visiting a few weeks ago, there are dozens of other leases. There are 379 leases pegged at Bullfinch comprising nearly 9,000 acres. If members will look at the maps hung on the wall they will see first by the plan of the leases that they are very numerous, and in the further map they will see a complete plan of the district. That will be very interesting to members and will give them a proper idea of the country that this railway is designed to open up. True, the work performed on the Bullfinch, that is the development work, is not very great. Members will not expect that a mine which was only pegged twelve months ago would have very large development work done, but since April last, that is, since the time the mine has been working, a good deal

of work has been done on the Bullfinch. On the Bullfinch itself, No. 1 shaft is down 100 feet and a considerable amount of driving has been carried out at that level. No. 2 shaft is down 60 feet, and a good deal of crosscutting has been done at that level. In both of these shafts they get the phenomenally rich ore that we see so much about in the newspapers. The pleasing part about the mine is that, although it is so very rich, one can hardly see a speck of gold in the stone, although the ore goes up to 20 ounces and 30 ounces to the ton. That is very pleasing. You do not see big patches of gold, but the rich mineral is spread through the stone, and anyone who knows anything about mining is aware that that shows the mine to be more lasting than when you get patches of very rich stone. In the two shafts they have ore blocked out—or they had a fortnight ago, and therefore they must have more now—to the extent of 14,000 tons, of an average value of £7 per ton. That is putting it at a decidedly poor value, and that is taking it over the length of a good many hundred feet. Besides this there are at least six other reefs running through the property, and one of these is averaged at 100 feet in width. Undoubtedly before long that mine itself ought to employ between 400 and 700 men. That, to say the least of it, is a marvellous mine. I do not pretend to be a mining expert, but I say this, I have had experience of goldfields for the last 17 years and it strikes me we are going to have, if we have anything at all, another Golden Mile there, for the reason that there is not only one reef there but there are six reefs on the Bullfinch property and all are payable. There may be other reefs there not opened yet containing large ore bodies, and these no doubt will be floated off into companies exactly in the same manner as was done on the Golden Mile in the early days.

Hon. J. W. Langsford: A golden league rather than a Golden Mile.

The COLONIAL SECRETARY: If these reefs prove payable then we have at least half a dozen mines on the ground, which the Bullfinch company hold at the present time. I noticed in the *West*

Australian this morning a report by Mr. Richard Hamilton, the manager of the Great Boulder Mine, and Mr. Hamilton's report ought to convince anyone as to the stability of the mine. He is known not only in Western Australia, but probably throughout the mining world as being one of the best and soundest mining men in Australia, and if Mr. Hamilton errs at all, it is on the side of caution. Anyone who knows Mr. Hamilton is aware that if he says a mine is fair, then it is very fair, and there need be no discount at all on what he says. This is what appears in this morning's paper—

The following is an extract from a report made to the London board of directors of the Great Boulder Proprietary Gold Mines under date October 15 by Mr. Richard Hamilton, the general manager of the Great Boulder Mine:—
 "I was exceedingly pleased with what I saw at the Bullfinch. They now have four shafts at work varying from 60 to 100 feet in depth besides a good many potholes and costeens. The ore being obtained is marvellously rich, and these shafts show at least 60ft. of ore in different veins, all of them being high grade at the deepest point, viz., 100ft. below the surface. It would be very safe to say that the ore at present is anything from 10oz. to 30oz. in value for a width of 20ft., and I have no doubt that crosscutting will reveal other parallel bodies to be good and wide at this depth, for there is satisfactory evidence of the lodes continuing downwards. The surrounding of these shafts are more or less chaotic geologically, at present, but it may be said that the lode has been traced for 700ft. in good values, and promising, taking the whole of the bodies, a total width of perhaps 60ft. The discovery was made on a low rounded hill of a length of a little over half a mile, granite schist showing on the east side, the rest of the hill being in mica schist. Very little was to be seen in the shape of outcrop, the hill being covered generally with excellent soil and heavy morrell and salmon gum timber. The prospectors found floaters

on the surface, and after satisfying themselves of the importance of the floaters they sank potholes through the soil until they came on to the ore body beneath, which, immediately under the soil, consisted mostly of ironstone and some quartz. The bearing of the ore bodies at present appears to be a little north of west, which is abnormal. The general bearing of the quartz bodies at Southern Cross and wherever the main quartz lodes have been found in this district is a few degrees west of north. The shafts sunk on the ore bodies show them to become less ferruginous with depth, and some of the ore most free from iron shows the richest values, a large portion of the value being fine gold. All the gold is in a very fine state of division. There is any amount of mining timber and fuel on and around the leases, and I have no doubt that a very good supply of water will be found, but very salt. The district carries the lowest rate of wage for mining in the State, and the geological conditions are, in my opinion, the most favourable in the State, the ore channel being very wide and very long with granite on its eastern side and ferruginous country on the west. The channel in which the ore bodies will be found is, so far as my knowledge goes, in places five miles wide. I think a great deal of attention will be paid by prospectors to this part of the country. The Bullfinch will act as an object lesson and encouragement.

That is the report of Mr. Hamilton, and I think it is decidedly encouraging. Besides the Bullfinch Proprietary, to which I have referred till now, out of all these leases that have been pegged not many have been worked, because they have not been pegged for many months. Indeed, many of the leases are not yet approved, and until they are approved the owners have no right to work them. However, during the last few weeks some which did get approval have been worked. There is, for instance, the Bullant, which is a block claim adjoining the Bullfinch on the southern end, although on a different lode I think.

Hon. W. Kingsmill: It has just been floated, has it not?

The COLONIAL SECRETARY: It has just been floated for £200,000, with £75,000 working capital.

Hon. J. W. Hackett: Ten shillings on application and ten shillings on allotment.

The COLONIAL SECRETARY: Yes; those are stiff terms, and they go to show what confidence the vendors had in their property when they put up such terms as those. Besides this, according to the *West Australian* mining reports, there have been rich developments in the Young Bullfinch and the Chaffinch, which is immediately pegged on the southern end of the Bullfinch. There are also some 60 other syndicates and companies, aggregating a capital of £250,000, which have been formed for operating in the immediate vicinity of Bullfinch. Not only will this railway give communication to the Bullfinch, but it will undoubtedly help to open up other mining country which is known to exist to the north of Bullfinch, and I venture to say that it will not be long before Parliament will be asked again to extend this line in a northerly direction. If hon. members will look at the map they will see that nine miles further north there is a very old goldfield, the oldest in Western Australia, except Kimberley, I think, namely, Golden Valley. That place was worked about 1888, a good many years before Coolgardie, or even Southern Cross, was discovered. There have been 188 leases taken up between Bullfinch and Golden Valley, covering 4,000 acres. At Golden Valley itself 51 applications, containing an area of 976 acres, have been lodged. During our visit to the district we also inspected Golden Valley, and several of the shows which we saw have very good prospects indeed. It has been since reported that several have changed hands at very big prices. In the old days at Golden Valley a battery, which was known as the "Kathleen" battery, crushed a great amount of ore, and although no official record has been kept, it has been ascertained from other sources that about 2,000 tons of ore was treated for an average of 17 pennyweights. That was 20 years ago, and possibly they

did not continue the work then because mining was much more expensive than it is at the present time. At Golden Valley the Mines Department some months ago, before the Bullfinch boom, subsidised the battery of Lang and party, and that battery has crushed for the public 357 tons for 303 ounces of gold, almost an average of an ounce to the ton.

Hon. W. Kingsmill: How long has it been running?

The COLONIAL SECRETARY: Only for some few months. They have had some difficulty about the water, and it is only a five-head battery. What I would like to point out is that although the tonnage is not very great, it is from eight different leases, and when we get an average of nearly an ounce to the ton from eight different leases, we may take it as a very good indication of the likelihood of Golden Valley reviving again. Ten miles further north of Golden Valley we have Anstey's find. That was the earliest find on the Yilgarn goldfield. It was made before Southern Cross, and some very phenomenal stone was discovered there. It was worked for a while, but later came the rushes to Coolgardie and Kalgoorlie, and, like the Southern Cross district generally, it was overlooked. Still further north we have the part owner of the Bullfinch, Mr. Dorrie Doolette, prospecting some very likely country there known as Bungabin, some 60 miles north-north-east of Bullfinch. Another likely looking place is at Trough Well, towards Mount Jackson; and still further north is Mount Jackson itself, an old mining place that has been in existence for a great many years. I simply mention these places to show the line of auriferous country running right through to Mount Jackson, and I don't think there is the least doubt about it continuing on to Youanme and to Black Range.

Hon. W. Kingsmill: What about the southern end?

The COLONIAL SECRETARY: I am not introducing a Bill for a railway to the southern end, but there are good prospects there, almost equal to these. I mention these finds to the north to show that the building of this line will be a

great help to prospectors and others in opening up the country. But not only is a railway proposed to be built; the pipe line also is being taken to Bullfinch.

Hon. A. G. Jenkins: When will the pipe line be there?

The COLONIAL SECRETARY: It is on the road now, and it will be taken there as fast as we can get the pipes. I have only dealt with Bullfinch and those mines to the north, but this railway will not only serve Bullfinch; it will also serve a very promising line of reef in the Corinthian mine. The Corinthian mine is situated a little to the west of the Golden Valley road at about the 10-mile peg, halfway between Southern Cross and Bullfinch. There is as nice a line of reef as anyone could wish to see; it is a very big line and it outcrops for some three or four miles. It is certainly not a phenomenal thing like the Bullfinch, but is likely to carry as many men, if not more, because it has a very big body of ore and will take more men to work it, though not so rich. It is now in the hands of the prospectors and I understand that they have done some development down to 50 and 100 feet, where they are driving and cross-cutting. The Corinthian North, which adjoins the Corinthian, has been under option to Bewick, Moreing, and Company, and during the time they have held the mine they have done a considerable amount of developmental work. They have sunk to 200 feet. With my colleague I climbed to the 100-foot level, and if hon. members have any experience in climbing ladders they will understand why I did not go to the 200 feet. I was satisfied to see the 100-foot level and to believe that the 200-foot level was just as good. However, the official figures state that at the 100-foot level, on which they have driven a considerable distance, they have blocked out 300,000 tons of ore, worth 32s. per ton. That vast amount of ore constitutes a mine in itself, and I notice that according to the newspaper reports, Bewick, Moreing, & Company have exercised their option and the mine is now floated for a big amount with a good working capital. There is not the slightest doubt that in the very near fu-

ture they will have a big battery there. The Corinthian will carry at least 50-head of stamps and that will mean the employment of not less than 400 or 500 men. There is also an old mining field half-way between the Corinthian and Southern Cross known as Hope's Hill. This is one of the oldest mines in Western Australia. A good deal of gold was got there in the past, and under new methods there is no reason why it should not be worked successfully again. The railway will also serve this property. I think that the facts I have mentioned amply justify the Government in proposing to build the line. At first sight it may be thought, seeing the field has only been worked for a few months, that there is an undue risk in the building of a railway, but we have got to remember that from the reports of Mr. Richard Hamilton and others, some of these mines are going to last for several years, and it is extremely unlikely that some of the adjoining mines will not go down. But if nothing else is discovered, these mines I have mentioned will last for a number of years and employ a great number of men, and that being so, it would be necessary that the Government should at least build a road there. With the great amount of traffic recently, the road between Southern Cross and Bullfinch is now in a very bad state. It is estimated that to build a road over the 21 miles would cost at least £26,000, or £15 per chain. That is not an extravagant estimate, because it is very loose loamy soil, and therefore would require a pretty substantial bottom. Now, the estimated value of the rails and sleepers, which will always be available for removal, is 65 per cent. of the total cost of the railway, or £26,000. Besides that, as I have already mentioned, we get £11,600 back in freight from the railways, so that if we take that point of view alone, this is a very much better proposition than the building of a road, because the maintenance of a road would be decidedly more costly than the maintenance of a railway. It would certainly cost upwards of £1,600 per annum to maintain the road, whilst the maintenance of the railway would certainly not be as

great as that. If, in years to come, the railway has to be taken up we will receive £26,000 back from rails and sleepers, whilst we should receive nothing at all from a road, so that in building this railway we can say, what cannot be said in regard to most railways, that there is absolutely no risk. Then, again, in order to show the opinion of the public generally, I might remind hon. members that some few acres of land, less than 14, were sold recently after having been cut up into blocks, for the sum of a little over £25,000. There will be another sale shortly, and I venture to say that that sale will bring an equally large amount, if not more.

Hon. W. Kingsmill: You are going to sell the good blocks this time.

The COLONIAL SECRETARY: I can say this, that having seen the township I will give it as my opinion that I would sooner buy the blocks that are to be put up for sale than those which have been sold.

Hon. J. W. Kirwan: Very consoling.

The COLONIAL SECRETARY: I can say this, that having seen the township I will give it as my opinion that I would sooner buy the blocks that are to be put up for sale than those which have been sold.

Hon. J. W. Kirwan: How can you sell a hotel license?

The COLONIAL SECRETARY: I just mentioned that briefly. The method that will be adopted will be that all the blocks, with the exception of two of a half acre each, will be sold with the condition attached, that on them no liquor of any kind is to be sold by the purchasers. The other two half-acre blocks will be disposed of without this restriction. These are the only two blocks then for which it will be possible to obtain a license for the sale of liquor.

Hon. J. W. Kirwan: Is that an instruction to the licensing bench?

The COLONIAL SECRETARY: The hon. member is a member of the licensing

bench, and if he studied the business of that bench he would know that no such instruction could be given to the court. While people will know that in connection with all the blocks with the exception of the two, it will not be possible to obtain a license, they will be informed that no objection will be raised in that direction with regard to the two specially reserved. There can be no instructions given to the licensing bench. The bench administers the Act, and it is for them to say whether they will grant a license or not.

Hon. W. Kingsmill: How can you stop them granting a license for the erection of hotel premises on a prohibited block?

The COLONIAL SECRETARY: The conditions attached to the sale of the blocks will prevent that.

Hon. B. C. O'Brien: The purchasers of these blocks will take the chance of getting a license.

The COLONIAL SECRETARY: It will be absolutely prohibited in connection with the blocks other than the two specially mentioned. In connection with these two there will be a ten years' lease sold, and at the end of that period the lease will revert to the Crown. The buyers of these two blocks will take the chance as to whether the bench will grant the license or not. In any township a buyer of blocks takes some risk as to whether a bench will or will not grant a license, and the buyers in this case will be in an exactly similar position. I do not think it is necessary for me to say anything further.

Hon. J. W. Kingsmill: What about an estimate of the traffic?

The COLONIAL SECRETARY: The hon. member knows that it will take a good deal of calculation to reckon what the traffic over this line will be. I do not know whether we need take the passenger traffic into consideration, but with regard to the mines I have already mentioned they will undoubtedly require a great quantity of machinery and, in addition, the people who have paid £25,000 for the blocks already sold will want building material carried to those blocks, so that from both these sources the department may expect a large amount of traffic. If we hurry on the construction

of the line we shall get the whole of this traffic.

Hon. J. W. Kingsmill: How are you going to build the line?

The COLONIAL SECRETARY: The line will be constructed departmentally, and right away.

Hon. J. W. Kingsmill: Spur line rates?

The COLONIAL SECRETARY: The line will be similar to the district railways. I have much pleasure in moving—

That the Bill be now read a second time.

Hon. J. F. CULLEN (South-East): I have no desire to delay the progress of the second reading, and I merely wish to say that I do hope the Government will reconsider the announcement the Minister has made about tempting people to buy those two lots in the hope of getting a public house license. This is essentially a case for a State hotel.

Hon. T. F. O. BRIMAGE (North-East): I have much pleasure in supporting the second reading of this measure, and I can bear out what the Colonial Secretary has said with regard to the district. I am also pleased that the Government are taking the matter in hand so promptly, and I am pleased also that the Government have not dealt with the matter in the way that the gentleman who controls the Mines Department suggested, namely, that we should wait until further developments had taken place. I can assure hon. members that mining prospects in that district are really wonderful. I have spent now over a month in and around that particular locality, and I look forward to seeing a very large population settled in that district. The large mine itself, the Bullfinch Proprietary, is one of the most wonderful mines yet discovered, and I am sure the Colonial Secretary made a mistake when he put the ore down as being worth £7 per ton; I think he meant to say it was worth 7 ounces per ton. The value of the mine is, roughly, about half a million to-day with the ore in sight, and I feel quite sure of my figures. The Colonial Secretary on referring to his notes will find that he made an error in speaking of £7 in value instead of 7 ounces. The number of

leases pegged out in that district during the last 12 months is between 500 and 550, and gold has been found from Southern Cross right through to Golden Valley, and with modern appliances for the treatment of low grade ores. I think we will see in the Yilgarn district during the next five years a population of over 20,000 people. You have only to take those large mines which were recently purchased by Messrs. Bewick, Moreing, and Company and by Messrs. Doolette, the Corinthian and the Corinthian North, both of which contain immense quantities of ore worth 32s. a ton, ore which can be treated, mining, milling, etcetera, for about 16s. Thus it will be seen the great profit that remains after treating that ore, and it can be imagined what a great number of men will be employed in the industry there. Personally, I think the Government are taking no risk in building this line, and I am hopeful that before long prospectors will be found further North, and the railway pushed on in the same direction. I have been as far as Golden Valley, which is 30 miles from Southern Cross, and have seen some promising reefs there. I need only mention one or two, such as the Violet, which has an immense ore body, and Pine Hill, which is also at Golden Valley and which is another very big show, containing great quantities of ore, which will yield 16 or 17 dwts.

Hon. A. G. Jenkins: Will you recommend us to buy Pine Hills at 4s.?

Hon. T. F. O. BRIMAGE: I am sorry to say that the hon. member rather ridicules some of the mines in that district. It is only in consequence of his long residence on the coast, and that too accounts for his ignorance in connection with mining to-day. If, however, he takes a trip through this district at the present time he will see something that will open his eyes. Going carefully through that district, as I have done, gold can be found every two or three miles, wherever outcrops occur, and quite sufficient to justify the Government in expending this money on the railway. There has been a lot said with regard to "wild cats" in this district. The developments during

the past week are proving beyond doubt that gold-bearing lodes proceed from the Bullfinch mine in all directions. I saw a telegram from the Chaffinch to-day, which stated that over 5-ounce ore had been discovered there, and I think this is going to continue. On another mine I visited the day before yesterday a costeen eight feet deep revealed a lode under the alluvial soil, which by development ought to become a great mass. I could go on speaking in this way about the whole of that district from Southern Cross right through to Golden Valley. I have no doubt whatever that a large number of men are going to be employed there. The railway will facilitate matters, and the Government are wise in building the line immediately, because they will reap the benefit of the heavy freights arising from the machinery that will be required at the mines. I have heard that the Bullfinch Proprietary do not intend to treat any more ore in Kalgoorlie, that they intend to wait until their own plant has been erected. That will mean the conveyance of a lot of machinery to the district, and the sooner the railway is through to it the better. I am one of those who think that these discoveries in one of the older settlements of the State is going to be one of the greatest, and I am quite certain with the encouragement of the prospector that other similar centres to the north and to the south of Kalgoorlie will be found. There is no doubt in my mind that the opinions expressed by eminent geologists, such as Dr. MacLaren, that Western Australia has an essentially highly payable goldfield right throughout that belt is quite correct. He has examined the country from Kalgoorlie away to the north of Leonora, and can do nothing but praise it and say that the prospector should be encouraged to go out and search for new fields. So it is with other geologists. Our own geologist has often expressed the opinion that other very big mines will yet be found in Western Australia. I am not quite sure to-day whether the Bullfinch gives greater promise than did the Lake View when it was discovered in 1894, but we shall all be pleased to see these finds

made, and I believe that within the next few months so much notice will be taken of mining developments at Yilgarn and other districts that the industry will get the treatment it deserves. A few of us feel, and justly so, the Government have treated the mining industry in the past not too generously, and I hope that these discoveries and others already made will prompt them to give it more consideration. I hear that at Ora Banda, north of Kalgoorlie, rich finds have been made. From all these discoveries the mining industry must get an impetus that will be of great profit to the State.

Hon. J. W. LANGSFORD (Metropolitan-Suburban): I have not very much to say on this matter. I am surprised that no information has been given to the House from the Mines Department on this subject. We have had the opinions of Mr. Hamilton, and of the public generally, but no report by the State Mining Engineer or anyone in his office has been presented to the House; yet we are asked to pass a Bill for the expenditure of £40,000. I think the House is entitled to something more than we have had from our officials, to whom we must look for information of this kind. I hope when the Minister replies this information will be forthcoming. Certainly the Government are pushing this matter through with a great deal of haste. It may be quite justified, but we should have the information asked for, especially in view of the fact that we have the authority of the Colonial Secretary that in this great mine the values run to about £7 per ton.

Hon. J. T. Glowrey: Seven ounces.

The Colonial Secretary: It would be worth about six millions on that basis.

Hon. J. W. LANGSFORD: The Colonial Secretary still adheres to the two ounces per ton, but Mr. Brimage goes up to £28 per ton, or about 7 ounces. We ought to have had something from our own officials, to whom we pay good salaries that they might give us such information. Another point is that the railway is to be built by the department. Evidently whenever a railway is to be pushed through with all possible speed the Public Works Department are the best people to build it. I do not know why

they have departed in this instance from their usual custom of tendering for the construction of the railway.

The Colonial Secretary: There are no plans to prepare.

Hon. J. W. LANGSFORD: So they are going to build a railway without plans! It shows the necessity for having the fullest information on the matter. Imagine anybody building a house unless plans were first prepared. However, I rose mainly to get an assurance from the Colonial Secretary that the men who are employed in the Eastern districts extending the railway facilities at the various stations, improving the stations and the station yards, will not be taken away from that work to do this proposed work. The farmers in those districts are looking forward to having increased facilities this year and if these workmen are to be taken away—for we understand there is a great lack of labour in those districts—from those centres, I think it will be most unfair to the farmers who, as I say, are expecting that their wheat and harvest generally will be sent away expeditiously.

Hon. R. D. McKENZIE (Honorary Minister): The Bullfinch district has been before the public for the last six weeks, and I think almost every incident that has occurred on that goldfield has been so well advertised in the Press that not only members of the House, but the public of Western Australia generally are pretty well conversant with the existing state of affairs in that locality. Some two or three weeks ago, at the invitation of the Minister for Mines and in company with the Colonial Secretary, I paid a visit to the Yilgarn goldfields. First of all let me say that only a few weeks ago an intimation was made in a goldfields newspaper to the effect that I was opposed to the construction of this line. This was immediately after I had finished a tour of the district, and I was reported to have said at a little social function in Southern Cross that, in company with the Colonial Secretary and the Minister for Mines, I was opposed to the building of this line. I desire to state I have never said anything of the sort. My sympathies

have ever been with the giving of facilities to prospectors and small leaseholders on the goldfields. All that I said at the function at Southern Cross was that it was a Cabinet matter, and that I thought the prospectors and leaseholders of Yilgarn would not suffer in any way through having been visited by three Ministers. It has also been stated in another place that the Government were influenced in the bringing forward of the Bill for the construction of the line by the fact that a member of the Cabinet had large interests in a syndicate controlling the Bullfinch mine. My name was mentioned in connection with this in another place, and it seems to me only fair to the members of the House that I should tell them what interest I have in the syndicate which control the mine. I am proud to say I was connected with the syndicate instrumental to a large extent in sending out the prospector of this mine, and I am glad to say that ever since I have been on the goldfields I have taken a keen interest in prospecting and have always held that the prospector is the backbone of the industry in its last resort. This has been proved by the finding of the Bullfinch. It is to men like Mr. Doolette and Mr. Shalleross, who not only put their own money in the venture, but influenced others to do the same, and so formed the syndicate that sent out the prospector—it is to these men the country owes much. If a little more attention were given to the formation of prospecting syndicates, and if opportunities were given to men to go out and prospect the back country, the mining industry would be more prosperous than it is to-day. Having gone through the country where this great mine is situated one of the first things that struck me was the almost impassable nature of the road. This road lies through a soft, loamy soil of great depth, and one has only to travel over it, particularly after a heavy rain, as we did, to see that it would be well nigh impossible to carry any heavy traffic over that road in winter time. Now, after reading reports of men like Mr. Richard Hamilton, and of the various engineers the Government have sent up there; and after reading the re-

port furnished by the State Mining Engineer four months ago, one cannot help feeling convinced that this is going to be a prosperous district indeed. In view of what fell from the last speaker it may be informative if I read the report of the State Mining Engineer. It is as follows:—

The Southern Cross auriferous belt extends for over 50 miles in length, and is usually over five miles wide. It is very full of lodes, especially of large low-grade "formations," but in these and in the adjacent country there are also many well-marked fissure lodes. Though a large amount of prospecting has been done there are only quite a few of the mines that have as yet been extensively worked, and most of these have been of decidedly low grade though often profitable. The majority of the shows which have been opened have not been able to attract the assistance of enough capital to enable them to be equipped with proper machinery, and have therefore been worked intermittently, and at much disadvantage, usually having to cart the ore considerable distances to be crushed. The low-grade ore bodies most common to this field require treatment close to the mines, with as little handling as possible, and each mine of any size therefore requires to possess its own battery. The field is advantageously situated as regards cost of labour, mining stores, and domestic supplies, and splendidly provided with the best of mining timber and firewood, but outside of Southern Cross itself is at present rather badly provided with salt water supplies for milling, and very badly with fresh water. Both salt and fresh water are, however, obtainable without excessive cost. The prospects of this field appear to me to be on the whole very promising. There is no field in the State where there are stronger indications of extensive lode-forming action, the auriferous belt being a really remarkable zone of intense and repeated fracturing and crushing of the earth's crust, affording all the geological conditions usually considered favourable for the formation

of ore bodies. Good ore has been found more or less all along the belt, and several of the mines seem likely to become of much importance. There is still great scope for prospecting and untried ground for new reefs, and also in the older mines for search in the large "formations" for other ore bodies than those already worked. The district at present seems to me to offer as good opportunities for intelligent prospecting as are to be found in any of the other fields of Western Australia, but recognition must be made of its somewhat unusual features, especially on the prevalence of "shattered zone" deposits, and a wider conception taken of the nature of the lodes than has been usual in the past when the incidental quartz veins have been regarded as alone worthy of attention.

I say that the reports we have had already from such eminent men as Mr. Richard Hamilton, together with reports from other engineers and that from the State Mining Engineer furnish all the information required. And surely it is a fair thing that we should take a little risk in connection with a mining railway. Go back to the old days when Sir John Forrest began the construction of the Southern Cross railway from Northam. Had he any assurance of permanent mines at Southern Cross? Of course not. And when he continued the line from Southern Cross to Coolgardie, had he any such assurance with regard to Coolgardie? No; he was prepared to take the risk: and we have all seen the result. Mining has done so much for Western Australia that surely we can afford to take a little risk in return. If the mining industry is prosperous it will assuredly assist the agricultural industry to so great an extent that we will be well able to afford to take the risk of this £40,000. As the result of speaking to several prominent mining men who have recently visited Bullfinch, I find that the indications are that we shall have a permanent goldfield there. Nowhere else in Western Australia, probably nowhere else in the world, has there been so rich a show in any mine. The lode is well defined, and I am told by

men who are in a position to state authoritatively that all the indications go to show that this lode will live down. If at one hundred feet depth the mine is worth half a million of money—and I believe there is half a million pounds worth of gold in sight—we can reasonably expect that at two hundred feet it will be worth a million. And mining men are unanimous in stating their belief that when, later, they get into the sulphides the lodes will live down and prove of very good value indeed. The line of country in which this lode has been discovered is parallel with Kalgoorlie, and we know as a matter of fact that the lodes are pretty continuous from Kalgoorlie right through Gwalia and on to the Murchison. The class of rock being treated in the Ivanhoe, the Gwalia, and the Great Fingall mines is identical, and there is nothing to prevent us having as important a line of lode in this country as they have there. In these conditions, and seeing that the difficulties of transit will be so great, and that we are assured of an immediate return from the railway, because there will be thousands of tons of machinery to go along it, and thousands of tons of building material with which to build the town, I do not think we should hesitate a moment, I think we should be prepared to take what little risk there is in connection with the building of this railway. The Bullfinch find has come at the most opportune time. Never in the history of mining in Western Australia was there more need for drawing attention of those interested in mining to ourselves, and the Bullfinch find has done it. It has drawn the attention of the public in London and in the Eastern States to us, and I believe we will have an influx of capital for mining development, and the industry, instead of being on the down-grade, as it has been for a few years past, will be on the up-grade, and will. I hope reach higher figures than it has in the past. I do not think there is necessity for any argument in favour of the line. I think every member of the House will realise the importance it is to the country that we should build it. The argument has been used in another

place that there are mining districts in Western Australia that have not been equipped with a railway. That may be so, I dare say it is true—but that is no reason why we should not amend our mistakes and build a line to the Bullfinch. Because we have made mistakes in the past there is no reason why we should make them in the future; and I say now we have this discovery, now the eyes of the world are upon us, and there is a capital coming in for our goldmining industry, the Government should do all they can to assist the industry. I am sure the building of this line is one of the best means by which they can help forward the interests of the industry.

Hon. E. McLARTY (South-West): I am surprised that an important measure such as this, involving an expenditure of £40,000, is not deserving more attention from members of this House.

Hon. R. Laurie: There is no objection to it.

Hon. E. McLARTY: I do not pose as an expert in mining, I prefer to listen to the opinions of those who have had experience and are competent to judge, but I claim to be able to take a common sense business view of the matter, and I am certainly under the impression that this railway has been very much rushed indeed. The Colonial Secretary, in his speech in introducing the Bill, painted a very glowing picture. He told us there would be a refund to the Railway Department of about £11,000 for freight, and that if the line turned out a failure we could take up £26,000 worth of material. It appears to me, therefore, we are going to get back £37,000 on an expenditure of £40,000. It seems to be almost incredible; I do not think it is going to happen. The hon. gentleman estimates the cost of building a road at £26 a chain.

The COLONIAL SECRETARY: No; £15 a chain.

Hon. E. McLARTY: Even at £15 a chain it is an extraordinarily high estimate. One would naturally expect in a mining locality, or in auriferous country, road-making material would be pretty plentiful; and to talk about ex-

pending £15 a chain for a distance of 22 miles seems to me to be altogether out of the question. I think a fairly good road might be made, and ought to be made, for less than half the money. However, I do not want to oppose the railway, but I am here to express my opinion, and that is that I am not in accord with such undue haste in the matter of this construction. We are told that this will assist the prospector greatly, but I do not think the matter of 22 miles is going to make very much difference to the prospector. To a man going out prospecting that short length of railway will not give very much assistance. I have no doubt the carrying of water to the mine is essential and should be done with the least possible delay, but I am certainly of opinion that on the construction of a railway to cost £40,000 hon. members should have had a little more detail. We know that after the necessary equipment of a mine is carried there is very little left for the railway to do; we could cart away the gold produced in a barrow for all the freight it will yield; and I am doubtful whether the mine is going to be such a payable proposition as has been represented in the House. I expected to hear some debate on the matter, and a good many questions asked with reference to the probable traffic, and the paying aspect of the proposition when the railway is constructed. I think this mine is most favourably situated and has a great deal to assist it without the Government rushing in to spend £40,000 before there is any development. What would the prospectors of this wealthy mine do if they happened to be 100 miles out in the interior, in places where fuel is not obtainable, and with all the other drawbacks? But here they are within 22 miles of a railway, with an abundance of fuel, and the water being conveyed to them, yet it seems imperative that a railway should be built there at a cost of £40,000, and that before there is any development. The Government are in too great a hurry. They might well have waited until further developments took place. I remember some years ago there were some reported

finds of immense value, and for the first occasion I was induced to put my hands in my pocket and invest in mining. I put £100 into a mine at Parker's Range and I have been weeping ever since for my £100. I was led to believe that there was an immense fortune awaiting me, I had only to pay in this money, the mine would be sold, and I was to rest on my oars for the remainder of my days. I parted with my £100 that I had to earn pretty hard, and I have never seen the money since. It makes one wonder whether there may not be a little booming going on, and whether all these leases pegged out are going to turn out as wealthy as represented. However, I could not allow the opportunity to pass without expressing a word of warning. I think the railway is premature. I think the Government would have done well to have got further information and stayed their hand until a later date before committing the country to such an expense.

The COLONIAL SECRETARY (in reply): In regard to the point raised by Mr. Langsford as to having no reports—geological reports—from the Government, hon. members who know anything about mining must know that it takes a considerable time before one can get a report from a geologist in this way. The mine has only been opened a very short time, and it takes a considerable amount of study before a geologist will venture to give a report as a geological report. Mr. McKenzie has read a report only four months old of the State Mining Engineer, who was accompanied by the Government Geologist. That was a Government report and a very satisfactory one. Another point Mr. Langsford made in reply to an interjection of mine that the line was to be constructed departmentally, was that when a mine had to be built quickly it was always built departmentally. The hon. member must know they cannot build a thing departmentally any quicker than by contract. I intimated to the hon. member that it was not necessary to provide plans, and this rather amused the hon. member and he said "Even we build the line with-

out plans"! Hon. members who understand contract work know that while working plans for a contractor, showing all levels and cross levels, etcetera, are being prepared, a short line like this could be built. That is where the time is saved. If a man is a builder and knows the class of house he wants, he can build the house in just as short a time as it is possible for an architect to prepare the plans and specifications on which to call for tenders. That is the exact position, and that is how it is that the department can have this work done much quicker. In order that we may get the traffic I have already referred to, we are warranted in pushing on the railway. As to the apparent difference in regard to the value of the ores, given by Mr. Brimage and myself, possibly hon. members, not being used to mining phrases in reports, did not follow me, or I was not able to make myself clear. But there was no difference in the information given by the hon. member and that given by myself. We were simply speaking from different points of view. What I said was that there was a shaft down to 100 feet and the average crushing had been something like 20 ounces, and then I said that another shaft was down 60 feet, and that there was a lot of cross-cutting in this shaft, but that this was not the shaft they were working, though in it they had ore blocked out to the extent of 14,000 tons, worth about £7 a ton. I was speaking of two different parts of the mine.

Hon. J. W. Kirwan: It is very valuable ore.

The COLONIAL SECRETARY: Yes, I wish I had a smaller reef worth half of it. There is no inconsistency if we take Mr. Richard Hamilton's report, which I have already read, where he states—

The ore being obtained is marvelously rich and these shafts show at least 60 feet of ore in the different veins, all of them being high grade at the deepest point, namely, 100 feet below the surface. It would be very safe to say that the ore at present is

anything from 10 ounces to 30 ounces in value for a width of 20 feet.

Now the ore I referred to was outside this. I spoke of 14,000 tons of ore worth £7 a ton, quite apart from what Mr. Hamilton referred to in these remarks. I just mention this to clear hon. members' minds on the point.

Question put and passed.

Bill read a second time.

In Committee.

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

Sitting suspended from 6.15 to 7.30 p.m.

BILL—ABORIGINES ACT AMENDMENT.

In Committee.

Resumed from the previous day; Hon. W. Kingsmill in the Chair.

Clause 4—Amendment of Section 10:

The COLONIAL SECRETARY: Exception was taken to extending the area, beyond 2,000 acres, that might be proclaimed as an aborigines' reserve, and he (the Minister) then stated that it was only intended to extend the area on Crown lands. However, to overcome the doubt he had framed an amendment. He moved—

That the following words be added at the end of the clause: "and insert in lieu thereof the words provided that not more than 2,000 acres of land held under lease or license from the Crown shall be made the subject of proclamation hereunder in any one magisterial district."

Amendment passed; the clause as agreed to.

Title—agreed to.

Bill reported with an amendment.

BILL—LICENSING.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: The task I have this even-

ing is to introduce to this House a Bill to consolidate and amend the law relating to the liquor traffic of this State. Undoubtedly this is a problem, the successful solution of which presents the greatest difficulties, and the successful solution of which is essential undoubtedly to the well-being of any country both physically and morally. Whether we believe in drink to a moderate extent, or whether we believe one should not drink at all, we are all agreed as to the necessity for having a strict law to control the drink traffic, and also whether we are moderate drinkers or whether we do not believe in drink at all, I think we are all agreed in the fairness that the vested interests which have been built up under this trade should have due protection, while not forgetting at the same time what is due to the community at large. I do not intend to weary hon. members with a long address on the liquor question this evening, especially as this Bill was introduced by my colleague, the Attorney General (who administers the Act), in another place last session, when he made a very lengthy and able speech and fully went into the pros and cons of this trade; therefore, this evening I shall as briefly as possible describe as fully as I am able the main provisions underlying this Bill. I will draw particular attention to those parts of the Bill which are an alteration of the present law: I will not go through the Bill as a whole, that is, where the law as at present is not materially altered. It is a Bill in that respect that can be dealt with better in Committee. The first question no doubt members will ask is, what is the fundamental principle underlying this Bill. The fundamental principle is this, it gives unmistakable expression for the first time in Western Australia to the will of the people on this question, that is, that the decision will rest with them as to licenses or no-licenses, reduction, increase, or abolition of public-houses. Hon. members are no doubt aware that the Government a little over 12 months ago sent Mr. Carson of Perth as a Commissioner to visit the Eastern States and New Zealand. That gentleman furnished a very able and instructive report on the liquor

question generally, and on the laws as they exist for regulating this traffic in the countries I have mentioned. Then, again, this Bill has been before Parliament two sessions, and it has been discussed pretty fully in another place. The Bill certainly has been considerably amended from what it was when introduced in another place, and I took the precaution just after the last adjournment to have a copy of the Bill posted to each member as it is now presented to the House. That has afforded members an opportunity of studying the question, and after reading the Bill and the very able report I have already referred to by Mr. Carson, they will have a very fair idea of what the Bill contains and of the question generally. As before stated, the Bill is a consolidating and amending law relating to the sale of liquor. Ten Acts are repealed by the Bill before the House, including the latest, the Act of 1909, whereby the granting of new licenses was suspended pending the consideration by Parliament of the principle of local option. Subject to the powers contained in the Bill no public-house license could be granted to any place where no licensed premises existed unless they were outside a radius of 15 miles from the nearest licensed premises. True, there is a provision in that Act whereby the Governor-in-Council has power to allow a license to be granted for a place springing suddenly into existence, but that power has not been exercised by the Governor-in-Council as no sufficient case has come forward. There were a good many applications under that provision of the Act, but seeing that this Bill was before Parliament it was not deemed reasonable to grant permission. There was an instance in the case which we were discussing this afternoon of the gold-field at Bullfinch, which might furnish an instance where permission might be granted under the Act of 1909. As I have stated, the main principle of the Bill is the introduction for the first time in Western Australia of local option. It is proposed by the Bill to take a local option poll as soon as possible after the commencement of this Act on a date to be fixed by the Governor, also following

that on every third year thereafter; but—and this is a very important point—until the poll on the 31st December, 1920, that is, 10 years—

Hon. Sir E. H. Wittenoom: We shall all be dead by then.

The COLONIAL SECRETARY: I hope not. The only question to be submitted to the electors is whether the number of existing licenses in a district shall continue or be increased, but there will be no vote taken for abolition. The first part of the Bill we come to is that of licensing districts, beginning at Clause 7. The licensing districts which are created under the Bill will be as far as possible co-terminus with the Assembly electoral districts, subject to a power to amalgamate two or more districts or to divide any one district, the intention being that the local option vote and also the election of members of the court shall be taken on the Legislative Assembly rolls existing for the time being. The local option poll and the election of the two elective members of the court will be taken on the same day but not on the same date as the general election for the Legislative Assembly. It was held that it was wise, having in mind the experience of other countries, not to have a local option poll on the same day as the general election, because it would confuse the issues. But it is fixed in the first place that it shall take place not later than April, 1911, and in April of every third year thereafter. The Bill provides in Clause 8 that there shall be a licensing court for each district constituted of a chairman and two elective members. The chairman shall be appointed from time to time by the Governor and shall be a resident or police magistrate. The elected members must be male persons entitled to vote for the Assembly electorate and must be resident in the district. Certain persons are disqualified as set forth in Clause 9, including those interested in the manufacture or sale of liquor or in any premises licensed or proposed to be licensed, or directly pecuniarily interested in the sale of liquor. So far as the licensing courts are concerned, when the Bill was introduced in another place it provided for

a nominated court. An amendment was made in another place, however, providing for two elective members. The policy of having partially elective courts has been urged with some force, and it has been said that it is a wrong principle to allow any judicial body to be elected. I certainly will not deny that to a certain extent a licensing court is a judicial body, and, speaking for myself personally, I may say that the policy of electing a judicial body does not appeal to me. On the other hand it might be argued with great force that there are so many matters which the court has to decide, and which are left absolutely to its discretion, that it cannot in any sense be argued that the licensing court is a judicial body.

Hon. J. W. Kirwan: Why not call it a licensing board in that case? That would remove one of the objections.

The COLONIAL SECRETARY: I certainly would not mind calling it a licensing board, for it does not sound very well to have an elective body called a court. This bill was introduced by the Government of course, in another place, but as was stated there, it is not in any sense a party Bill, and I hope we shall treat the matter in the same sense in this Chamber, as indeed we always do treat all measures. What I mean is that I do not look upon this so much as a Government measure as I do ordinary measures, but I appeal to the House to consider every clause by itself so that we may come to a proper decision on this important issue. It is provided that the elective members of the court shall hold office for three years and be eligible for re-election. As I have already said the first election will be held at the beginning of 1911, and not later than the month of April. Application to the court as set forth in Clause 19 is determined by the majority of members. Two members of the court may form a quorum, but it is provided that should there be a disagreement when only two members are present the proceedings before the court shall be adjourned until the three members are present. I might mention that the elective court is not altogether a new principle. It is in force in New Zealand, I think, but I

do not know of any other country where there is an elective court. At any rate, we have that precedent, although the court there consists of five members, and is therefore a much bigger body than ours. It is provided that the court shall hold quarterly sittings with power to hold special meetings on days to be appointed by the court. Part 4 beginning at Clause 28 provides for the licenses to be issued under this Bill and for the purposes of the sale and supply of liquor, 13 licenses are prescribed. If members will look at the list contained in Clause 28 they will see that although hotel licenses appear in the list there is a proviso in Clause 30 that no hotel license shall be issued except to premises licensed as a hotel at the commencement of this Act. That means that there will be no further issue of hotel licenses. I do not know whether there are many hotel licenses in existence.

Member: There is only one in the State.

The COLONIAL SECRETARY: Some years ago there used to be a great number, but probably they have been converted into publicans' general licenses. Australian wine and beer licenses, theatre refreshment room licenses, and gallon licenses are gone, but I propose to move an amendment in Committee enabling the existing Australian wine and beer licenses to be renewed; in other words, conferring the same privileges on the holders of wine and beer licenses as are conferred on the holders of existing general publicans' licenses.

Hon. J. T. Glowrey: But make them subject to a local option poll.

The COLONIAL SECRETARY: Yes. It is considered unjust to deprive these people of their licenses without the same notice as we give to the holders of a general publican's or hotel license. These people have had to build certain accommodation before they were granted their wine and beer licenses, and therefore if the amendment is carried they will be put in exactly the same position as the holder of a general publican's license.

Hon. B. C. O'Brien: But they have not the same conditions to comply with as the holder of a general publican's license.

The COLONIAL SECRETARY: No, but at the same time, their little is as much to them as the bigger sum is to the general publican, and if it is right in the one instance, then I think it is right in the other.

Hon. B. C. O'Brien: They have no accommodation; they are simply drinking houses.

The COLONIAL SECRETARY: However, I will submit an amendment to the House and I trust that it will receive careful consideration. Each wine and beer license will be subject to the local option poll in the same way as a general publican's license, so that it may be terminated in the same way.

Hon. Sir E. H. Wittenoom: After 1920?

The COLONIAL SECRETARY: Yes, but subject to the same poll. It will also be observed that the gallon license, or as it is commonly known, the grocer's license, has gone, but that the two-gallon license still remains. The law at present provides gallon and two-gallon licenses. The two-gallon license was provided in 1902 in view of the Commonwealth Beer Excise Act passed in 1901, which enacted that brewers could not hold a license to sell beer in less quantities than two gallons. It was necessary then to pass a two-gallon license in order to conform with the Commonwealth excise law. The effect, therefore, of repealing the gallon license is that grocers will in future be compelled to take out a two-gallon license, so that the minimum quantity which a grocer will be able to sell is a dozen bottles instead of six. Division 3 on page 15 provides that no new licenses, to which the provisions of local option apply, shall be granted until a resolution is carried that the number of licenses may be increased. At the same time it preserves to the members of the court the right to grant or refuse any particular application. Division 4 of the same part of the Bill, dealing with the procedure in regard to applications, does not call for any particular comment, with perhaps the exception of Clause 46 which requires the applicant for a new general publicans' license to offer a premium. That is a

provision I can scarcely give much explanation of. It was inserted in another place, and it simply provides that the applicants shall offer a premium, which is to be paid to the Treasurer in the event of the application being granted. This seems to me to be rather a pious wish that the licensing bench will take this into consideration and add a little more to the Treasury.

Hon. W. Kingsmill: I think that the Treasurer must have put that in.

The COLONIAL SECRETARY: I do not know about that, but it is certainly in favour of the Treasurer if the bench will look at it in the same way as he does. However it is for the bench to say which license shall be granted, whether the applicant offers a premium or not.

Hon. Sir E. H. Wittenoom: It is practically calling for tenders.

The COLONIAL SECRETARY: Not exactly; the bench is in no way bound to consider the premiums, but if all the applicants are equal, the bench may grant the license to the man who is prepared to pay something for it. Of course, different courts may take different views.

Hon. W. Kingsmill: The worse the man's character the larger the premium.

The COLONIAL SECRETARY: I suppose so.

Hon. A. G. Jenkins: I see that Australian wine and beer licenses are going to be granted.

The COLONIAL SECRETARY: I think the hon. member must be reading from a Bill which has not been re-drafted; a number of consequential amendments had to be made. Under Division 5 existing licenses will be renewable as a right in the absence of a sustained objection, but the renewal of a new license (subject only to the local option proceedings) is placed in the absolute discretion of the court. This is a very important alteration in the Bill. Previously the renewal of a license was dependent upon the behaviour of the licensee; in future every license will be at the discretion of the court, and a publican will get his new license from year to year. I might draw special attention to Clause 54, which provides im-

portant amendments for the better protection of the owner of licensed premises in the event of a licensee committing a breach, or becoming bankrupt, etcetera. Division 8 re-enacts the existing law relating to provisional certificates. Provision is made in Clause 66 for the protection of owners of licensed premises in the event of default by the tenant in due payment of license fees. It will also be noticed that the fees for a Wayside House license have been increased, from £10 to £15, for a Spirit Merchant's license from £5 to £15, for two-gallon licenses from £10 to £15, and the fees for transfer or removal of publicans' general licenses from £2 to £5. The principal part of the Bill, and the main object for introducing it, is local option. This is dealt with in Part 5, which places the control of all future licenses in the hands of the people, but, as before mentioned, until 31st December, 1920, the only resolutions to be submitted are: (a) number of licenses existing in district continue; (b) number of licenses in a district be increased. An elector will vote for only one of such resolutions and either is carried by a majority of votes. The vote is to be taken on or before April, 1911, and then in the month of April every three years after. The reason, of course, is obvious, why no vote is taken before 1920; this is provided in lieu of compensation, and giving them 10 years' notice will be in lieu of money compensation. The holder of an hotel license, and a general publican's license, will then be given 10 years' notice that they will be subject to the result of a local option poll so that they will know at the end of 10 years that no compensation will be paid. I would point out here that they really get 12 years' notice because it is provided that a poll shall be taken every three years in the month of April. If hon. members will count it up they will find that, if a poll takes place in 1917, and another takes place in 1920, the next poll will not take place until April, 1923, so that there will be practically 12 years as the Bill stands at present. I think it is admitted by hon. members that compensation should be given, either by money or by time.

Money compensation was included in this Bill when it was first introduced in another place, and it was provided that all holders of existing licenses should pay a certain percentage into a fund from which compensation might be paid to any hotel that might be closed before the expiration of 10 years. That, however, was struck out in another place; it comes to this House now without any money compensation whatever. Ten years, of course, may seem a long time, at the same time we have to remember that there are vested interests, and it would be manifestly unfair to deprive people of those interests without giving ample notice. After all, 10 years will pass quickly enough. We have only to look back to find that a Bill was introduced by a former Government in 1905 providing for local option, and if that had been passed there would now remain only five years to go. It has been the general rule to give either compensation by money or time in all the other States. In Victoria the whole of the local option provisions are postponed until 1917, which means 10 years' grace, as the Act was not passed until 1906. In the meantime a License Reduction Board is constituted with power to reduce the existing number of licenses exceeding the statutory limit, subject to compensation. After 1920 a vote on the reduction question can take place.

Hon. D. G. Gawler: Reduction or increase.

The COLONIAL SECRETARY: Yes.

Hon. J. W. Langsford: Increases can take place at once.

The COLONIAL SECRETARY: Effect must be given by the court to the vote by classification of licensed premises and a proportionate reduction, as provided in Clause 79; that is to say, if there is a reduction vote carried the court will not have a free hand to reduce as much as they like, but it will have to be guided by the terms as set forth in Clause 79. The two questions also submitted to the electors, in addition to the resolutions, are set out in Sub-clause 4 of Clause 76, and they are as follows:—"Do you vote that all new publicans' general licenses in the dis-

trict shall be held by the State?" and "Are you in favour of State management throughout the district?" That is an important alteration in our present law. I would point out that if the resolution that the number of licenses be increased is carried, the court, in its discretion, may increase the number of licenses in the district by granting new licenses, but it is essential that any application for a license shall be supported by a petition with a request that the license be granted within an area to be stated. That is to say that if a vote is in favour of increase, notwithstanding that, each application before the Court has to be supported by a majority of the adult people living in that particular district.

Hon. W. Kingsmill: Within a certain radius.

The COLONIAL SECRETARY: It does not lay down the radius; that is for the court to decide. Probably the court will indicate the district, it would be manifestly impossible to fix the district in the Act because in some instances a radius of 100 yards would be sufficient, while in other cases it would require a radius of five or six miles. If on the question "Do you vote that all new publicans' general licenses in the district shall be held by the State?" a majority of the votes is given in the affirmative, no general license may be granted except for a State hotel. It may be pointed out that the question of an increase is not submitted to referendum in New South Wales, but in that State the increase in the number of licenses can only be granted on a petition signed by a majority of the adult residents within a radius of one mile of the premises proposed to be licensed. If it is carried there will be no immediate effect given to the affirmative answer; it will be left for Parliament to take whatever action it thinks necessary. If this vote is carried by a big majority, or is carried by more than one local option poll, Parliament will undoubtedly accede to the wishes of the people. After 1920, two further resolutions will be submitted, namely (c) that the number of licenses in the district be

reduced, and (d) that no new licenses be granted or renewed in this district. Resolution (c) is carried by a majority in the number of votes given, but three-fifths of the number of the votes given is required to carry resolution (d). If the resolution is not carried the votes in its favour are added to the reduction vote of resolution (c). "No license" will not be carried unless 30 per cent. at least of the electors in the district have voted on the resolution. On resolution (d) being carried, it has effect from the expiration of the year in which the vote was taken. There is a safeguard put in which is also provided in other countries, that there is to be a certain majority and at least 30 per cent. of the electors will have to poll on the "No License" resolution. Then, when the "No License" resolution is carried in any district, the resolution to be submitted in that district at the next triennial ballot is resolution (e), set forth in Clause 76, namely, that licenses be restored in the district. That will be three years afterwards. If resolution (e) is not carried resolution (d) will continue in force. But if resolution (e) is carried licenses may be granted and renewed. Clause 82 relates to landlord and tenant. With regard to all premises deprived of a license, in pursuance of a reduction or no-license vote, provision is made to enable the landlord to determine the lease where under the classification the premises fall within paragraph (a) of Subclause 2 of Clause 79. That is to say where there may have been within three years several convictions against the licensee for offences against the Act. The clause goes on "In any other case the lessee may within three months after the license ceases to be in force (1) determine the lease or surrender to the lessor, or (2) give to the lessor written notice that he desires to have the rent of the premises fixed by arbitration." Part 6 of the Bill deals with State hotels, to which I have already referred. If the resolution is carried at any local option as I have mentioned, it is not obligatory on the part of the State to establish a hotel, but at the same time application may be made by the Minister, through some agent, for such license, but this li-

cense, that is the State license, can only be obtained from the Licensing Bench with exactly the same restrictions that are provided with the ordinary licensee. But at the same time it does not follow that if this resolution is carried there will be State hotels, for Parliament will have to decide whether State hotels shall be established in the particular districts. It has been argued that the proper solution of the drink traffic is State control. People who believe in this may, after 1920, vote that the State should own all licenses. It will then be for Parliament to give effect to that resolution if they think the principle is a right one.

Hon. J. W. Hackett: If the local option poll is in favour of more licenses can the bench refuse to acknowledge it?

The COLONIAL SECRETARY: Yes; it is within the discretion of the bench. But in regard to a reduction the bench will be tied, to a certain extent, for they can only reduce the licenses to a limited degree.

Hon. J. W. Hackett: But I am talking of increases. Can the will of the people be flouted in this regard?

The COLONIAL SECRETARY: Each applicant is left to the bench, and the bench can grant the license or not as they think fit.

Hon. J. W. Hackett: They can overrule the people?

The COLONIAL SECRETARY: Yes; to the extent that they can deal with each applicant. Now, Part VII. deals with the duties and liabilities of licensees. For the main part these provisions are consolidating the existing law. Attention may be directed to the matters dealt with in Clauses 90, 91, and 92, namely, sanitary matters and the enlargement of premises. These are new provisions to which I draw the attention of hon. members. Clause 96 is also an important alteration. It provides that hotels may remain open until 11.30 p.m. instead of 11 o'clock, but no licensee is compelled to supply liquor after 10 p.m. or before 6 a.m.

Hon. J. W. Hackett: Why has the period of opening been lengthened?

The COLONIAL SECRETARY: I have already explained that the Bill was

dealt with by another place as a whole. It is not a Government measure, and this is the Bill as we have received it from another Chamber.

Hon. A. G. Jenkins: But this was the original proposal.

The COLONIAL SECRETARY: No; it was introduced as 11 p.m.

Hon. J. W. Hackett: Which do the Government approve now?

The COLONIAL SECRETARY: The Government have no keen desire on any details. This is a Bill with the object of dealing with the liquor problem and it was treated purely as a non-party question in another place. It is a point about which I do not think any great number of persons are of the same mind.

Hon. J. W. Hackett: The divisions in another place do not show that it was treated as a non-party question.

Hon. A. G. Jenkins: What is a bona fide traveller? I see it is mentioned here in Clause 96, but I cannot find it anywhere else.

The COLONIAL SECRETARY: The bona fide traveller has gone; he is a thing of the past. I was just going to show that under Clause 97 the sale of liquor on Sundays, Good Fridays, and Christmas Day is absolutely prohibited, even in the case of travellers.

Hon. W. Kingsmill: You are not expressing any opinion on that point.

Hon. J. M. Drew: What about boats on the river, and clubs?

The COLONIAL SECRETARY: I will come to clubs directly. Under Clause 111 it will be noticed the bona fide travellers who, in the past, according to publicans, created a good deal of trouble, have been wiped out.

Hon. J. W. Hackett: Do the Government stand by the Bill as introduced here?

The COLONIAL SECRETARY: Not particularly.

Hon. J. W. Hackett: Are you going to move any amendments?

The COLONIAL SECRETARY: Yes.

Hon. Sir E. H. Wittenoom: But you deal with bona fide travellers at the end of Clause 96.

The COLONIAL SECRETARY: That has apparently been overlooked. Certain amendments made in another place necessitated a great number of consequential amendments and, apparently, this reference to bona fide travellers has been overlooked: it should have been consequentially amended. All these matters I have mentioned are new provisions; for the rest they would take too long to deal with on the second reading and can more easily be dealt with in Committee. Part VIII. deals with the registration of clubs. It is not proposed, as in some of the Eastern States, that clubs shall come under the local option provisions. Under the Bill the clubs are unaffected by any such resolution. If clubs are not to be subject to local option then certainly the granting of their permits must be made stricter than in the past; otherwise we would have local option provided in one case and no extra precautions in the other. That is one reason for making the restrictions on clubs much greater than they are at present.

Hon. D. G. Gawler: Does not the definition in the Bill cut out certain existing clubs?

The COLONIAL SECRETARY: I do not know about that. This part of the Bill, the whole of Part VIII., substantially reproduces the provisions of the Acts of New South Wales, Victoria, and South Australia.

Hon. W. Kingsmill: Not altogether.

The COLONIAL SECRETARY: No; because they are subject, in some instances, to local option. It also reproduces, to a great extent, the Imperial Act of 1902. The only substantial alterations from the legislation of New South Wales and Victoria are the clauses relating to honorary members and strangers. There is there a very big alteration. All other provisions have been suggested by local experience. The annual fee for registration is charged by way of percentage on liquor purchased for the clubs, as in Victoria. In New South Wales the annual fee is fixed.

Hon. J. T. Glowrey: Will the Minister explain paragraph (g) of Clause 141?

The COLONIAL SECRETARY: I will give any explanation I can. It is a

very lengthy Bill, and if I went into every detail on the second reading I would probably only weary hon. members without conveying much information. I think small matters of detail can be better dealt with in Committee.

Hon. J. W. Hackett: But these are all essential innovations in our existing law.

The COLONIAL SECRETARY: Yes, I was explaining these, but the hon. member was not in the Chamber at the time.

Hon. J. W. Hackett: Tell us about paragraph (g) of Clause 141; it is all new to us.

The COLONIAL SECRETARY: The subclause referred to is already in the existing law. There are certain alterations taken from the legislation of the Eastern States and the Imperial Act, but the part substantially reproduces the provisions existing in New South Wales and Victoria, the main alterations being those relating to honorary members and strangers. In the past, it goes without saying, there has been a number of bogus clubs in Western Australia, and I think if one part of the liquor law requires amending more than another it is certainly that relating to clubs. I am prepared to admit that very substantial amendments have been made in the law relating to clubs. I have mentioned the main alterations that occur to me, but it must be remembered that we have to legislate for the bogus club. It is not the bona fide club, but the bogus club we have to legislate for, and in doing that it is possible to inflict an injustice on the bona fide club. The restrictions are principally in the part I refer to, namely, that relating to strangers and honorary members. I think it is in that direction in the past that club licenses have been most abused.

Hon. W. Kingsmill: But the court has not been bound to register any club.

The COLONIAL SECRETARY: The court has not been bound to register any club, but in the past they did get registration. I am rather inclined to think with the hon. member that the difficulty may be got over by looking to the registration. If that is so, when in Committee I will be very pleased to take

amendments in that direction. So long as we can guard against the bogus club—

Hon. W. Kingsmill: You can guard against the bogus club by having a good court.

The COLONIAL SECRETARY: That is so. As I have said, the law as laid down in the Bill is decidedly stricter in regard to clubs than it is in the Eastern States; and let me say that the law in Victoria, and I think also in New South Wales, has been considerably altered and made much more stringent within the last two or three years. We are going beyond that, again, and making it still stricter. At the same time, these clubs are there subject to the local option poll, which is not provided for in the Bill. The provisions relating to the admission of strangers and honorary members are very stringent and, personally, I am of opinion they can be considerably modified; but, as I have already stated, it must not be lost sight of that we are legislating for the bogus club. Part IX. substantially reproduces the existing law in regard to the inspection of licensed premises and the adulteration of liquor. The provisions as to the adulteration of liquor are reproduced in the main from the existing Act, but penalties for keeping or supplying such liquor are extended to owners of vineyards, who are given certain powers of selling without a license. All miscellaneous provisions are dealt with in Part II., and I do not know that they call for particular comment. These are the main provisions contained in the Bill. As I mentioned in my opening remarks, this Bill is one that lends itself to a great amount of discussion. It is not in any sense a Government or party measure. Members of the Chamber are imbued. I think, with the same idea the Government have, of putting a law on the statute-book that will not inflict any undue hardship on anyone concerned in the trade, but at the same time will regulate a difficult trade. I need not say any more on the second reading, because this is particularly a Bill for Committee discussion. I have not gone into the principle of local reform, as it was fully dealt with by the

Attorney General, and I thought it unnecessary to worry members with it. I have touched on the main alterations in the measure and have drawn the attention of hon. members to anything to which I thought attention should be drawn. I ask hon. members to give the Bill their closest attention, so that if possible, after having had this Bill talked of for so many years, now it has reached this stage we may make it as perfect a measure as possible. I move—

That the Bill be now read a second time.

Hon. J. W. LANGSFORD (Metropolitan-Suburban): I have one or two remarks to offer on the second reading of this measure. In the first place I would like to say it introduces us to the thorny path of liquor reform which is strewn with the wrecks of Governments, reputations, Ministries, etcetera. I do not know whether this measure will have any of these effects on our present Ministry. I sincerely hope that it will not. I hope that after it has been dealt with in this House the Ministry will come out with enhanced reputations. But it is a field that has tested the wisdom of some of the greatest statesmen. It calls for the greatest diligence and to be treated sympathetically by members of the Chamber. We need to bring to bear the practical sagacity which I am convinced is embodied in members of this Chamber, and I would like to ask that we should all endeavour to bring to bear upon it an earnest enthusiasm for the highest welfare of the people, as we conceive it to be in our best and highest judgment. Arguments are unnecessary as to the wisdom of bringing the liquor interests under strong control. We all recognise the vast interests and the great influence they hold. There is a danger that if they are left untrammelled and uncontrolled they will control the State; and I take it to be one of the objects of the Bill to hold a wise and reasonable control over the liquor trade. We need not furnish statistics, because somebody has said that statistics can be made to furnish anything. In order to furnish this control we are at present endeavouring

to deal with the question from a Parliamentary or legislative point of view; and although there are many people who hold that if an Act of Parliament is only passed, the habits of a people for hundreds of years can be suddenly altered, I hold no such opinion. My judgment of an Act of Parliament in altering the habits of the people does not rise nearly as high in that direction as the judgment of some people. I look more upon the economical aspect of this matter in order to obtain, shall I say, sober people or a sober nation. It is from the economical point of view rather than from the legislative point of view that we will attain this. In the race of nations for supremacy I think we can hope for most in this direction. I believe that the great advance that has taken place in legislation in America on this subject is prompted very largely by economical considerations. The fact that they mean to get in front of other nations if possible, is prompting them to become sober in their habits, and I think that aspect must always have great influence on any people. The Bill provides a fuller measure of control by the people, and we have the experience of some of the Eastern States and of New Zealand to guide us in this direction. Although one must confess that the information one receives and the statistics one obtains are most disconcerting and conflicting, however, I think there is one outstanding fact that under the local option provisions, take New Zealand, for instance, the vote in favour of reduction and no-license is constantly increasing.

Hon. J. T. Glowrey: So is the sale of liquor.

Hon. J. W. LANGSFORD: That may be so, but in spite of the sale of liquor, in spite of the knowledge they have that there are grog shops, and that there is illicit selling of liquors, the vote in favour of no-license is constantly increasing. Another outstanding fact is that the crime statistics in the districts where no licenses exist have been considerably reduced; and these are statistics that are furnished, not by temperance advocates, but by the police authorities. The measure before us provides an element of

local option, not as full as some people might like, but still a step in that direction. It provides also for partly elected licensing benches. This is an experiment. Although the Bill provides that it is left to the discretion of the licensing bench as to the granting of licenses, I imagine that after a local option poll has been taken the bench must follow the poll, whether it be in favour of a reduction or of an increase of licenses.

Hon. J. W. Hackett: Does it say so in the Bill?

Hon. J. W. LANGSFORD: I think it is on the surface of the Bill that if the people declare for an increase of licenses the bench must within reasonable limits grant this increase, though they will have absolute discretion to say where the licenses shall be granted, the neighbourhoods in which they shall be granted; but no bench will go beyond the vote of the people in this matter. I cannot conceive a licensing bench going beyond the vote in the matter, either on the question of an increase or on the question of a decrease. Although the bench will have discretion as to the locality in the electoral district, and as to the men in the licensing district, as to the granting of licenses or as to reduction, the intention is—and I read it so—that the bench must follow the will of the people.

The Colonial Secretary: They may take a very long time to do it.

Hon. J. W. LANGSFORD: Then they will be dealt with by the people at the election. Local option polls are preceded by a petition. This is the practice elsewhere, although I notice in South Australia the number of those who have to sign a petition is ten per cent. or 500, whichever is the smaller number. In some of the electorates of South Australia they have 14,000 and 15,000 electors, but they only require that 500 shall sign a petition to have a local option poll.

Hon. W. Patrick: But their districts are smaller.

Hon. J. W. LANGSFORD: Their districts are very much larger than they are here. I think it is an amendment we might make in our Bill. The first poll for the reduction of hotels will take place

in 1920, or, as the Minister points out, 1922 or 1923. That is a vastly different proposal to the proposal that was made by the Government in introducing the Bill. The first poll then was to be taken in 1914.

The Colonial Secretary: Yes, but there was money compensation provided for. It makes all the difference.

Hon. J. W. LANGSFORD: Exactly, but it means that at the first poll there will be no reduction. I imagine the people will not be educated in the way of voting in favour of reduction or no-license until about 1923, and the trade must consider that most generous. It must have been entirely unexpected. I was not opposed to the proposal the Government made in the Bill when it was first introduced to the Assembly. The measure also provides for a 30 per cent. poll and a three-fifths majority, which of course makes it exceedingly difficult. We introduce the system here, not only of counting votes, but of weighing them. The Bill declares that the weight of 40 votes shall exceed the counting of 60 votes. We must provide against fluctuations in this matter, but as no poll for the reduction of licenses can take place before 1920 or 1922, I hope that fuller consideration will modify these quantities; because it is certain that these measures will be coming before us for improvement as we find they need it in the way of working under them. The Bill also provides that the State may obtain the will of the people as to whether the State shall hold licenses or not. In the matter of Sunday trading, I understand that is made in the interests of the licensee, and no further Sunday trading is to be allowed. I understand a deputation waited on the Premier and asked that the interests of the hotelkeepers should be considered. They were not obliged to stay at hotels all day long on Sunday, and therefore this clause has been inserted. The more you restrict the facilities, or rather the centres from which liquor can be obtained, I think the better police supervision can be exercised over these centres. The extension to 11.30 p.m. I think is quite unnecessary, and I

shall join hon. members in bringing the time back to 11 o'clock, which I think is quite late enough. We have early closing in regard to most of the businesses in Perth and in the country, and I think 11 o'clock is ample time.

Hon. J. T. Glowrey: But you do not go to theatres.

Hon. J. W. LANGSFORD: The hon. member does not know what I do, and what I do not do. I shall do my best to help place this measure on the statute-book. I am sure it will not satisfy everyone. We have had, during the past few months, a campaign against many provisions of the Bill, conducted by the West Australian Temperance Union, and I may say I am not a member of that association. They have been termed fanatics, but I know from my knowledge, that these men, many of them, are engaged day by day in dealing with the wrecks that arise from over-indulgence in liquor, and my wonder is not that sometimes they make over-rash statements, but that they do not oftener do so, confronted as they are day by day with the evil effects of drink. After all, the greatest safeguard the State can have is the placing in the hands of the Colonial Secretary and the police force an Act to be wisely and firmly administered, not excessively far-reaching, but in the interests of good government. I hope that later on the Government will see their way to establish—it does not come under the Bill—an inebriates' retreat.

Hon. J. W. Hackett: Hear, hear.

Hon. W. Kingsmill: That comes under the Licensing Act.

Hon. J. W. LANGSFORD: I am not disposed to agree that those suffering from the disease of liquor should be confined in lunatic asylums, I think a separate institution should be established for them, I hope at some date the Government will see their way to do this. I have not anything further to say, but I support the second reading.

On motion by Hon. D. G. Gawler debate adjourned.

BILL—SOUTHERN CROSS-BULLFINCH RAILWAY APPROPRIATION.

Received from the Legislative Assembly and read a first time.

BILL—PERTH MUNICIPAL GAS AND ELECTRIC LIGHTING.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This is a short Bill, but a very important one so far as it relates to the city of Perth and the ratepayers of the City. As the title indicates, it authorises and provides a way of raising money for the Perth city council purchasing the Perth gas and electric lighting works. The Perth Gas Company was established in 1882, receiving certain concessions for supplying the city of Perth and districts with gas and electric light. In the Perth Gas Company's Act provision was made in Section 50 enabling the city of Perth at any time after the 31st December, 1906, to purchase all lands and buildings belonging to the company after giving six months' notice of their intention to purchase. The same section sets forth that the purchase price shall be arrived at by mutual agreement, or in the event of failure to agree, any dispute arising between the two parties as to the purchase, the price shall be determined by arbitration. In accordance with that provision contained in the Perth Gas Company's Act, on the 15th June, 1908, over two years ago, the Perth city council gave notice of their intention to the existing company. On the 15th August following, the council wrote to the company suggestion a conference of the two parties. This conference was, however, declined by the company. At the expiration of the six months' notice, which would be in December, 1908, the Perth city council again communicated with the representatives of the company, offering them £158,868 for the purchase of the property. The company did not answer yea or nay with regard to the price, neither did they agree as to a conference, but initiated a discussion as to the basis on which the council had arrived at the price. On the 7th January, 1909, the

town clerk of Perth wrote to the company again asking for a definite reply regarding the offer made. The company replied that in order to ascertain the respective rights of the ratepayers and the company, and to avoid expense and delay of premature arbitration, a writ had been issued by them against the council for the declaration of their rights. The council advised the company that they could not accept the procedure proposed by the company and required that the matter should be referred to arbitration. On the 14th March, 1909, the company applied to the court for an injunction restraining the council from proceeding to arbitration until after the trial, which I have mentioned. This application was dismissed by Mr. Justice Burnside in the Supreme Court, and the decision was afterwards upheld by the Full Court. Following on this the arbitrators sat for 11 weeks taking a vast amount of evidence, and the arbitrators did not give a decision, for reasons which I will explain later on. The highest valuation for the company, according to evidence given before the arbitrators, was £236,564, and the council's highest valuation, which included 12½ per cent. for engineering and architects' fees, was £155,582. After a large volume of evidence had been taken, the question was then raised as to whether they would determine the amount of purchase money on the commercial or structural value of the company's property. The real issue, therefore, would be the actual value of the plant and the property as it stood, or whether they would have to pay for the value of the concession granted by law to the company for which the goodwill was claimed. These points having been raised, it was impossible for the arbitrators to give a decision until the court had given them instructions as to the basis on which the valuation was to be arrived at. The case was submitted to the Supreme Court, and resulted in favour of the council. An appeal was made to the Full Court, and the court ruled as follows:—

In determining the amount of purchase money the basis of calculation should be merely the value of the land,

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buildings, hereditaments, lamps, pipes, stock, and appurtenances regarded as being *in situ* capable of earning a profit and should not include the value of the company's statutory powers and privileges or the amount of profits that have or can be earned by means of the said property or the exercise of the said powers and privileges in the company's business of producing and selling gas and electric current under the provisions of the Perth Gas Company's Act and amendments.

Therefore the decision of the Full Court was in favour of the council. The company had not paid anything for goodwill, but the plant had to be valued. The company are still not satisfied with that decision, and they are appealing to the Privy Council. That decision cannot possibly be given this year as, I believe, the case cannot come on before the middle of next year. The City council, it seems to me, have gone rather the wrong way about the business. It would have been wiser, I think, for the City council to have presented this Bill to Parliament before taking the proceedings they did, because until the Bill is passed they have no lawful authority to raise the money to carry out the decision of the arbitrators; that is to say, under the provisions of the Municipal Institutions Act it does not give them enough power to raise a sufficient sum of money to carry out the purchase, and, consequently, the Bill is now before the House with that object. I say they should have brought in this Bill, firstly, because if Parliament in the first place refuse to pass the Bill they will be unable to proceed; secondly, if the ratepayers, as they will have the power under the Bill, give an adverse vote all their trouble will have been for nothing, and they will be unable to take over the Gas Company's plant. However, they did not elect to move in that way, and the Bill is now before the House as hon. members see it. As I have already mentioned, upon these negotiations the City council has spent the sum of £4,000 principally in legal proceedings. The Bill is a simple one in some respects but it makes some very important amendments, so far as the City council are concerned,

to the borrowing powers conferred by the Municipal Corporations Act. They are given very large borrowing powers under this Bill, but for this sole purpose only. As I have already stated, it is impossible under the Municipal Corporations Act of 1906 for the City council to raise a sufficient sum of money to acquire this important public service. The amount proposed to be raised is not set out in this Bill, for the obvious reason that the decision of the Privy Council as to payment for goodwill has not yet been given and until it is given it is quite impossible to arrive at the amount which the municipality will have to pay. First of all, very liberal provision is made in the Bill to enable ratepayers to object to the loan being floated. That provision is not quite the same as the provision in the Municipal Corporations Act, but it is more liberal in this respect, that when the loan is announced a petition of twenty ratepayers can demand a poll. The machinery for having the poll is somewhat different to that prescribed in the Act. Under the Municipal Corporations Act only property owners can vote in objection to a loan, but a departure is made in this instance in the direction of providing a special roll which will include all occupiers and owners of property within the City area. There is no doubt good reason for adopting the principle in connection with ordinary municipal loans that only owners shall vote, because it is provided that a rate sufficient to earn interest and sinking fund shall be levied, and a direct charge is made on property. Therefore it is a very proper provision in the Act that only owners should vote in giving the municipality power to borrow. But this proposed loan is entirely different, for the reason that it is proposed by the municipal council to take over a going concern. This going concern is a highly profitable one, and according to the last balance-sheet for the year ended 30th May last, it showed a profit of £31,000. That profit would fully provide for interest and sinking fund. Hon. members will also notice that under the provisions of this Bill, unlike the Municipal Institutions Act, it is not obligatory on the corporation to strike a rate sufficient to provide interest

and sinking fund. It is provided that such interest and sinking fund shall be paid out of the profits of the concern. However, so long as the profits are as large as they are at present, there need be no rate, but it is provided that a rate may be struck in the event of the profits not being large enough to provide interest and sinking fund.

Hon. W. Kingsmill: The profits could be a great deal less and still provide interest and sinking fund.

The COLONIAL SECRETARY: Yes. If the council get it on the terms they are offering the concern would pay more than interest at, say, 4 per cent. and sinking fund at, say, 2 per cent. I do not think that there is much fear, allowing for decent management, that it will be necessary to strike any rate for this purpose.

Hon. J. W. Laughsford: Two per cent. is very low for sinking fund on an electric lighting plant.

The COLONIAL SECRETARY: Perhaps for buildings and things of that kind, but they will probably pay that out of revenue. Another reason why a rate to cover interest and sinking fund should be inserted is that it will enable the council to borrow money more easily and will afford a guarantee to those who take up the debentures that their money and interest are secure. Another departure from the Municipal Corporations Act is contained in Clause 10. The Municipal Corporations Act provides that if a majority of the persons who go to the poll are against a loan the loan cannot take place. This puts it the other way about, by providing that if a majority of the persons whose names are on the special roll forbid the council to proceed the council cannot proceed.

Hon. J. W. Hackett: That makes it that you must get an absolute majority.

The COLONIAL SECRETARY: That is practically what it means. You must get 51 per cent of the voters on the roll to poll against it to prevent the loan being raised. On the other hand, it may be argued that it is only reasonable to make this provision, because those who are against the loan will use all their powers to bring the people to vote against it, whereas there is no provision to bring

to the poll those who favour the loan. I think that in this instance it is not altogether an unreasonable proposal, bearing in mind that this loan is being floated for a special purpose and for the taking over of a highly profitable undertaking. It is paying a good rate of interest and sinking fund at the present time, and undoubtedly Perth and suburbs are going to grow. The council are given power to operate over a radius of five miles from the town hall, and if they make a profit now, it goes without saying that unless there is very bad management indeed they must make a bigger profit in future.

Hon. D. G. Gawler: This assumes that the loan is an advantageous one.

The COLONIAL SECRETARY: Yes. Those are the main features of the Bill, which is one that greatly concerns the people of the city of Perth and the property owners. I beg to move—

That the Bill be now read a second time.

Hon. A. G. JENKINS (Metropolitan): After the remark which has fallen from the hon. Mr. Gawler, I would just like to give the House a few figures to show what a really advantageous proposition this would be to the City and why Section 10 assumes that the loan will be an advantageous one. At the present time, if the judgment of the Full Court of Western Australia is upheld, the valuation will either be £155,000 (the council's valuation), or £236,000 (the company's valuation). Assuming the purchase to be on the basis of £155,000, according to the balance-sheet of the company there will be a net annual profit to the council of £25,000; on the other hand, assuming it to be on the basis of £236,000, there will still be a net annual profit to the council of £21,000. That, of course, does not allow anything for sinking fund.

Hon. W. Kingsmill: What do you mean by a net profit?

Hon. A. G. JENKINS: Over and above working expenses, but not allowing for interest and sinking fund. Even if £400,000 be required and the company obtain everything they desire from the Privy Council, there will still be a net annual profit to the council of £15,000.

The council feel that with such an advantageous proposition before the ratepayers it is not reasonable to expect them to spend money, over and above the large amount they have already expended in legal expenses, to get the ratepayers to vote on a question like this. They feel that if they were to be placed in that position, a large corporation who might desire to retain such an advantageous concern in their hands, might by spending a very large sum of money, be able to defeat the council, if simply a majority poll one way or the other were provided for. Therefore, this provision has been inserted in the Bill; and it is not altogether new, because in all the Municipal Acts up to 1902 a similar provision was inserted. The council feel that in the circumstances the old provision should be reverted to, and that if an absolute majority of the ratepayers on the roll think this loan should not be floated they should come forward and say so. If that be not so, the council feel that the proposition is such an advantageous one, and one which the majority of ratepayers are heartily in accord, that they might not go to the poll to record their vote, and thereby the very good objects of the Bill might be defeated. Those are a few of the figures I have been asked to place before the House by the City Council. I have much pleasure in supporting the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee:

Clauses 1 to 8—agreed to.

Clause 9—Vote of ratepayers, how taken:

Hon. J. W. LANGSFORD: This clause made provision for a special roll to be prepared by the town clerk and there was nothing about the revision of that roll. Accidentally, hundreds of names might be left off the roll. Would the Colonial Secretary explain whether that was safeguarded against?

The COLONIAL SECRETARY: Off hand he could not answer the hon. member's question, but Clause 15 provided that a number of the sections of the Municipal Corporations Act should be

incorporated in the Bill. One of these sections possibly safeguarded the position. Inquiries, however, would be made and if what the hon. member desired was not provided for, the Bill would be recommit-
ted.

Clause passed.

Clauses 10 to 19—agreed to.

Schedules—agreed to.

Title—agreed to.

Bill reported without amendment, and the report adopted.

ADJOURNMENT—ARRIVAL OF AUSTRALIAN DESTROYERS.

The COLONIAL SECRETARY (Hon. J. D. Connolly): I intend to move that the House at its rising adjourn until Tuesday next. As hon. members are aware, to-morrow has been declared a public holiday in order to give a reception to the officers and men of the two destroyers of the new Australian Fleet. The vessels arrived at Fremantle to-day and to-morrow there will be numerous attractions provided. It is my intention, therefore, to move—

That the House at its rising adjourn until Tuesday, the 29th November.

Question passed.

House adjourned at 9.20 p.m.

Legislative Assembly,

Wednesday, 23rd November, 1910.

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

CYCLONE AT BROOME.

The PREMIER (Hon. Frank Wilson): I regret to say that I have had some bad news from Broome in regard to a cyclone that struck that port on the 19th inst. The following is a telegram I have received:—

Disastrous cyclonic gale struck Broome Saturday 19th. Glass commenced falling Friday morning. Resulted in 100 luggers making the port before nightfall. Wind commenced very strong about midnight and increased in force with heavy squalls. Reached highest velocity about 2 p.m. Saturday, by which time nine inches rain had fallen. Many luggers in port had now dragged their anchors, and were piled up on the shore between the jetty and entrance point. Verandahs, roofs, and whole houses had by then been blown in all directions, and a large portion of population were obliged to seek shelter at the houses still remaining. By five o'clock wind lulled but recommenced with terrific violence from the Nor'-West. Trees, fences, and telephone posts now levelled and the utmost desolation prevailed. Wind with rain continued throughout night but lulled in the morning by which time sixty-seven luggers were piled up on the beach. Seventeen were afloat and it is estimated that between thirty and forty had sunk at their moorings. Several luggers are known to have been wrecked along the coast and between seventy and eighty are still unaccounted for, though it is thought many of these may have taken refuge in various creeks along coast. Rescue parties have been sent out, and luggers are patrolling coast to render assistance. So far two white men, Farrell and Street, employed by Everett, are known to be lost and ten coloured crew. Fear their number will be greatly augmented, but full particulars will not be to hand for some days. No casualties on shore, but many narrow escapes from flying roof iron. Estimated damage ashore between fifteen and twenty thousand. Impossible estimate damage to shipping. Labour and