

with refreshment rooms at Kalgoorlie and Northam railway stations.

THE PREMIER: That was a departmental matter.

MR. THOMAS: The Legislative Council had passed a resolution and asked the Assembly to concur in the opinion expressed, that it was necessary to have refreshment rooms at Kalgoorlie and Northam.

THE MINISTER FOR RAILWAYS: This matter depended entirely upon the decision of the Government as to whether they would have dining-cars introduced into Western Australia, which he thought preferable, if proper arrangements could be made, or whether refreshment rooms should be erected. This seemed to be absolutely and entirely a departmental matter, and not one that should occupy the attention of that august Chamber in another place. Not much could be done by introducing minor matters into the arena of politics.

MR. HASTIE: It would be well if the House could discuss the Order of the Day dealing with the treatment of aborigines. Certain members representing Northern constituencies desired that the Ministry should ask the Federal Government to appoint an independent commission of inquiry. That proposal should be adopted, to show that the Government were not afraid of investigation.

Question put and passed, and the orders discharged.

THE PREMIER: This motion was not intended to prevent discussion to-morrow of the report of the Coolgardie Water Scheme Select Committee, which had been ordered to be printed.

THE SPEAKER: Though notice had not been given, the report might be discussed by leave of the House.

ADJOURNMENT.

The House adjourned at 10.30 o'clock, until the next day.

Legislative Council,

Tuesday, 18th February, 1902.

Papers presented—Questions: Dredge at Albany, Damage to Vessel—Question: Mail Steamer, Albany to Esperance—Motion: Remounts for Army, Breeding Depot—Land Act Amendment Bill, Assembly's Amendments (resumed)—Industrial Conciliation and Arbitration Bill, Amendments reconsidered—Wines, Beer, and Spirit Sale Amendment Bill, Council's Amendment reconsidered—Royal Commissioners' Powers Bill, second reading, etc.—North Perth Tramways Bill, first reading; Standing Orders Suspension—Brands Bill, second reading (negative)—Roads Act Amendment Bill (arrested)—Health Act Amendment Bill, Council's Amendment reconsidered—Early Closing Bill, Assembly's Amendments—North Perth Tramways Bill, second reading, etc.—Adjournment.

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

PRAYERS.

PAPERS PRESENTED.

By the **MINISTER FOR LANDS**: 1, (on motion by Hon. J. T. Glowery), Fire Brigades Board, Report for year ending 31st December, 1901. 2, Public Works Department, Return showing names, remuneration, etc., of all assistants engaged at present in the Department.

Ordered: To lie on the table.

QUESTION—DREDGE AT ALBANY, DAMAGE TO VESSEL.

HON. W. MALEY asked the Minister for Lands: 1, The estimated cost of repairing the vessel recently damaged by the dredge at Albany; 2, The estimated cost of demurrage of vessel owing to accident and for repairs; 3, If attention has been drawn to the slowness of the progress in repairing the vessel.

THE MINISTER FOR LANDS replied: 1, £800. 2, Demurrage £500, and repairs £800; total, £1,300. 3, No.

QUESTION—MAIL STEAMER, ALBANY TO ESPERANCE.

HON. W. MALEY asked the Minister for Lands: If the Government will take steps to secure the continuation of the mail service by steamer from Albany to Phillips River and Esperance, which lapses early next month.

THE MINISTER FOR LANDS replied: The Government is in communication with the Federal authorities in regard to this matter.

MOTION—RECOUNTS FOR ARMY, BREEDING DEPOT.

HON. C. SOMMERS (North-East)
moved:

That, in the opinion of this House, it is desirable that the Government draw the attention of the Imperial Government to the suitability of the country recently discovered by the Kimberley Exploration Expedition for the purpose of establishing a depot for the breeding of army remounts.

Hon. members would see that if such a depot as he advocated were established by the Imperial Government, it would be of considerable importance to this State. The Kimberley Exploration Expedition had found a very valuable tract of country of something like six million acres, which would be suitable for the establishment of such a depot. He understood it was the intention of the Government to throw this land open for selection about June next; also that a representative from the Imperial Government was already visiting Australia with the object of seeking such a tract of country for the breeding of army remounts. He did not think it would be interfered with in any way by wild horses or anything of that sort. This was a new country, and it was eminently adapted for the establishment of a depot such as he suggested.

Question put and passed.

LAND ACT AMENDMENT BILL. LEGISLATIVE ASSEMBLY'S AMENDMENTS.

Consideration resumed from the previous day, in Committee.

Amendment No. 9.—Clause 3, strike out the clause:

HON. F. T. CROWDER moved that the Chairman do leave the Chair.

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

Ayes	...	...	...	8
Noes	...	...	...	14

Majority against ... 6

Ayes.
Hon. G. Bellingham
Hon. F. T. Crowder
Hon. J. T. Glourey
Hon. W. Halsey
Hon. J. E. Richardson
Hon. H. J. Saunders
Hon. F. M. Stone
Hon. T. F. O. Brimago
(Teller).

Noes.
Hon. R. G. Burges
Hon. E. M. Clarke
Hon. J. D. Connolly
Hon. C. E. Dempster
Hon. R. S. Haynes
Hon. A. Jameson
Hon. A. G. Jenkins
Hon. A. B. Kidson
Hon. R. Laurie
Hon. E. McLarty
Hon. G. Randell
Hon. Sir G. Shepton
Hon. J. M. Speed
Hon. C. Sommers
(Teller).

Motion thus negatived.

THE MINISTER FOR LANDS moved that the amendment be agreed to. Question put and passed.

No. 10—Clause 4, strike out the words "a term not exceeding 21 years from the date thereof," and insert the words "such term not exceeding 99 years as to the Governor may seem fit" in lieu:

THE MINISTER FOR LANDS moved that the amendment be agreed to.

HON. R. G. BURGESS: This amendment certainly gave the Executive far too much power. Under it 25 acres of land might be granted for almost any purpose. Let hon. members imagine the value of a grant of 25 acres of land for 99 years in Kalbarrie. Of course, a rental was provided; but that was merely nominal. While thoroughly trusting the present Government, he did not wish to trust beforehand all Governments to come. A 21-years lease was quite long enough for all the purposes of the clause. Members of the present Ministry had formerly opposed the granting of these leases: now, on the last day of the session, they were found advocating them.

THE MINISTER FOR LANDS: Under the old Act these leases could not be granted for a term exceeding 21 years. Such works as tanneries, factories, paper mills, jetties and so forth, could not be established if the lease were limited to a term of 21 years. In order to safeguard the matter, the clause provided that in all cases where a lease was desired for a longer term than 10 years, notice of the application, stating full particulars, must be published in the *Government Gazette* four times.

HON. R. S. HAYNES: Parliament might not be sitting.

THE MINISTER FOR LANDS: The Government, representing Parliament, would be in existence, and would see that no improper action was taken. Any Minister exceeding his powers would soon be brought to book when Parliament met. Hon. members appeared almost to think the object of the Government was to take undue advantage; but there were not many cases of the kind to be pointed to in the whole of Australasian political history.

HON. J. M. SPEED: The explanation of the Minister was incomprehensible. The hon. gentleman talked about people

desirous of establishing tanneries, for example, requiring a lease for a longer term than 21 years; but the fact was that people establishing industries preferred freehold to leasehold. Evidently this Bill was intended to apply mainly to lands on the goldfields; and there a 21 years' lease was practically equivalent to a freehold, because few goldfields towns lasted longer than 21 years.

SEVERAL MEMBERS: No.

HON. J. M. SPEED: So soon as the gold was worked out, mining centres fell away in point of population and importance. Kanowna afforded an instance of this.

MEMBER: What about Ballarat?

HON. J. M. SPEED: It was strange to see an amendment of this kind introduced by the Assembly. Had it emanated from this House, there would be no occasion for surprise.

HON. C. SOMMERS: Hon. members must not take it for granted that because the Government were by this clause given power to lease for 99 years, they would exercise that power at every opportunity. Under the present Act the minimum rent chargeable was £3 per annum. It had to be noted that a 21-years' lease was not long enough to entice people into starting a new industry. They might not always have the money to purchase freehold land, in addition to erecting their plant. Mr. Speed's contention, that this clause applied almost solely to goldfields, did not hold, because the provision was also designed to promote the establishment of wharves, quays, ship-building yards, salt manufactories, and fishing stations. It was certainly fitting that the Government should be entrusted with this power. No member of the House could point to any job perpetrated in connection with the administration of the Lands Department.

HON. R. G. BURGESS: What about the Kurrawang Syndicate?

HON. C. SOMMERS: The Kurrawang Syndicate was a subject with which he was familiar.

THE CHAIRMAN: The hon. member should speak to the amendment, and not allow his remarks to follow the course of interruptions.

HON. C. SOMMERS: Hon. members were displaying a tendency to distrust all Governments, and every body.

HON. T. F. O. BRIMAGE: Twenty-one years was long enough for a lease. If at the end of a term it should be found that hardship would result from the cancellation of leases, representations might be made to Parliament, which would no doubt prevent any injustice. Indeed, there was no reason to doubt that leases of this kind would be renewed in the same way as gold-mining leases, which were invariably extended if it were proved that the gold was not worked out. The provision as to 99 years' leases was in the nature of a cemetery clause.

HON. C. E. DEMPSTER: It would not be to the interest of the country to grant leases for such periods as 99 years. A term of 21 years was quite long enough to allow of the establishment of any industry. Surely Government aid should not be sought in the establishment of such businesses as inns, stores, and smithies. Again, was a 99 years' lease necessary in the case of guano islands?

THE MINISTER FOR LANDS: Guano islands were exempt.

HON. A. B. KIDSON: While not professing to know much of the matter under discussion, he would support Mr. Burgess, out of respect for the superior knowledge of that hon. member and other country members on land matters.

HON. C. SOMMERS: This clause applied to towns as well as the country.

HON. A. B. KIDSON: Quite so. The manner in which the pastoral and agricultural members had supported the legal members of the House on legal Bills entitled them, if only as a matter of courtesy, to support on this occasion. With regard to the Government, he considered them above suspicion, but after hearing the remarks of the country members, who thought that 99 years was too long a period, he should vote for the amendment.

HON. J. T. GLOWREY: The amendment should be carried, because land on the goldfields was practically valueless, and 21 years was not a sufficient time.

HON. H. J. SAUNDERS: So far as this State was concerned, the amendment was absolutely a new departure. Up to the present date people had never been allowed to take up land for 99 years. Members ought not to allow the amendment to go through at this late period of the session.

HON. R. S. HAYNES: It would be dangerous to allow any Government to grant a lease for 99 years for this purpose, because it would be opening the door to very questionable transactions. The Minister for Lands said he did not think that in all Australia there had been very many jobs perpetrated by Ministers, but he regretted to say that the converse was his experience, and that very few transactions stood the light of day. [MEMBER: Name one.] The position of the Hampton Plains Syndicate in the country was quite sufficient answer. He would not say anything about the Kurrawang Syndicate, for that might be treading upon someone's toes. There were so many cases that he would not refer to them all. If a company was strong, it could buy the land, and if it could not buy it, a term of 21 years was sufficient.

Question negatived, and the Assembly's amendment not agreed to.

No. 11—Add the following new clause, to stand as Clause 8:—

The Governor may grant to any lessee or licensee, under Part XI. of the principal Act, upon such conditions as to the Governor may seem fit, permission—

(a.) To construct and use tramways through and upon any Crown land or reserve, and to employ locomotive engines or other motive power and wagons for the haulage of timber, piles, poles, barks, sandalwood, or firewood, lawfully felled, cut, split, or removed; and

(b.) To connect any such tramway with any Government Railway, subject to the regulations of the Railway Department made from time to time with respect to private sidings.

Any such permission may be revoked at the will of the Governor, and no person shall be entitled to recover compensation for any loss or damage he may sustain in consequence of such revocation:

THE MINISTER FOR LANDS moved that the amendment be agreed to. As members were aware, there had been much discussion about the Kurrawang Syndicate. One of the things he found it necessary to do when he took office was in connection with the Kurrawang Syndicate, and he had been somewhat severely taken to task in the matter; but although he had examined himself several times on the question, he still thought he did what was right. He found that a previous Minister gave the right to lay a temporary tramway down, and he believed the

Minister did so on good grounds. One did not think there was any reason to suppose the Minister did anything but what he considered best for the country at the time. There was, however, this difficulty, that a Minister had power to grant the laying down of a tramline upon Crown land, and having done so it was a very difficult matter to revoke that permission. Unless permission were revoked under statute, the difficulty was very great, and it was in order to get rid of that difficulty this provision was made. Undoubtedly if the State was to progress, we must grant the use of tramlines. At the present time 60 horses were used where 30 were used a few months ago; so we saw the demand was becoming greater every day for expedition and facility in carrying firewood to the great mines on the eastern goldfields. At Kalgoorlie 1,500 tons a day were required, and one syndicate supplied nearly 700 tons, and if that syndicate were suddenly prevented from continuing to supply such timber, the price would rise. The Government allowed the company to go through one of our State forests so that they could get to the timber country, but they did not propose to let this syndicate alone have such power, and at the present time there were in his office some 10 or 12 applications for lines to be granted in different directions in order to obtain firewood as cheaply as possible.

HON. C. SOMMERS: The Government would grant every application?

THE MINISTER FOR LANDS remarked that he did not say every application would be granted, but every application would be dealt with on its merits. At all events there would be no difference made between one claim and another. The Kurrawang Syndicate came under the same conditions as every other tramway company throughout the State, and it must be to the advantage of the State that this clause should be carried. The necessity for timber was very great on the eastern goldfields; and if he felt compelled to take the responsibility of granting to all applicants the right to lay down lines, he would not, unless this clause were passed, have any statutory right enabling him to revoke such permission. This clause would give the power of revocation. If such power were not given, no doubt he could make an

agreement; but sometimes the common law could override agreements entered into, and he was advised by the Crown Law Department that, unless statutory power were given, the Government might be brought into various actions.

HON. F. T. CROWDER: This was a most dangerous clause, and if the Government desired the power they now asked for, the proper way to get it was to bring in a Bill giving such power, and not to "sneak" it into a Land Bill.

HON. C. SOMMERS: It was in the Land Act already.

HON. F. T. CROWDER: This to his mind was simply the thin end of the wedge in regard to private railways, and the House had already passed a resolution that no concession should be granted for private railways without the consent of Parliament. Although there was a stipulation as to what was to be carried on these railways, who was to watch what they carried when once they were built?

HON. J. M. SPEED: No doubt this was practically bringing in the question of private enterprise with regard to railways in the State, but the Government had already granted a concession to the Kurrawang Syndicate, and the awkwardness of the position was that the Government, he understood, said they would not make any tramways or railways themselves for the purpose of supplying timber, or grant concessions for private railways.

HON. R. S. HAYNES: If they did so, they would be acting in the face of a resolution passed by this House.

HON. J. M. SPEED: The Minister would certainly be exceeding the bounds of the law if he made grants which the Crown Solicitor advised should not be made. Whether this amendment was disagreed with or not, private enterprise would do the work in either case. If, however, the amendment were disagreed with, the Kurrawang company would have a monopoly.

HON. R. S. HAYNES: No precedent existed for the introduction of such a clause as this into a Land Bill, more especially in circumstances like the present. The Minister for Lands had laid stress on the dire necessity for the amendment. It was curious, however, that the amendment was not to be found in the original Bill.

THE MINISTER FOR LANDS: At the time the Bill was introduced he had not been in office.

HON. R. S. HAYNES: It was generally understood that the hon. member held a seat in a former Cabinet.

THE MINISTER FOR LANDS: As an honorary Minister.

HON. R. S. HAYNES: Then it followed that a former Minister for Lands had not known his business.

THE MINISTER FOR LANDS: This business had not arisen then.

HON. R. S. HAYNES: It was impossible to contend that the business had arisen during the last few months.

THE MINISTER FOR LANDS: Nevertheless, that was so.

HON. R. S. HAYNES: This Bill had come before the House quite recently.

THE MINISTER FOR LANDS: The Bill had been before the House for months.

HON. R. S. HAYNES: The House had time and again declared itself opposed to private enterprise in railway construction. In this matter one could not differentiate between a tramway and a railway. On the eve of prorogation, Parliament was asked to empower the Minister to grant concessions for the construction of tramway or railway lines, the conditions being left to be settled at the sweet will of the Minister. One could understand the introduction of a comprehensive scheme providing for all contingencies, and throwing the business open to everybody; but certainly the Minister should not be given power to grant one man's application and refuse another's in this respect, for every Minister was swayed either by his own feelings, or was influenced by pressure brought to bear by members of Parliament. The rights proposed to be granted under this Bill might become immensely valuable. Of course, it might be argued that the Government had the power to revoke a license at any time. The Government, however, had the power to dismiss any public officer at a moment's notice; nevertheless they refrained from doing so, even in the case of absolutely incompetent and worthless officers. If the determination of a concession under this clause were asked for, the Government would reply, "Oh, these people have spent £30,000 or £40,000 in building their railway, and certainly the

House would not desire to see a revocation in the circumstances." If the proposed new clause were agreed to, the Bill ought to be shelved.

HON. C. E. DEMPSTER: Serious inconvenience might be caused to the mines unless these tramways were built.

HON. R. S. HAYNES: The cry of serious inconvenience was a mere bogey; otherwise the Bill would not have been left to the end of the session. Both the Bill and the clause were to be mistrusted.

HON. C. SOMMERS: Hon. members should bear in mind that this clause vitally affected the gold-mining industry. By the existing Land Act, the Government had power to grant permission for the laying of tramways for the conveyance of firewood and so forth. Numerous tramways of this kind existed in the South-Western District. Why should not the same privilege be granted on the goldfields? So far, the concession had been granted in only one case; and that concession had, in consequence, become extremely valuable.

HON. R. S. HAYNES: Why was not this amendment introduced into the original Bill?

HON. C. SOMMERS: Because the necessity for it was not recognised then. As we grew older we grew wiser. The gold mines were badly in need of firewood, and the Government could not be expected to construct these temporary tramways; therefore private enterprise should be allowed to step in. The construction of these light lines brought into use much timber that was now absolutely valueless. When in office he had been waited on by deputation after deputation in connection with this matter, and he had promised that at the very earliest opportunity legislation would be introduced granting the right of laying these tramways to everyone. It was the secrecy obtaining in connection with the granting of the Kurrawang Company's concession which had roused public anger. Mr. Haynes should not forget that the Bill had been before the House for some six months.

HON. R. S. HAYNES: No; not this Bill.

HON. C. SOMMERS: It had been his intention to deal with that point. But for political changes, the amendments would have been brought in before.

These tramways would be allowed to carry only timber, piles, poles, barks, sandalwood, and firewood. The justification for inserting this clause in a Land Bill was that a similar provision, though not so clearly worded, was in the existing Act. Moreover, the Minister for Lands had control of forests.

HON. E. McLARTY: There was no reason why the power sought should not be granted to the Minister, and therefore the clause should be supported. It was to be sincerely hoped the Government would not lay down tramways for the carriage of firewood. Such lines were required only for a year or two in any one particular district; they had then to be taken up and re-laid somewhere else. Obviously, this was not a class of work the Government could do as cheaply and effectively as private individuals. Certain hon. members seemed desirous of maintaining the monopoly at present enjoyed by the Kurrawang Company. If the Government could not be trusted with the powers conferred by this clause, they were not fit to hold office.

HON. J. T. GLOWREY: The proposed clause opened up the important question of private enterprise in railway construction; and he concurred with Mr. Haynes opinion that a matter of this kind, if dealt with at all, should be dealt with in a comprehensive fashion. He therefore hoped the Assembly's amendment would be rejected. During the recess there would be opportunities for examining into the question of fuel supply to the mines. It was his intention to move early next session for the appointment of a select committee to inquire into the matter. The Kurrawang Company, which had been in existence for about two years, had already inflicted great injury on the mining industry. The company's railway, which was 40 miles in length, and which was to be extended for another 10 miles, ran almost wholly through auriferous country, which in consequence of the company's operations had been denuded of timber. The probabilities were that during the next two or three years the Government would be asked to build a railway to convey timber to the districts which had been denuded by the company. No doubt the Government would also be asked to take over the Kurrawang Company's line.

HON. R. S. HAYNES: For a million and a half!

HON. J. T. GLOWREY: The Government had persistently refused to build a railway through those districts. Hon. members appeared to regard the interests of Kalgoorlie only; but other important mining centres were affected, and these should be afforded some protection. It appeared that a single officer of the Kurrawang Company had more influence with the Government than half a dozen members of Parliament—that was his experience. Another important matter was that we had a private railway 50 miles in length, and for a considerable distance almost parallel to the State railway. It was our duty to protect as far as possible the interests of the State railways; and while he did not know whether it was proposed to make regulations, he would be exceedingly suspicious of any that might be framed, considering the experience of the Kurrawang Company. We had had reserves proclaimed in that district, and almost the whole of them had been denuded of timber by the Kurrawang Company. Notwithstanding the protests made by himself and other goldfields members, they did not appear to be able to obtain any redress whatever. There was a large portion of auriferous country both north and south of Coolgardie, and east and west of the Menzies line, and he presumed that these were the places where most of those private lines would be built. He did not see any provision made to protect that auriferous country, but in all that auriferous country the timber ought to be reserved, because if it were carried away to Kalgoorlie, we should probably have to build railway lines in two or three years to carry timber back. He would suggest that the whole of these amendments be rejected, and if that were done he would, when Parliament again met, move that a select committee be appointed to inquire into the whole question of firewood supply and wood lines on the goldfields. No injustice could be done in the meantime. The Kurrawang Company on the 15th January received permission to lay down a farther 10 miles of railway, and that would keep the Kalgoorlie mines supplied for a considerable time. Even if that were not so, there were other

places from which timber could be obtained. Representations had been made that supplies could be obtained for the Kalgoorlie mines along the Government railway line, but notwithstanding that fact the Government had always shown this particular company a great deal of consideration. It had been stated on more than one occasion that he opposed this through his opposition to a line going north of Coolgardie. If this clause were passed we should have two or three lines going south of Coolgardie, and there would be one of a length of 30 or 40 miles before the House met again. When the timber was cut away from there the Government would be asked to take that line over. He ventured to say there were as many goldfields members who would oppose this clause as there were goldfields members who would support it.

HON. A. G. JENKINS: The opposition to the clause came from only one town.

HON. J. T. GLOWREY: We had been told that before. We had been told that if a line went south of Coolgardie opposition would cease, but such assertion was incorrect. We had also been told that the Government already had power to grant tramways, but he had the assurance of one Minister—certainly not the Minister for Lands—that this was a mistake, that they had not the power, that the permission given to the Kurrawang company was wrong, that no right had been given, and the Government could call upon the company to take up their railway line any day, but of course there was not the slightest chance of that being done. If this clause were carried, it would inflict grave and serious injustice on many of the smaller mines outside Kalgoorlie. Moreover, if the clause were not now passed no injustice would be done, because the whole question could be gone into, and a satisfactory solution of the difficulty arrived at.

HON. A. G. JENKINS: At present this question more nearly affected the goldfields than any other portion of the community.

HON. R. S. HAYNES: Kalgoorlie only.

HON. A. G. JENKINS: Kalgoorlie and Boulder; anyway, where the gold was. So far as he could understand, the opposition from the goldfields came from one town. He was always anxious to pay great respect to the wishes of that

town, but we should consider the welfare of the rest of the goldfields in preference to the wishes of one town. So far as the Kurrawang Company were concerned, so far from the company inflicting gross injustice on the mining industry, in three weeks half of the mines in Kalgoorlie and Boulder would be shut down if the company were terminated to-morrow.

MEMBERS: Nonsense.

HON. A. G. JENKINS: The quantity of timber required could not be supplied in so short a time.

HON. R. G. BURGESS: Teams could do it.

HON. A. G. JENKINS: The Kurrawang Company supplied what could not otherwise be supplied unless time were given for any other large tram line to be constructed. The company supplied more than half the fuel to the Kalgoorlie and Boulder mines, and he was assured by mine managers that if the company's operations were restricted it would result in very serious loss and inconvenience to the mining industry. At the present time, the Kurrawang Company had practically a monopoly of the wood supply, and they were enabled to increase the price to the mines. In fact, he understood that the price under the latest contract renewed showed an increase of three or four shillings on that previously in existence.

HON. F. T. CROWDER: The timber was farther away.

HON. A. G. JENKINS: If other concessions were granted, that would bring competition into play, and the mines would be able to get their supply of timber much cheaper. There were large belts of timber on the goldfields not touched at the present time, and they could not be touched until these tramways were made; and by making the tramways into those belts no injustice would be done to any great number of mines. Doubtless the Government would see when they granted these concessions that reserves were made around any mines that would otherwise have injustice done to them. He thought the subordinates of the Minister could be trusted to see that the reserves were not too much encroached upon. If these reserves were made, and power given to build tramways into the forest, the result would in the end be of lasting benefit to the min-

ing industry. Fuel must be obtained, and it could not possibly pay to cart timber 30 or 40 miles. Unless competition came into force the present monopoly of the Kurrawang Syndicate with regard to the big mines would increase more and more. Every month and every week lost made the position worse. The matter should not be allowed to stand over till next session. He trusted the Committee would allow the new clause to be inserted.

HON. C. E. DEMPSTER: Unless the new clause were carried, injustice might be done to Kalgoorlie and Boulder.

HON. J. T. GLOWREY: Other mining centres besides Kalgoorlie and Boulder were affected.

HON. C. E. DEMPSTER: Nevertheless, these two were our principal mining centres, and we must look mainly to their interests at the present time. The great mines of the field were altogether dependent on the Kurrawang Company for firewood supplies.

SEVERAL MEMBERS: Not altogether.

HON. C. E. DEMPSTER: It was necessary to visit the fields in order to understand how large a quantity of firewood was consumed. The tramways used in the fuel trade were of a merely temporary nature, and he had always favoured the construction of such lines by private enterprise. The new clause was to the interests of the goldfields, and should therefore be inserted.

HON. R. S. HAYNES: But the new clause applied to the whole State.

HON. C. E. DEMPSTER: The privilege might be extended to other districts, if necessary.

HON. A. B. KIDSON: After hearing the views of hon. members on this clause, one was on the horns of a dilemma. The goldfields members were divided on the subject, whilst the Minister for Lands and Mr. Sommers urged the adoption of the clause with all the force at their command. While desirous of doing everything possible to assist the goldfields, he could not regard the method by which it was proposed to grant these concessions as commendable. He doubted whether in any other part of world concessions of this nature were given in the manner here proposed. No adequate safeguards were provided. To construct even a tramway in a town one

had to obtain not only a provisional order, but also a special Act of Parliament.

HON. A. G. JENKINS: Tramways in towns carried passengers.

HON. A. B. KIDSON: That did not affect the point.

MEMBER: Town tramways were there for all time, practically.

HON. A. B. KIDSON: The proposal here was to give permission to construct railways.

HON. A. G. JENKINS: The comparison was not a fair one.

HON. A. B. KIDSON: Undoubtedly the lines proposed to be constructed under this clause were railways, whatever name might be given them. Surely any permission of the kind should receive the endorsement of both Houses of Parliament before being granted. Let hon. members think of the immensity of the concessions which might be granted under this clause. We had heard enough in the past about one concession to indispose us to face the possibility of similar occurrences in the future. Certain hon. members devoted the whole of their arguments to showing that the proposed new clause would prove beneficial to the goldfields, leaving the rest of the State entirely out of consideration. The clause, however, would apply not only to the goldfields, but to the whole of the State.

THE MINISTER FOR LANDS: Not quite that.

HON. A. B. KIDSON: Anyhow, it did not apply to the goldfields alone.

HON. C. SOMMERS: Why should not the goldfields be supplied with firewood?

HON. A. B. KIDSON: Mr. Sommers had not heard from him one word against the mines being supplied with firewood. But they should get it in the ordinary and proper manner. The clause proposed to place in the hands of the Minister a power which Parliament alone should exercise. We could not expect to have always as immaculate an Administration as the present, and we must look to possibilities and contingencies of the future. He trusted the clause would not be inserted.

HON. W. MALEY: After Mr. Kidson's remarks on the proposed new clause, he felt constrained to vote against it. By Amendment No. 10, power was given to lease areas for 99 years. While he did

not know whether there was any connection between amendments 10 and 11, he felt bound to point out that the two clauses conjointly might be used by shrewd business men to secure enormously valuable concessions. A railway might be built and land might be secured on very long lease, licensing privileges might be obtained, and, in fact, a town established by means of leases and concessions obtained under the two clauses.

HON. R. LAURIE: The speeches of opponents of the proposed new clause would have led him to vote for it, had not his intention been to do so on other grounds. Certain hon. members posed here occasionally as apostles of private enterprise. Here was a distinct opportunity for them to give effect to their principles by allowing the construction of private tramways, so greatly needed by the goldfields. At the present time the Kurrawang Company alone were in a position to supply firewood to the mines, and anything we did to enable other contractors to join in the business would be a step towards the abolition of a monopoly. Possibly the Government would be asked at some future date to take over firewood tramways; but it was thoroughly well understood that these lines were laid down for the one specific purpose. When the timber was cleared away, the owners of the tramway could be compelled to remove it. He had every confidence in the Minister of the day. If the clause were rejected, the Kurrawang Company would be able to cut for a distance of half a mile on each side of the line, whereas, if it were adopted, the distance to which they could cut would be reduced to one chain. It was only right that firewood contractors now willing to supply the mines, and to supply them at a cheaper rate than the Kurrawang Company, should be given an opportunity of doing so.

THE MINISTER FOR LANDS: All hon. members who had spoken on the clause recognised the necessity for affording ample facilities for the supply of firewood to the gold mines. Certain hon. members had said that the requisite fuel supplies could be hauled by horses, and that tram lines were not wanted; but, as a matter of fact, hon. members might take it that tram lines were wanted. Two points had been raised, particularly by legal members. It had been argued that

the new clause should not be inserted in this Bill because no such provision was found in the legislation of any other State. By Section 121 of the Land Act, a lessee might construct railways; but, as a matter of fact, on the goldfields the Government had not been granting timber leases—they simply granted licenses. They found there were certain dangers, and they thought it not wise to grant a lease in particular areas. Were a lease granted to these timber cutters, the Government would not want this power at all. All he wanted to show members was that a power of a similar nature to that now asked for already existed in the Lands Act. Some members said that this was not the time to make such a proposal as the present, and that it would do very well six months hence, when Parliament met again. There were, however, a number of applications waiting to be dealt with at the present time, and all these people were prepared to lay down lines.

HON. R. S. HAYNES: Before the Bill passed?

THE MINISTER FOR LANDS: They were waiting at this moment.

HON. R. S. HAYNES: How did the applicants know the Bill was going to pass?

THE MINISTER FOR LANDS: The Government possessed the power at present with regard to leases.

HON. R. S. HAYNES: Yes, leases; but people had to pay for leases.

THE MINISTER FOR LANDS: The license fees had been cut down, but in the past the Government had received a considerable revenue from them: some £27,000 a year. There were 2,500 woodcutters, and £3 per head was received. He regretted the amount had been so seriously cut down, but that would not be done so much in the future, and we might have to meet the woodcutters in some other way. The matter was more or less urgent in two directions. Already there was one syndicate which had been granted this facility, and the syndicate was carrying the work out, and it was unreasonable to refuse to grant similar concessions to others. Supposing a concession were granted, three months would elapse before the work could be carried out, for the applicants would have to telegraph to the old country for the rails. He was told that he was pushing this very hard; but

it was in the interests of the State. He personally was uninterested in the matter, but he could see from the appeals that came to him that what was asked for was very much required.

HON. J. M. SPEED: The Minister for Lands had thrown a new light on the subject by pointing out that under Section 121 of the Lands Act more power was given to the Government than would be given under this clause; and the lessee, whoever he might be, obtained far more advantages by obtaining a lease under Section 121 than he would by getting a license under this clause. One did not understand why, when this new clause was added, Section 121 of the Lands Act was not repealed. Numerous complaints had reached the Government with regard to the way in which the railways on timber concessions had been carried on; and it would be well if the Government, through the Minister for Lands, were to assure the Committee that if any concessions for tramways to be constructed were granted, they would be granted under this clause, and not under Section 121 of the Lands Act.

HON. R. S. HAYNES: There were goldfields besides Kalgoorlie, and in his province there was a goldfield which ranked next to Kalgoorlie in point of return yielded. He spoke of the Murchison. He had represented the district for six years, and had never heard any demands for these lines. The more this question was debated the more evident it became that it was necessary to throw out the Bill. The Minister for Lands said power was given to grant these concessions under Section 121; but he (Mr. Haynes) asked the House to accept his opinion that the Government had no such power. Section 121 said:—

A timber lease shall authorise the lessee to construct railways and tramways on and through the area comprised in the lease, and to haul timber to and from the mills; and the Governor, may, if he thinks fit, authorise the lessee to lay down such railways and tramways on other Crown lands.

But how about licensees? The Kurrawang Syndicate were licensees, and under Section 121 the Government had no power to grant such a concession to the Kurrawang Syndicate or anybody else. That being so, why did the Government grant an extension of 10 miles and then

come here at the eleventh hour of the session and ask for farther power to grant concessions? He challenged contradiction from any lawyer, or anyone else, of the statement that Section 121 did not confer on any person licensed to cut wood such a concession as that referred to. Section 110 dealt with the matter in this way:—

A timber license, authorising the licensee to fell, cut, split, and remove any timber growing or standing on any Crown lands in the locality named in the license.

That was a timber license; it was not a lease. A lease gave one a right as user of the soil, but a license only allowed one a right to go over the soil for the purpose of taking wood. He had not the slightest objection to expediting the granting of concessions to everybody for the purpose of carrying timber; on the contrary, he was almost eager to assist people. He asked the Committee not to pass this clause, principally because if they did so they would be granting a license with no conditions whatever. He was willing for a Bill to be passed giving every person a right on complying with certain conditions, and then we should have plenty of timber; but he asked the Committee to pause before authorising the Government to do that which was absolutely illegal and wrong.

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

Ayes	...	...	12
Noes	...	...	9
Majority for ...			
	...	...	3

AYES.
 Hon. J. D. Connolly
 Hon. J. T. Glowrey
 Hon. A. Jameson
 Hon. A. G. Jenkins
 Hon. R. Laurie
 Hon. E. McLarty
 Hon. G. Boudell
 Hon. H. J. Saunders
 Hon. C. Sommers
 Hon. J. M. Speed
 Hon. F. M. Stone
 Hon. C. E. Dempster
 (Teller).

NOES.
 Hon. G. Bellingham
 Hon. T. F. O. Brimage
 Hon. R. G. Burges
 Hon. F. T. Crowder
 Hon. R. S. Haynes
 Hon. A. B. Kidson
 Hon. W. Muley
 Hon. J. E. Richardson
 Hon. J. T. Glowrey
 (Teller).

Question thus passed, and the Assembly's amendment agreed to.

HON. R. S. HAYNES moved that the Chairman do leave the Chair.

Put and negatived.

No. 12—Add the following new clause:—“As from the 30th day of June, 1902, nothing contained in Sections 69 and 72 of the principal Act shall apply to the South-West Division of the State”:

THE MINISTER FOR LANDS moved that the amendment be agreed to.

Put and passed.

No. 13—Add the following new clause:—

Every application for land shall be accompanied by a statutory declaration by the applicant to the effect—(a.) That the application is made by the applicant in his own interest and for his own exclusive use and benefit, with the intention of holding and improving the land in accordance with the prescribed conditions. (b.) That the application is not made in the interest of, or for the use or benefit of any other person whomsoever than the applicant. (c.) That the applicant has no interest in any land which should preclude him from making the application, or which, if added to the land applied for, would make the applicant the holder of a larger area than authorised by law.

THE MINISTER FOR LANDS moved that the Assembly's amendment be agreed to. The object of the proposed new clause was to prevent dummying. It had been urged that the provision as to statutory declarations would cause difficulty; but under the existing Act the Minister had power to appoint an agent to take the declaration.

HON. R. G. BURGESS: The Land Regulations provided all that was necessary, and therefore the amendment was not required. If a leaseholder became bankrupt his land could not be dealt with in any way, except with the consent of the Minister. That was surely protection enough.

HON. R. S. HAYNES: If the intention was to introduce legislation preventing dummying, then that legislation should be such as would prevent dummying in connection with timber leases and tramway concessions, as well as in connection with land. To aim a clause of this nature at persons desirous of taking up land was class legislation of the worst description. The amendment was totally unmeaning. In New South Wales it was considered the proper course to declare conditional purchases void, if afterwards it turned out that the person applying for the freehold was trustee for some one else. But what was the use of asking persons to take an oath to-day as to what they intended to do to-morrow? In New South Wales the squatters defeated the law by inducing their shepherds to take up generally 40 acres, which area could afterwards be increased

to 640 acres, and then introducing each shepherd to a solicitor, who drew up a will by which the shepherd left the whole of the land to the squatter. Sub-clause (c.) of the proposed new clause was utterly absurd. What was the meaning of the declaration required by it? These amendments were put forward without explanation, in a "take-it-or-leave-it" fashion. The Minister should explain the amendments.

THE MINISTER FOR LANDS: These amendments, which had come up from another place, had been inserted at the instance of some private member presumably.

HON. J. T. GLOWREY moved that the Chairman do leave the Chair.

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

Ayes	...	...	...	9
Noes	...	...	...	13

Majority against ... 4

AYES.
Hon. G. Bellingham
Hon. F. T. Crowder
Hon. J. T. Glowrey
Hon. R. S. Haynes
Hon. A. B. Kidson
Hon. W. Maley
Hon. J. E. Richardson
Hon. F. M. Stone
Hon. T. F. O. Brimage
(Teller).

NOES.
Hon. E. M. Clarke
Hon. J. D. Connolly
Hon. C. E. Dempster
Hon. A. Jameson
Hon. A. G. Jenkins
Hon. R. Laurie
Hon. E. McLarty
Hon. G. Randell
Hon. H. J. Saunders
Hon. Sir George Shepton
Hon. C. Sommers
Hon. J. M. Speed
Hon. R. G. Burges
(Teller).

Motion thus negatived.

At 6-32, the **CHAIRMAN** left the Chair.

At 7-35, Chair resumed.

Consideration of amendment No. 13 continued.

THE MINISTER FOR LANDS: This amendment would not be forced by him at all.

HON. R. S. HAYNES: No doubt the intention of paragraph (a.) was very good, but he did not see the necessity for paragraph (b.), nor could he see any reason at all for paragraph (c.).

THE MINISTER FOR LANDS said he left it to the Committee to say whether they agreed with the amendment or not.

HON. F. T. CROWDER: Did those remarks apply to the whole matter?

THE MINISTER FOR LANDS: Only this portion.

HON. F. T. CROWDER: Had this been before the Committee, No 11 would not have been carried.

THE MINISTER FOR LANDS: That was an amendment introduced by the Government, but this was not.

HON. C. E. DEMPSTER: Ample provision was already made against any one occupier having too much land, and he should support the exclusion of this clause.

HON. E. McLARTY: There was no necessity for this amendment. He thought the State had quite sufficient protection. No matter who took up the land, they could only get it under certain conditions; they must pay the rental and carry out the conditions, and if they did that presumably the State had no more to ask. He could not see any necessity for a statutory declaration.

HON. F. T. CROWDER: We were told that amendment No. 13 was not one which had the Government sanction, and that it was simply brought down as an amendment by a private member of the Assembly. Nos. 11 and 13 stood in the same category.

THE MINISTER FOR LANDS: If a private member introduced an amendment in another place, it was only for him (the Minister) to put it forward for the Committee to agree to or not. The officers of his department did not support this amendment.

HON. F. T. CROWDER: There were lots of other amendments in this Bill, and the position was this. The Minister now said that the clause under discussion was one which the Government did not wish to see in the Bill—anyhow they did not hold by that clause—but that amendment No. 11 was inserted by the Government, and the Government stood by it. He (Mr. Crowder) was in a position to say that both these clauses were moved by private members, and the Government never held one way or the other. He wanted to know why the Government in this House supported one clause and not the other.

HON. A. G. JENKINS: Amendment No. 11 was moved by the Government, and No. 13 was not.

HON. G. RANDELL: Assuming what the Minister for Lands said was correct, was No. 11 introduced by a private member?

THE MINISTER FOR LANDS: It was not.

HON. G. RANDELL: Having that assurance from the Minister for Lands, we need not carry the point farther. With regard to No. 13, he took it that the Government had not opposed it, but at the same time they had not given their entire concurrence.

THE MINISTER FOR LANDS: That was the position.

HON. G. RANDELL: Therefore the representative of the Government in this House did not feel called upon to use his powers of persuasion upon members as he would have done if the amendment had been introduced by the Government. It often happened that a private member introduced an amendment into a Bill, and the Government did not see their way to object to it, but at the same time they did not bind themselves to support it.

HON. W. MALEY: The proposed clause, if inserted, would tend to decrease revenue and preclude settlement. We should welcome new settlers. Another objection to the clause was that it would prove unworkable. Under it, no person could apply by proxy, and a statutory declaration must accompany every application. The latter provision would altogether block applications by telegram from distant parts of the State.

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

Ayes ...	...	...	8
Noes ...	...	...	13

Majority against ...	5
----------------------	---

AYES.
Hon. G. Bellingham
Hon. E. M. Clarke
Hon. F. T. Crowder
Hon. J. T. Glowrey
Hon. A. Jameson
Hon. A. B. Kidson
Hon. C. Sommers
Hon. J. M. Speed
(Teller).

NOES.
Hon. T. F. O. Brimage
Hon. J. D. Connolly
Hon. C. E. Dempster
Hon. R. S. Haynes
Hon. A. G. Jenkins
Hon. R. Laurie
Hon. W. Maley
Hon. E. McLarty
Hon. G. Randell
Hon. J. E. Richardson
Hon. H. J. Saunders
Hon. F. M. Stone
Hon. R. G. Burges
(Teller).

Question thus negatived, and the Assembly's amendment not agreed to.

No. 14 — Add the following new clause:—

(1.) It shall be a condition of any grant under Section 8, Sub-section (a), that so far as any tramway may be constructed over a timber reserve, the grantee shall not cut

any timber or firewood outside of a limit of one chain on each side of the line.

(2.) If encroachment be made on the declared timber reserves by the person or persons having the license to pass over them, the Minister shall cancel the license.

THE MINISTER FOR LANDS moved that the amendment be agreed to.

HON. F. T. CROWDER: It was absurd for the Minister to move these amendments without stating any reason why they should be brought forward at all.

THE MINISTER FOR LANDS: It had already been explained to the hon. member, who apparently refused to accept the explanation, that the Minister's duty here was to put before hon. members certain amendments for agreement or non-agreement. Probably some member in another place had thought this amendment important. If Mr. Crowder did not concur in it, he could vote against it.

HON. C. SOMMERS: The new clause was designed to protect timber reserves, by providing that where private railways went through such reserves, the owners of the railway should be permitted to cut only to a distance of one chain on either side of the line. So soon as the line had passed through the reserve, the owners could cut for any distance.

HON. J. M. SPEED: This amendment was clearly consequential on amendment No. 11. The Minister might have pointed this out.

HON. R. S. HAYNES: The proposed new clause would be very useful, because it in some measure guarded the powers granted under the new clause proposed by amendment No. 11. Hon. members would probably be quite prepared to accept amendment No. 14 with a farther condition added to it. He therefore moved, as an amendment on the Assembly's amendment, that the following be added to the new clause: "The conditions upon which any license to lay down a tramway under Part 11 may be granted shall be laid upon the table of both Houses of Parliament within 14 days after the grant, and such license shall be conditional upon neither House of Parliament disallowing such license." This amendment would take any sting out of the new clause contained in amendment No. 11, which practically gave the Minis-

ter a right Parliament alone ought to have. Now we should endeavour, if possible, to get the power back for Parliament. The amendment was perfectly harmless, unless it should turn out that some person desired to work something while the House was not sitting. To such a person, the amendment on the amendment would prove very objectionable.

HON. J. T. GLOWREY: It was to be hoped that Mr. Haynes's amendment would be carried. The new clause contained in amendment No. 14 was introduced for the purpose of protecting the timber reserves. Experience had shown that all regulations for the protection of those reserves had so far proved useless, and that something more was desirable. The limit of a chain was reasonable. The Kurrawang Company had just been granted a farther concession, permitting them to cut for half a mile on each side of their line in the most important timber belt existing north of Coolgardie. Since the Committee had thought fit to adopt the new clause proposed by amendment No. 11, it behoved us to make the conditions as stringent as possible. Otherwise there would arise under that clause some of the greatest scandals ever perpetrated in Western Australia.

HON. C. SOMMERS: Mr. Haynes's amendment on the Assembly's amendment would practically nullify Clause 11, in favour of which the majority of the Committee had decided.

HON. F. T. CROWDER: Because hon. members believed this to be a Government measure.

HON. C. SOMMERS: This was a Government measure; and we had now before us an amendment which had the support of the Government. To declare forest reserves without taking measures to protect the timber in them was useless. He invited the particular attention of hon. members to the fact that the cutting in connection with a line laid through a reserve would be limited to a chain on either side of the line. This limitation was perfectly reasonable. He hoped the clause would be passed as printed.

HON. G. BELLINGHAM: It was gratifying to hear Mr. Sommers say this clause had the support of the Government, because when the last concession was granted to the Kurrawang Company, allowing them to go through a forest

reserve near Kunanalling, the Government granted them the right to cut timber within half a mile on each side of the line. He was prepared to support Sub-clause 1, because from this having the support of the Government he could see the Government had seen the error of their ways, and curtailed the limit of cutting timber on each side of the line. As to the new clause submitted by Mr. Haynes, it required very careful consideration, and he thought that when members had given it their consideration they would see their way to support it. These wood lines not only applied to the goldfields but also to other parts of the State. Under this section in the Lands Act anyone could apply to the Minister for a right to lay a tram line down within the suburbs of Perth for the purpose of bringing in firewood for the supply of householders in Perth, and that would be a very good undertaking. The same thing would apply to Fremantle. If the Government opened up the field for private enterprise, for laying railways throughout the State, that action would most undoubtedly be a source of great jobbery throughout the whole of Western Australia.

THE MINISTER FOR LANDS: It was to be hoped members would not support the amendment by Mr. Haynes. It was simply an amendment opposed to No. 11, which had been already decided on, and it would be more courteous to the Committee if the hon. member would accept the position, which had been fairly discussed. An amendment should not be introduced which was in direct opposition to that which only an hour ago was passed by the Committee.

HON. W. MALEY: This was only hedging it about and safeguarding it.

THE MINISTER FOR LANDS: It was more than that: it was in direct opposition to what had been passed. It seemed to him impossible to carry on the business of the country if these tactics were pursued, and he hoped that once and for all the Committee would say they were not going to be played with in this manner; otherwise this House, which had had honourable traditions for many years, would hold a very undesirable position in the eyes of the public. Although it was not his wish to bring these things forward here, he might say

that already there was much opposition to this House, and if things were to be carried on in this unconstitutional way there might perhaps be some reasons for the complaints we heard outside. He hoped members would not allow the affairs of the House to be played with in this way, by amendments being introduced in direct opposition to what had already been supported by the majority of the members.

HON. H. J. SAUNDERS: Apparently Mr. Haynes's amendment was introduced in the wrong clause. He did not see what the hon. member's amendment had to do with No. 14, and it certainly appeared to him it was not one which should be passed by the Committee. As the Minister had just stated, if passed it would upset the new clause to stand as Clause 8. Mr. Bellingham had said that if this clause were passed, we should allow tramways to be brought into Perth for the purpose of bringing in firewood; but if the hon. member had read the clause through he would have seen that these tramways might be constructed over timber reserves, and he was not aware that the Government had any timber reserves within some distance of Perth.

HON. G. RANDELL: On the merits of the question, it would be a great pity to pass the amendment, because agreements had to be entered into between these persons. If they were going to run tramlines, expense had to be incurred, and if a proposal were liable to be rejected by Parliament when Parliament met no one would enter into a contract with the Government, neither would the Government feel themselves at liberty to enter into a contract with any person for the construction of tramways. The intention was good, but it would be impossible to apply the hon. member's amendment. No one would go to the expense of purchasing trucks and laying down a tramway if it was to be subject to the approval of Parliament afterwards. Such an amendment as the hon. member moved had often been inserted for the purpose of protecting Parliament and the country perhaps against mistakes or oversight of the Cabinet or Ministry of the day, and that was quite right and proper; but really in this case he saw no reason for it. The amendment would be mis-

chievous in its operation and it would prevent the very thing the Committee had agreed to in No. 11, that the tramways should be laid down in the interests of the goldfields.

HON. R. S. HAYNES: There were occasions when it would be advisable not to insert such a clause as he proposed, and in the ordinary course he would not have moved in that direction; but if at the eleventh hour such a clause as that under discussion was going to be rushed through, we ought to insert the clause he had proposed as a safeguard against any such contingency as often arose. It was said this was a measure in favour of the goldfields, but he denied it. Members strongly in favour of the goldfields, and having their interests and the interests of the country at heart, would be the first to suggest the insertion of such a clause as he advocated. It was not moved with any idea of factious opposition, but for the purpose of assisting the goldfields and at all events providing some little safeguard against what he might call the dangers which beset the Government. Only the other day we were told a farther concession was granted to the Kurrawang Syndicate, and he (Mr. Haynes) asserted that was absolutely illegal. He gave the Government every credit for honest intentions, but if for the sake of expediency they would do such a thing as that, was it not well to say "We will safeguard ourselves at this period"? He had opposed No. 11, not because he was adverse to the spirit of it, but simply because it came down at this late hour in such a way. All the clause which he moved would do was to take the sting out of No. 11. If No. 11 was to be put into operation, let the conditions under which concessions would be granted be brought in, so that the Committee might know what they were. Who was going to do it? It would be out of the ken of the Minister for Lands. Would it be done by the Under Secretary, by the Crown Solicitor, by the Parliamentary Draftsman, or would it be left to Mr. Sommers? The Government to him were an unknown quantity. He did not know who was going to do this, and the Minister for Lands would not tell us who would settle the conditions. It was necessary for the Committee to know on what conditions concessions would be granted.

Were we ever to hear the conditions on which they were to be granted? Would the Minister ever choose to lay those conditions on the table? Why, the Minister could laugh at a motion calling for papers. The late Minister for Lands was, months back, called on to produce certain papers: here was the last day of the session, and yet they were not produced.

HON. C. SOMMERS: Mr. Haynes had not stated why he wanted the papers.

HON. R. S. HAYNES: To expose a piece of villany.

THE CHAIRMAN: The hon. member had better address himself to the amendment.

HON. R. S. HAYNES: These remarks were directed to show that demands for papers might be simply laughed at by Ministers. It was hard to see on what grounds exception could be taken to the amendment he had moved. If it were accepted, there need be no farther opposition to the Bill.

HON. F. T. CROWDER: Mr. R. S. Haynes's amendment on the Assembly's amendment gave the House a farther opportunity to consider the new clause contained in amendment No. 11, and therefore should be supported. The provisions of that new clause were so important that they ought to have formed the subject of a special Bill. Hon. members, in giving away rights, should hedge them in with a barb-wire fence, so to speak. Mr. Haynes's amendment was calculated to prevent abuses.

HON. A. B. KIDSON: Notwithstanding the homily of the Minister for Lands, he felt bound to support Mr. Haynes's amendment. Why did the Government object to the amendment? If they were honest and sincere in their intentions with regard to the new clause contained in amendment No. 11—and he would be very sorry to think otherwise—why should they refuse to allow the rights conferred by that new clause to be surrounded with certain safeguards? Why should not the terms and conditions under which concessions were to be granted be laid before Parliament? It was only right that possibly enormous concessions should be hedged in. Mr. Haynes's amendment was the most important that had been submitted to hon. members for some considerable time.

THE MINISTER FOR LANDS: The Government did not desire to push the amendments on the Notice Paper.

HON. J. T. GLOWREY: The Government would not, however, drop amendment No. 11.

THE MINISTER FOR LANDS: Amendment No. 11 was passed. He asked leave to withdraw amendment No. 14.

Leave refused.

HON. J. D. CONNOLLY: The dropping of amendment No. 14 made all the difference in the world in amendment No. 11. With the amendment now under consideration, the new clause proposed contained in amendment No. 11 was good; but without the farther amendment, it was bad.

HON. W. MALEY: This measure was supposed to be a Land Bill; but every advantage which agriculturists might have expected to derive from it had been long ago eliminated.

THE CHAIRMAN: The hon. member must address himself to the clause, and not diverge into a second-reading speech.

HON. W. MALEY: Unless the amendment were agreed to, the Bill should be shelved.

HON. J. T. GLOWREY: The announcement of the Minister that he was willing to withdraw amendment No. 14 was somewhat startling, since the amendment was absolutely necessary in order to safeguard the interests of the gold-mining industry.

THE MINISTER FOR LANDS said he had already expressed his willingness to accept the amendment on the Notice Paper.

HON. J. T. GLOWREY: Experience had shown that these amendments would not be sufficient. The attitude of the Minister was most surprising, and should make hon. members more anxious than ever to have Mr. Haynes's amendment adopted.

HON. C. SOMMERS: Perhaps the real reason why the Minister was willing to withdraw amendment No. 14 was that time would thus be saved. The matter was one that could be dealt with by regulation.

HON. J. T. GLOWREY: Hon. members would certainly not accept that.

HON. C. SOMMERS: Any excuse was better than none at all, and that was probably the view taken by Mr. Glowrey and Mr. R. S. Haynes in persisting in

their opposition to amendment No. 11. Surely the present amendment, 14, commended itself to the Committee. Forest reserves were under the control of the Minister for Lands, and therefore it was right and proper they should be dealt with in this Bill. One possible explanation of the continued opposition was that there was a desire to wreck the Bill. He appealed to hon. members not to persist in factious opposition. If Mr. Haynes's amendment on the Assembly's amendment were carried, the new clause contained in amendment No. 11 would be nullified. As had been pointed out, people wanted to lay down these tramlines, and before they got their material they wished to know what would be done. If people had to wait until Parliament sat to see if there was any objection, the thing was not worth troubling about.

HON. R. S. HAYNES said he desired to alter his amendment by substituting the word "both" for "neither." Would the Minister for Lands accept that?

THE MINISTER FOR LANDS: No; he did not want the amendment at all; he did not see any advantage in it.

HON. R. S. HAYNES said he did not ask for the alteration unless the Minister would accept the amendment moved.

THE MINISTER FOR LANDS: No.

HON. C. E. DEMPSTER: Apparently quite sufficient safeguard was afforded in the last paragraph of No. 11, and there was little more in constructing a temporary tramway or railway for the conveyance of firewood to the mines than there would be in making an ordinary road.

[Several members dissented from this view.]

HON. C. E. DEMPSTER: These tramways would be constructed simply for the time being in order to convey firewood to where it might be required on the mines; and they could be shifted and taken to any other locality where required. He thought it unreasonable for members to oppose the clause as they were doing, and that the opposition arose more from a wish to obstruct the Bill than from any other motive.

HON. F. T. CROWDER: Exception must be taken to that remark.

HON. J. T. GLOWREY: Yes.

HON. F. T. CROWDER: Mr. Dempster had said the object of the objection was

simply to wreck the measure; but if the Committee saw fit to accept the amendment moved by Mr. Haynes, the Bill could go through. The object was not to wreck the Bill, but the amendment was introduced because certain members recognised that this power should not be put into a Land Bill.

HON. G. RANDELL: On farther consideration of the question he felt inclined to support the amendment moved by Mr. Haynes. The Government might very well accept it, because they might rest assured no Parliament would take exception to any agreement they had entered into, if it was founded on proper principles and was fair to the country. At first sight he thought it would be impossible to enter into an agreement or arrange with any persons for the construction of these tramways, but Mr. Dempster had drawn attention to the fact that as the concession could be revoked at the will of the Governor it could be revoked at the will of Parliament. He understood members were quite prepared to accept the whole of the clauses, if this amendment by Mr. Haynes were passed.

HON. C. SOMMERS: Was a concessionaire to wait until Parliament met before he could go on with the matter?

HON. G. RANDELL: Certainly not. One would run the risk of Parliament disallowing the concession.

HON. C. SOMMERS: Did not the hon. member think that would be rather hard? Supposing that in a month's time a concession were granted to lay down a tramway, and the concessionaire sent home for rails and rolling-stock, and in August next the House met and failed to pass the concession, what position would that man be in? He would be in a very unfair position, considering that this was a temporary thing which was revocable at the will of the Minister. The amendment by Mr. Haynes would delay the whole matter.

HON. G. RANDELL: Would the hon. member read the last portion of No. 11?

HON. C. SOMMERS said he saw what that part was, but there was a possibility of a man having to wait five or six months before he knew whether the concession would be granted or not.

HON. G. RANDELL: Did the hon. member think Parliament would be more unreasonable than the Governor?

HON. C. SOMMERS: No; and he did not think there was much risk of Parliament refusing the concession, but there was a great risk of delay.

HON. R. S. HAYNES: Would the Minister accept the suggestion that the word "both" should be substituted for "neither"? If so, that would make the matter absolutely secure.

THE MINISTER FOR LANDS said he saw no great advantage in the amendment by Mr. Haynes; in fact it appeared in some measure to controvert No. 11; but so long as it was quite clear that it would operate only when both Houses were sitting, he could see no very great objection. Of course if it meant that no action could be taken till Parliament was sitting, the amendment would, if passed, render the Bill practically useless.

HON. R. S. HAYNES: If Parliament were sitting, the license would have to be laid upon the table of both Houses within 14 days after it was granted; and if both Houses disapproved of it the license would be revoked: not one House, but both Houses. If Parliament were not sitting, the person would take the license at his risk. One did not know really that there would be any risk at all. Members hoped the present Minister for Lands would see that the conditions were such as a reasonable man could expect them to be, and if the conditions were so there would be no harm done to anybody. He only introduced this amendment as a check, not upon the present Government, because he had the greatest confidence in them, but he was not going to say anything about the past Government.

HON. G. RANDELL: These amendments were valuable safeguards with regard to the power conferred by No. 11.

[Hon. R. S. Haynes's amendment altered by substituting the word "both" for "neither."]

Amendment (Mr. Haynes's) put and passed, and the Assembly's amendment as now amended agreed to.

No. 15.—Add the following new clause:

No timber lease or exclusive license over any timber land shall be granted within the boundaries of the declared goldfields.

THE MINISTER FOR LANDS moved that the amendment be agreed to.

Put and passed.

Resolutions reported, and the report adopted.

Committee consisting of the Minister for Lands, Hon. G. Randell, and Hon. R. S. Haynes, drew up reasons for disagreeing to certain of the amendments, as follow:—

No. 8.—The Council thinks the reduction from 5s. to 2s. 6d. already made is sufficient, and a further reduction to 1s. would scarcely be worth the cost of collection.

No. 10.—The Council thinks it would be unwise at this stage to make such an innovation as to introduce the system of leases to private individuals for a term of 99 years.

No. 13.—The clause as drafted would be inoperative, and in view of existing provisions, is vexatious and unnecessary.

Reasons adopted, and a Message accordingly returned to the Legislative Assembly.

INDUSTRIAL CONCILIATION AND ARBITRATION BILL.

AMENDMENTS RECONSIDERED.

The Legislative Council having made 11 amendments, and the Legislative Assembly having agreed to seven and disagreed to four, the amendments so disagreed to now farther considered in Committee.

No. 1.—Clause 2, Definition of "Industrial Dispute," insert the words "as hereinafter defined," between the words "dispute" and "arising":

THE MINISTER FOR LANDS moved that the Council's amendment be not insisted on.

HON. G. RANDELL: The reason given for not agreeing to this amendment was, he thought, correct. It was stated that the term "dispute" was not therein-after defined; therefore he supported the action of the Legislative Assembly in disagreeing to the amendment.

Question put, and the amendment not insisted on.

No. 3.—Clause 2, Definition of "Industrial Matters," sub-paragraph (e), strike out the whole of the sub-clause:

HON. G. RANDELL: Sub-clause (e), which limited the choice of labour, was calculated to force workers into unions whether they desired to be in such

unions or not. The provision tended to reduce all labour to the same level; it interfered with enterprise and healthy emulation; it was clearly in restraint of trade, and opposed to the freedom of the individual; to that extent therefore it seemed to lower the status and self-reliance of the workers; therefore in the interests of the country and the great body of workers themselves, it was desirable to eliminate this most extraordinary provision from the Bill.

HON. J. M. SPEED: Every reason adduced by Mr. Randell to strike out this provision could be advanced with equal force against the whole of the measure. Paragraph (d), which the Committee had passed without discussion, contained exactly the same provision with regard to employers which Mr. Randell now objected to with reference to the workers. If it was right in regard to the employer, it was equally right in regard to the worker. The sub-clause was not binding at all, but it was a matter merely for the convenience of the court. It meant that the court could take the matter into consideration. So far as unions were concerned, the whole object of the Bill was to see that men were banded together. The provision was merely an advisory one to the court so that the court could consider these matters if they thought fit to do so.

THE MINISTER FOR LANDS: Sub-clause (e) was placed in the Bill to meet such an abuse as occurred in some of the Eastern States and in New Zealand, where, when members of a union brought forward a dispute, employers in some cases, although in a union, retaliated by saying, "We shall employ you no longer. We shall employ non-unionists because you have brought forward a case." The power was used in retaliation, and to prevent such retaliation this clause was inserted. At the same time the employers insisted that paragraph (d) should be inserted. If paragraph (e) were struck out, paragraph (d) should certainly not be allowed to stand.

HON. G. RANDELL: The same thing had occurred to him when paragraph (e) was struck out. Paragraph (d), however, was practically inoperative and could never do any harm. Paragraph (e), on the other hand, represented a very different species of legislation. All the

employer wanted was a good worker, whether unionist or non-unionist. It was to be regretted that paragraph (d) had been allowed to stand; because the circumstance lent colour to an argument used somewhere else that the amendments of the Legislative Council were one-sided. He repudiated the charge of one-sidedness in reference to these amendments. If such a charge could be made at all, it certainly applied to the whole Bill.

HON. F. T. CROWDER: As the member who had moved the excision of paragraph (e), he hoped hon. members would not agree to the recommendation from another place. As an employer, he objected to dictation in the matter of whom he should employ. As good men as were to be found in the unions remained outside the unions on conscientious grounds.

HON. J. T. GLOWREY: No reason had been advanced why we should rescind the decision previously come to. He hoped hon. members would support Mr. Crowder.

HON. J. M. SPEED: Mr. Crowder and the members who supported him did not really understand paragraph (e). They seemed to think that the paragraph was mandatory, whereas it merely gave power to the court to consider a question. The court was invested with far greater powers in other respects. Hon. members were prepared, apparently, to trust the welfare of a whole industry in the hands of a court which they were not prepared to trust on such a small question as sub-paragraph (e) involved. The position was absurd.

HON. G. RANDELL moved that the amendment be insisted on.

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

Ayes	...	...	...	13
Noes	...	...	...	6

Majority for ... 7

AYES.		NOES.	
Hon. G. Bellingham		Hon. T. F. O. Brimage	
Hon. R. G. Burges		Hon. E. M. Clarke	
Hon. F. T. Crowder		Hon. J. D. Connolly	
Hon. C. E. Dempster		Hon. A. Jameson	
Hon. J. T. Glowrey		Hon. B. C. O'Brien	
Hon. A. B. Kidson		Hon. J. M. Speed (Teller).	
Hon. R. Laurie			
Hon. E. McLarty			
Hon. G. Randell			
Hon. J. E. Richardson			
Hon. H. J. Saunders			
Hon. Sir George Shenton			
Hon. W. Maley (Teller).			

Question thus passed, and the Council's amendment insisted on.

No. 8—Clause 85, strike out the whole of Sub-clause (2):

HON. G. RANDELL moved that the amendment be insisted on. The matter had been fully debated before, and it was unnecessary now to say more than that the principle of the clause was dangerous and that its meaning was obscure.

HON. F. T. CROWDER: If the House had needed a reason for insisting on its amendment, it was supplied in the reason for disagreement stated by the Legislative Assembly: "Because this is a necessary power, and is given by the New Zealand Act and also in the Act of New South Wales of 1901." If this was all the Assembly could bring to bear in support of its views, there was no necessity to consider the matter farther.

HON. J. M. SPEED: Mr. Crowder had forgotten, as he frequently did, the beginning of the clause he objected to. Clause 85 was really only a corollary to Sub-clauses 5 and 7 of Clause 84. Even hon. members like Mr. Randell, who had read every line of the Bill most carefully, had somehow failed to notice the connection between Clause 84 and Clause 85. The reason given by the Assembly was a good one. If the provision was necessary elsewhere, it was necessary here. The Bill was tentative—

HON. F. T. CROWDER: Not tentative; but dangerous.

HON. J. M. SPEED: No doubt it appeared dangerous to members like Mr. Crowder; but it was considered beneficial by the people. He could quite understand Mr. Randell and Mr. Crowder objecting to anything original. Still, even those hon. members should bear in mind that unless someone were prepared at some time to try something new, the world would make very little progress.

THE MINISTER FOR LANDS: There seemed to be a good deal in the reason given by the Assembly for disagreeing with our amendment. The Assembly stated that this provision was contained in the Act of New South Wales of 1901. If there was any clause of the Act which had been discussed more than another in New South Wales it was this one. This "common rule" provision was regarded

as highly important. Section 37 of the Act of New South Wales provided:—

In any proceeding before it the Court may do all or any of the following things with a view to the enforcement of its award, order, or direction—(1) declare that any practice, regulation, rule, custom, term of agreement, condition of employment, or dealing whatsoever, in relation to an industrial matter, shall be a common rule of any industry affected by the proceeding

It was easy to see that if only the party to the proceedings was to be bound in his own industry by the award of the court he might suffer very much. If only he were affected and others not, it would be a very grave state of affairs. When an award of the court was given, as in common law and ordinary law, that was a precedent which should be applied to all parties. This was merely to make a precedent for the various industries to which it could be applied, and the power seemed a very reasonable one. The reason given for such provision was very ably discussed by perhaps some of the cleverest legal minds in Australia.

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

Ayes	...	...	...	14
Noes	...	...	...	5
				—
Majority for	...	...	...	9

AYES.	NOES.
Hon. G. Bellingham	Hon. E. M. Clarke
Hon. R. G. Burges	Hon. J. D. Conolly
Hon. F. T. Crowder	Hon. A. Jameson
Hon. C. E. Dempster	Hon. J. M. Speed
Hon. J. T. Glowsky	Hon. B. C. O'Brien
Hon. A. B. Kidson	(Teller).
Hon. R. Laurie	
Hon. W. Mailey	
Hon. E. McLarty	
Hon. G. Randell	
Hon. J. E. Richardson	
Hon. H. J. Sanders	
Hon. Sir George Shenton	
Hon. T. F. O. Brimage	
(Teller).	

Question thus passed, and the Council's amendment insisted on.

No. 9—Clause 86, strike out the whole of Sub-clause (2):

HON. G. RANDELL moved that the amendment be insisted on. It was only a consequential amendment.

Put and passed, and the amendment insisted on.

Resolutions reported, the report adopted, and a Message accordingly returned to the Legislative Assembly.

WINES, BEER, AND SPIRIT SALE
AMENDMENT BILL (No. 2).

AMENDMENT RECONSIDERED.

The Council having made the following amendment, and the Assembly having disagreed to the same, it was now farther considered, in Committee.

Amendment—Clause 3, add the following words: "Provided that the annual fee for such license granted to a person licensed to make beer under 'The Beer Excise Act 1891' shall be ten shillings":

THE MINISTER FOR LANDS moved that the amendment be not insisted on. At the present time brewers had a right to sell their beer, but not wines and spirits. The Premier of Victoria had written to the Government here to find out what their view was with regard to the Federal Act. He had a draft of the letter here, which showed that the last part of this amendment, enabling a brewer to take out a two-gallon license, was permissive; and it appeared to be only necessary to do that when the brewer wished to sell wines, beer, and spirits in addition to carrying on the business of a brewer. A brewer had to take out a license at a cost of £25, and he could sell the beer he produced, but had to use certain stamps on the casks when they went out. The brewer could sell beer at the present time, but if he took out a license to sell wines, beer, and spirits in quantities of not less than two gallons, he had to pay a fee of £10, and he could not sell within 50 yards of his brewery. In this State a brewer would be allowed to sell his beer without any additional license to the one costing £25 other than a 10s. license, if the amendment made by the Council were passed.

HON. F. T. CROWDER: In introducing the amendment, his idea was that as the brewers were already compelled to pay £25 for a license under the Commonwealth Act, they should not be asked to pay for a second license in the State, costing £10. All he wanted was to get an assurance from the Minister in this House that the Government would hand back to the brewers the £10 paid upon the insistence of the Government, on the surrender of the license. The brewers had paid £10 for a license they did not now want, for they already had a license from the Commonwealth.

THE MINISTER FOR LANDS said he would recommend to the Colonial Treasurer the course suggested by Mr. Crowder, so far as regarded those who brewed and sold beer only, but not in the case of those who also sold wines and spirits.

Question put and passed, and the Council's amendment not insisted on.

THIRD READING.

Bill read a third time, and passed.

ROYAL COMMISSIONERS' POWERS BILL.

SECOND READING.

THE MINISTER FOR LANDS (Hon. A. Jameson), in moving the second reading, said: This short Bill requires but little explanation. Mr. Crowder recently raised the question of what were the powers of Royal Commissions to compel the attendance of witnesses, and to compel witnesses to take the oath. The reply I gave was that Royal Commissions had not power to compel the attendance of witnesses, but could place witnesses under oath. Various important Royal Commissions are about to be appointed. The Government feel it their duty, although they are not assisted by the repeal of the Public Service Act, to appoint a strong commission indeed to inquire thoroughly into the question of public service classification. In addition, there are other Royal Commissions of great importance to be appointed. It has been thought well, therefore, to introduce this short Bill, giving the commissions considerable powers. Hon. members will see that Clause 2 authorises commissions to summon witnesses and to require the production of books. Under Clause 3 the penalty for refusing to appear as a witness is a fine not exceeding £100. Clause 4 provides that witnesses' expenses shall be paid. That is a matter which has not hitherto been clearly provided for. It is recognised that when compelling a witness to appear, the commission should provide him with travelling expenses. Under Clause 5 a witness is not liable to penalty for non-attendance unless he has been paid or tendered an amount to cover his travelling expenses. No doubt hon. members will see the importance of the measure at the present time.

HON. E. M. CLARKE: I second the motion.

HON. F. T. CROWDER (East): I congratulate the Minister on having introduced this Bill. The reason why I asked the question which has resulted in the introduction of this Bill is that some weeks ago the House passed a resolution affirming the desirability of the immediate appointment of a Royal Commission to inquire into the administration of the Works Department. On the adoption of the motion I looked up certain authorities, and found that Royal Commissions had no power to compel the attendance of witnesses. I also found that in connection with the Parnell Inquiry the British Parliament had passed a small Bill similar to that now before us. Entertaining strong views on the subject, I drew the attention of the Minister to the circumstance; because I did not wish that after Parliament was prorogued it should be said there was no use in appointing Royal Commissions, as they had not the power to compel the attendance of witnesses or to examine them on oath. I sincerely trust—and I think I have the House with me in this—that the words which have fallen from the Minister will be given effect to during the recess, and that the Royal Commissions promised will be appointed. I speak feelingly on this subject. I am almost paralysed when I think of the waste of money incurred in the Works Department of this State at the present day. I spoke very strongly in connection with the matter in this House recently; and I have been accused of saying in Parliament what I would not say outside. I assure hon. members, however, on my honour as a man, that any statement I may make in this House I am prepared to substantiate before a Royal Commission. If a Royal Commission be appointed to inquire into the methods of the Works Department, I shall do my best to prove to the commission that a terrible waste of money is going on. I can only hope the Minister is speaking for the Government when he says that a Royal Commission will be appointed to inquire into departmental workings. If such a commission be appointed, the Government will receive the approval not only of this House, but of the whole country.

Question put and passed.
Bill read a second time.

IN COMMITTEE, ETC.

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

Standing Orders suspended; Bill read a third time, and transmitted to the Legislative Assembly.

NORTH PERTH TRAMWAYS BILL.

Received from the Legislative Assembly, and read a first time.

STANDING ORDERS SUSPENSION.

THE MINISTER FOR LANDS moved that the Standing Orders be suspended to allow of the Bill passing through all stages at one sitting.

HON. F. T. CROWDER: It was to be hoped hon. members would not agree to the suspension of the Standing Orders. We could sit to-morrow morning, if necessary. The Bill had been recently amended in another place, and one did not yet know the effect of the amendments. Perhaps the Minister for Lands would consent to postpone the Bill until other matters on the Notice Paper had been disposed of.

HON. R. S. HAYNES: The House would, he hoped, agree to a suspension of the Standing Orders in this case. The Bill, which was unfortunately squeezed in at the last moment, was one of urgency. It passed through the Lower House at one sitting. A member in another place had pointed out that the agreement between the North Perth Roads Board and the Tramway Company differed in some respects from the agreement between the Perth City Council and the Tramway Company. So soon as the attention of the Tramway Company was drawn to the circumstance, they agreed to every amendment asked for; and a provisional agreement on the same lines as that with the City Council was drawn.

HON. F. T. CROWDER said he had not seen the agreement.

HON. R. S. HAYNES: As Mayor of North Perth, he had seen it; and he was farther in a position to inform hon. members that the whole question had been re-discussed by the North Perth Council last night. He was sorry that agreement was made, because he would have liked a

better one. However, the prior roads board made the agreement, and he felt in duty bound to carry it out. These amendments introduced in the Assembly were supported by the Perth Municipal Council. This Bill was an exact copy of the measure passed by this House for the construction of tramways in the City of Perth. There was some question about the carriage of children at half price under the age of 16 years. The Tramway Company assured him, as mayor, and also assured the council of North Perth, that they would have the same provisions with respect to tickets as related to the city of Perth. In the city of Perth, the company carried school children under 16 at half price; and under this Bill the promoters were bound to carry workmen at half price, and tickets were to be interchangeable with those of the Perth tramways. There was no provision in the Act with regard to Perth, yet that company issued the same tickets. Personally he would have liked to see the provision inserted, but it was too small a matter to insist upon. At the present time there was a municipality of North Perth, but it was not affected on the Perth side of the Wanneroo road, though the scheme did affect the other side of Wanneroo road, where there was not one house in connection with the North Perth municipality. The municipality could not build a road, for they had not the money, and the Tramway Company proposed practically to intersect the municipality and carry the tramway right through. Unless this House passed this motion, the Bill would be lost. He appealed to every member to personally consider the requirements of North Perth. This was the best thing that had ever happened for the North Perth municipality, and it had the unanimous support of the North Perth Municipal Council.

HON. F. T. CROWDER: If the Minister would consent to take this Bill after the Brands Bill and the Roads Bill, he would be prepared to go on with this measure.

HON. R. S. HAYNES suggested that the Minister should now ask the House to suspend the Standing Orders in order to pass the Bill through, because later on there might not be a sufficient number of members present for the purpose.

THE PRESIDENT: There were two other Messages from the Legislative Assembly, and the simplest way would be to accept the suggestion he had made, that for the remainder of the sitting the Standing Orders be suspended.

HON. F. T. CROWDER had no objection.

THE MINISTER FOR LANDS moved:

That, in order to expedite business, the Standing Orders relating to the passing of public Bills, and the consideration of messages from the Legislative Assembly, be suspended during the remainder of the sitting.

Question put and passed, and the Standing Orders suspended.

BRANDS BILL.

SECOND READING (MOVED).

Debate resumed from the 11th February.

HON. F. T. CROWDER (East): This Bill is a most important one, and I rise to move that it be read this day six months. I do not wish to debate the question; but I think it is agreed by all the representatives of the districts in Parliament that this Bill should be sent by the members of the Ministry into those districts, so that it can be thoroughly debated and discussed, and that they will be perfectly ready and we shall be ready to discuss the matter next session. I have telegrams from several parts of the State asking that at this late period of the session the Bill shall not be proceeded with, but that the Government shall send a copy of the Bill to the different municipal councils throughout the country districts, where they will hold meetings and thoroughly discuss the matter, and they will send reports of their meetings to the Government. It is well known that this Bill is an important one, and the country members in this House are not in a position to move that it be thrown out, but inasmuch as there is a provision for a penalty of £1 per head for every sheep put into a pound, and other anomalies like that, they think it is not fair to discuss the matter at this late period of the session. I therefore move,

That the Bill be read this day six months.

Amendment put and passed, and the second reading negatived.

ROADS ACT AMENDMENT BILL.

LEGISLATIVE ASSEMBLY'S AMENDMENTS.

Order read, for farther consideration of the Assembly's amendments.

IN COMMITTEE.

HON. F. T. CROWDER moved that the Chairman do leave the Chair.

Motion put and passed, and the Bill arrested.

HEALTH ACT AMENDMENT BILL.

AMENDMENT RECONSIDERED.

The Council having made an amendment, and the Legislative Assembly having disagreed to the same, the Council's amendment was now farther considered, in Committee.

THE MINISTER FOR LANDS moved that the amendment be not insisted on. In moving the second reading of the Bill he had explained that a 1s. rate was necessary in certain outlying parts of the State, and that we should be taking on ourselves a heavy responsibility in reducing the maximum proposed. A return prepared since that date showed conclusively that his contention was correct. For many years back the maximum rate had been 6d. in this State. The maximum was originally 3d., but it was found necessary to double the amount. From a return of the health rates imposed by all towns throughout the State it appeared that in Perth the rate at the present day was 1d., that in most places it was 2d. or 3d., and that in none except small goldfields towns was the rate as high as 6d. The necessity for the high rates in goldfields towns arose from the circumstance that numerous persons lived in small huts, which could not possibly be appraised at more than £5 per annum. If these persons paid a 1s. rate, the taxation imposed on them was no heavier than that represented by a 1d. rate on a Perth tenement valued at £60. The reduction of the proposed minimum to 6d. would undoubtedly inflict great hardship on the small goldfields towns, which needed rates of from 9d. to 1s. for thorough sanitation. He trusted hon. members would not make it impossible by Act of Parliament to carry out sanitation in distant parts of the State.

HON. F. T. CROWDER: The Council should insist on its amendment. Since

speaking on this matter yesterday, he had discovered that although certain goldfields towns were crying out for a shilling rate, they had rated themselves to the extent of only threepence, while the maximum of sixpence was available. Hon. members should bear in mind that the people paying the health rate had not at present a voice in the spending of the money, since health boards were appointed by the Government. Many of these health boards were beautifully worked. The chairman got a few friends together, a list of carefully chosen names was submitted to the Government for approval, and the Government appointed accordingly. The people who had to find the money were thus absolutely deprived of a voice in its expenditure. Not a single health board was elective.

HON. J. D. CONNOLLY: The hon. member was wrong, so far as the district health boards were concerned.

HON. F. T. CROWDER: To give nominee boards the power to raise a shilling rate when in the past threepence had been found enough would be most dangerous. Hon. members knew that it would be absolutely necessary during next session to reintroduce Part 2 which had been struck out of the Bill. He appealed to the Minister to say whether it was not so.

THE MINISTER FOR LANDS: Part 2; yes.

HON. F. T. CROWDER: It was to be hoped hon. members would insist on amending the measure next session.

HON. J. D. CONNOLLY: There were good reasons for asking the House not to insist on the amendment, since by doing so we might cause the Bill to be lost in another place. The only district health board now existing in the State was that controlling the Kalgoorlie-Boulder mining belt. Unfortunately no provision had been made for the filling of vacancies, and the consequence was that for the last few months the board had consisted of only three members, whereas five were required to form a quorum. He appealed to hon. members not to deprive the Kalgoorlie-Boulder district of its health board for the next six months by insisting on an amendment which would probably wreck the measure in another place.

HON. F. T. CROWDER: The Kalgoorlie-Boulder Board had not used its full taxation powers last year.

HON. J. D. CONNOLLY : That being so, why refuse the board power to impose a shilling rate, if necessary? Mr. Crowder had said that in no case had those contributing the health rate a voice in the expenditure of the funds raised; but the fact was that members of district health boards were elected by the ratepayers and were thus amenable to the ratepayers. It was advisable that new goldfields towns should have the power to impose a high rate, at any rate during the first year or two of their existence. Surely it was better that boards should impose a high rate than that every now and then they should come, cap in hand, to the Government for assistance. If people were prepared to pay taxes to keep themselves clean, why should they be prevented from doing so by Act of Parliament?

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

Ayes	...	...	...	8
Noes	...	...	...	11

Majority against ... 3

AYES.	NOES.
Hon. G. Bellingham	Hon. T. F. O. Brimage
Hon. E. M. Clarke	Hon. F. T. Crowder
Hon. J. D. Connolly	Hon. C. E. Dempster
Hon. J. T. Glowrey	Hon. R. Laurie
Hon. A. Jameson	Hon. W. Malety
Hon. A. B. Kidson	Hon. E. McLarty
Hon. J. M. Speed	Hon. G. Randell
Hon. B. C. O'Brien	Hon. J. E. Richardson
(Teller).	Hon. H. J. Saunders
	Hon. Sir George Shenton
	Hon. R. G. Burges
	(Teller).

Question thus negatived, and the Council's amendment insisted on.

Message accordingly returned to the Assembly.

EARLY CLOSING BILL.

LEGISLATIVE ASSEMBLY'S AMENDMENTS.

Schedule of four amendments made by the Legislative Assembly now considered, in Committee.

No. 1— Clause 3, strike out the words "the municipalities and district mentioned in Schedule 1 shall be declared districts forthwith on the passing of this Act," at the end of the clause.

THE MINISTER FOR LANDS moved that the amendment be agreed to.

HON. G. RANDELL: The member who to a large extent was in charge of the Bill (Hon. A. B. Kidson) would, he believed, agree to the amendment. It

seemed very likely that if the schedule were struck out there might be some considerable difficulty. He took it the Governor would not move until municipalities asked for the Early Closing Bill to be put into operation.

HON. A. B. KIDSON: In reference to the remarks by Mr. Randell, though he had not the honour of being in charge of the Bill, yet he was much interested in passing it into law. He had looked into the amendments by this House, and farther amendments made by another place, and he was of opinion that they would not really affect the measure in any degree, because he understood the Minister would give an assurance that as soon as the measure was passed into law, and had received the assent of His Excellency the Governor, all those places which were already under the old Act proclaimed, or under the conditions of the Act, would be immediately proclaimed. He thought we might take the assurance of the Minister it would be so.

THE MINISTER FOR LANDS: Members could certainly take his assurance in that direction, that it was the intention of the Government to proclaim all those places which were under the old Act.

Question put, and the Assembly's amendment agreed to.

No. 2—Clause 6, strike out the word "seven," in line 2, and insert "six" in lieu:

THE MINISTER FOR LANDS moved that the amendment be agreed to.

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

Ayes	...	...	...	11
Noes	...	...	...	4

Majority for ... 7

AYES.	NOES.
Hon. T. F. O. Brimage	Hon. F. T. Crowder
Hon. R. G. Burges	Hon. C. E. Dempster
Hon. E. M. Clarke	Hon. E. McLarty
Hon. J. D. Connolly	Hon. J. E. Richardson
Hon. J. T. Glowrey	(Teller).
Hon. A. Jameson	
Hon. A. B. Kidson	
Hon. B. C. O'Brien	
Hon. G. Randell	
Hon. J. M. Speed	
Hon. R. Laurie (Teller).	

Question thus passed, and the Assembly's amendment agreed to.

Nos. 3 and 4— agreed to.

Resolutions reported, and the report adopted.

NORTH PERTH TRAMWAYS BILL.
SECOND READING.

On motion by the MINISTER FOR LANDS, Bill read a second time.

IN COMMITTEE.

Clauses 1 to 6, inclusive—agreed to.

Clause 7—Reversion to local authority:

HON. G. RANDELL: It would be well to explain to hon. members that Clause 7 had been altered from the form in which it was introduced, and now conformed to the Provisional Order with respect to the city of Perth. The municipality of North Perth might, under Clause 7, purchase in 21 or 28 years, and if the municipality failed to do this, then the tramway with all its belongings reverted to the local council at the end of 35 years.

HON. J. M. SPEED: It was a matter of regret that one had to support this Bill, since the position was that either Clause 7 must be accepted or certain people must be left without means of communication. It would be well if the Government during the recess considered a proposal for buying out all the tramway systems of the city and suburbs, not at the end of 28 years, but now. In two or three years the Tramway Company would practically monopolise all the passenger traffic of Perth and suburbs, and so would compete ruinously with the Government railways. Possibly reasonable terms could now be arranged for buying out the company. The probabilities were that at the end of 21 or 28 years an enormous sum would be needed for the purpose. Unfortunately, we had begun to give away the rights of the people. Possibly the people took no great interest in the matter at the present time, but in considerably less than 21 years they would take a great interest in the matter. The second reading had gone through with a certain degree of haste, and he had been prevented from making certain remarks which he intended to offer at that stage. It was desirable in the interests of the people that the term at the end of which the right to purchase accrued should be 10 years, as well as 21 and 28 years.

HON. R. S. HAYNES: The provision here was the same as in the case of Perth.

HON. J. M. SPEED: Unfortunately, it was too late to make that alteration

now. There was great danger in passing Bills of this character at the end of the session, when it was not possible to give them the full consideration they needed. Long before the time for purchase came, the city of Perth would find that it had simply given away its rights.

HON. F. T. CROWDER: Not having had a chance to speak on the second reading, he desired to ask now, in cold blood, what was the reason why this particular private Bill had been selected to be rushed through in preference to 33 important public Bills which had appeared on the Notice Paper of the Legislative Assembly for the last two months? The question which naturally arose was, who was making something?

HON. R. S. HAYNES: The Mayor of North Perth.

HON. F. T. CROWDER: The Mayor of North Perth was incapable of anything of the kind.

THE CHAIRMAN: Was the hon. member speaking to the clause before the Committee?

HON. F. T. CROWDER: Yes. These remarks were directed to Clause 3.

THE CHAIRMAN: Clause 7 was now before the Committee.

HON. F. T. CROWDER: Yes. These remarks were directed to Clause 7. It was desirable that hon. members should examine carefully every clause of the Bill, which proposed to put into the hands of about 100 people owning land in North Perth at the present day the power to tax posterity in North Perth for generations to come. But for a few clauses inserted by another place, this Bill would have afforded a scandalous example of valuable privileges being given away for nothing.

HON. R. S. HAYNES: No, no.

HON. F. T. CROWDER: A Bill of this nature should not be considered at so late a stage of the session. It was all very well to say that this Bill was drafted on the same lines as the Perth Tramways Act; but we had to remember that the Perth Tramways Act had absolutely given away the rights of the people of Perth. Our endeavour should be not to perpetrate the same blunder in connection with North Perth. There seemed a unanimous desire that the Bill should go through, and therefore he would move only one amendment, in the schedule—

that school children up to the age of 16 years should be carried at half-fare. He must repeat the question, why was this private Bill singled out for enactment in preference to 33 Bills of public importance which had appeared on the Notice Paper of another place? From his place in the House he wished to ask, who was making something out of this Bill?

HON. R. S. HAYNES: As a matter of fact, no one was making a single penny-piece out of the Bill. The measure merely provided for the construction of a tramway from North Perth to Wanneroo road—a tramway running from the end of nowhere to somewhere else. There was not a cent to be made by anyone out of the measure.

HON. J. M. SPEED: Then, why bring it in?

HON. R. S. HAYNES: The North Perth Tramway Company, which owned some land near Wanneroo, had asked the permission of the North Perth Roads Board, now the North Perth Municipal Council, to build a tramway over its roads. No person could possibly be injured by the Bill, the sole object of which was to connect outlying places with central Perth. If hon. members refused to pass the Bill, they would inflict serious injury on a number of people. Mr. Crowder's contention that school children should be carried for half-fare was perfectly sound. A provision to that effect ought to have been inserted in the concession. Inasmuch as the agreement with the Perth City Council, however, contained no such provision, and as notwithstanding the Tramway Company made an invariable practice of carrying school children at half-fare, the omission was not of great importance.

HON. F. T. CROWDER: The provision should be in the Bill, nevertheless.

HON. R. S. HAYNES: Perhaps, as Mayor of North Perth, he might be permitted to say on behalf of the municipality that they were satisfied the Tramway Company would issue tickets to children at half-price. Possibly he would not be here next year, but Mr. Crowder would certainly be here and would have an opportunity of introducing a Bill compelling the Tramway Company to carry school children at half-price.

Clause put and passed.

Clauses 8 to 12, inclusive—agreed to.

Schedule—Provisional Order:

HON. F. T. CROWDER moved that the following words be added to paragraph 8: "and that school children under 16 years of age shall travel at half-fares." This was only a fair thing. The Tramway Company were getting a huge concession, and it would be nothing out of their way to grant school children fares at half-price. It was all very well to say the Tramway Company would do this, but his idea of monopolies was that unless we bound down in black and white those who had them they would not grant any concession. In other States there were penny sections, but here if one rode a hundred yards he had to pay threepence. We gave this huge concession to the Tramway Company in Perth, and no power was taken to compel them to do what was right, and at the present day they were flouting the public. The tramway, if it ran at all, would run to a part of Perth where only working people lived. We all knew the wages a workman got, and what it cost one to rear a family. It meant that school children would have to walk through the hot sand because the parent was not able to pay the tram fares for them, and he proposed to add a provision to paragraph 8 that school children under 16 years of age should travel at half-fare.

Amendment put, and a division called for.

HON. R. S. HAYNES: Was any shareholder in the Gas Company entitled to vote on this question?

THE CHAIRMAN said he did not think the question of gas came in.

HON. R. S. HAYNES said it did.

HON. J. M. SPEED: Apparently it did.

HON. R. S. HAYNES asked for the ruling of the Chairman as to whether members of the Gas Company could vote upon this question.

THE CHAIRMAN: The question of gas had nothing to do with the Bill.

HON. G. RANDELL: The hon. member should put his hat on when speaking to a point of order.

HON. R. S. HAYNES: The hon. member (Mr. Randell) was a shareholder.

HON. G. RANDELL: That was not so.

HON. R. S. HAYNES: The hon. member ought to be ashamed of himself.

HON. G. RANDELL: No; he was not.

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

Ayes	...	...	11
Noes	...	...	6

Majority for ... 5

AYES.	NOES.
Hon. R. G. Burges	Hon. G. Bellingham
Hon. F. T. Crowder	Hon. E. M. Clarke
Hon. C. E. Dempster	Hon. R. S. Haynes
Hon. R. Laurie	Hon. A. Jameson
Hon. W. Maley	Hon. A. B. Kidson
Hon. E. McLarty	Hon. J. T. Glowrey
Hon. G. Randell	(Teller.)
Hon. J. E. Richardson	
Hon. Sir George Shenton	
Hon. J. M. Speed	
Hon. B. C. O'Brien	
(Teller.)	

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

Preamble :

HON. R. S. HAYNES: This would, he thought, be the last occasion on which he would have the opportunity, perhaps—

SIR GEORGE SHENTON: The question before the House was the preamble.

HON. R. S. HAYNES: As this would, he thought, be the last night on which he would have an opportunity of addressing this honourable House, it was only right he should give vent to a little feeling that had been bottled up for many years.

THE CHAIRMAN said he thought not. The hon. member should speak to the preamble.

HON. R. S. HAYNES: The preamble did not, in his judgment, agree with what ought to be in a preamble. Before we were asked to pass a measure, the preamble should state the reasons, and he hoped that in future when any measure was introduced into the House, whether he was a member of it or not, there would always be a preamble at the head of the Bill, and those members who held shares in the Gas Company should retire from the Chamber when the interests of the Gas Company were at stake, because at the present time we held ourselves up to ridicule, and he thought most of the members ought to be ashamed to sit here.

Preamble put and passed.

Title—agreed to.

Bill reported with an amendment, and the report adopted.

THIRD READING.

THE MINISTER FOR LANDS moved that the Bill be read a third time.

HON. J. M. SPEED moved that the Bill be recommitted for amendment of

Clauses 6 and 7, by providing that the district should have power also to purchase at the end of ten years.

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

Ayes	...	...	6
Noes	...	...	10

Majority against ... 4

AYES.	NOES.
Hon. R. G. Burges	Hon. G. Bellingham
Hon. F. T. Crowder	Hon. E. M. Clarke
Hon. C. E. Dempster	Hon. R. S. Haynes
Hon. W. Maley	Hon. A. Jameson
Hon. J. M. Speed	Hon. A. B. Kidson
Hon. B. C. O'Brien	Hon. R. Laurie
(Teller.)	Hon. E. McLarty
	Hon. G. Randell
	Hon. J. E. Richardson
	Hon. J. T. Glowrey
	(Teller.)

Amendment thus negatived.

Main question put and passed.

Bill read a third time, and returned to the Legislative Assembly.

ADJOURNMENT.

THE MINISTER FOR LANDS (Hon. A. Jameson): I move that the House at its rising do adjourn until 12 o'clock noon of Wednesday.

Question put and passed.

The House adjourned accordingly at 11:20 o'clock, until noon of the next day.