

person should be given the position. What reason can now be adduced for delaying the appointment which has been approved of by the Government, and which, on being submitted to Parliament, hon. members have declared, in effect, meets with their approval. That being the case, and there being no possibility of being able to amend the legislation, why should we delay the confirmation of the appointment, and let things remain in a state of chaos. I feel quite satisfied it would be a reprehensible thing if, after having called for applications, we were to delay making the appointment so as to give others an opportunity, not perhaps of amending the Railways Act, but to again consider the advisability of appointing Mr. Short as Commissioner. I hope the amendment will not be passed. There can be no justification for it unless it is on the ground that Mr. Short is not a fit and proper person to be appointed; and if that is the feeling it would be a reflection on the Government. I do not think members have that desire, so that I hope the amendment will not be carried.

Mr. Scaddan: That is unfair.

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

Ayes	11
Noes	20

Majority against .. 9

AYES.

Mr. Bath	Mr. Scaddan
Mr. Bolton	Mr. Stuart
Mr. Collier	Mr. Walker
Mr. Horan	Mr. Ware
Mr. Hudson	Mr. Heilmann
Mr. Johnson	(Teller).

NOES.

Mr. Barnett	Mr. N. J. Moore
Mr. Cowcher	Mr. S. F. Moore
Mr. Davies	Mr. Piesse
Mr. Draper	Mr. Price
Mr. Ewing	Mr. Smith
Mr. Gordon	Mr. Taylor
Mr. Gregory	Mr. Veryard
Mr. Gull	Mr. F. Wilson
Mr. Hardwick	Mr. Layman
Mr. Hayward	(Teller).
Mr. Keenan	

Amendment thus negatived.

Main question put, and passed without dissent.

ADJOURNMENT.

The House adjourned at ten minutes to 10 o'clock, until the next Tuesday.

Legislative Council,

Tuesday, 11th August, 1908.

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

Prayers.

Swearing-in.

Hon. B. C. O'BRIEN (Central) took the oath and subscribed the roll.

PAPERS PRESENTED.

By the Colonial Secretary: Audit Act 1904—Transfers effected under Section 35. Fisheries Act 1905—Regulations. Mining Development Act—Statement of Expenditure for year ended June 30, 1908. Public Works Department—By-laws of Peppermint Grove Roads Board, and By-laws of Mourambine Roads Board. Health Act, 1898—By-laws of Local Boards of Health of Claremont and Subiaco. Municipal Corporations Act 1906—By-laws of the Municipalities of Busselton and Perth. Central Board of Health and Local Boards of Health—By-laws made between 20th December 1907 and 31st July 1908.

ADDRESS-IN-REPLY, PRESENTATION.

The PRESIDENT reported that he had presented the Address-in-Reply to

His Excellency the Governor, and had received the following response:—

"I thank you for your Address in reply to the Speech with which I opened Parliament, and for your expression of loyalty to His Most Gracious Majesty the King."

URGENCY MOTION—MURDERS IN THE NORTH.

Charge against Natives

Hon. F. CONNOR (North): I wish to move the adjournment of the House, for the purpose of bringing under notice a matter of public urgency. I will read a telegram I have received to-day, which I think will explain the position:—

"Reported from Turkey Creek that two white men, George Fettel and George Davis, were murdered by blacks at Blackfellows Creek. Several natives are out with rifles and ammunition; please endeavour get authority wire police organize special party go out immediately."

The PRESIDENT: Before the member proceeds farther, I wish to state that I have received this notice from the hon. Mr. Connor, stating that he desires to move the adjournment of the House to draw attention to the reported murder of two white men by aborigines in the Kimberley district. Members approving of the motion will please stand up, in compliance with Standing Order No. 58. The number of members required to rise is four.

The requisite number of members having risen in their places—

Hon. F. CONNOR said: I do not purpose to take up the time of the House to a great extent; the matter is one of urgency and will speak for itself. In my position as a representative of a Northern part of this State. I thought it was my duty, on receiving this wire, that I should put it in the strongest possible way before the people and the Government, and I take it this is the legitimate way of doing so. If my friends in the Press Gallery will condescend to report it, we may get the public to take an interest in the matter. I see the Commis-

sioner of Police has also received a long telegram in reference to this matter setting forth the details, proving, unfortunately, that this report contained in the telegram I have read to the House is correct. After I received this telegram I was speaking to a man named Bridge, who lives in the district where the murders took place, and he told me that before he left that district in which are these aborigines who I presume committed the murders, he was told that they had four rifles and any amount of ammunition, and that these men had said to him that this ammunition was not going to be used on kangaroos as they wanted it for the policemen. It will be in the memory of those who are taking an interest in the North that within the last few weeks a murder was reported to have been committed by a native called "Major," and that the murder occurred close to the district where these two men have just recently been killed; consequently I presume that it is the same party that is responsible for these murders. These natives speak English fairly well. The boy "Major" was down here last Christmas twelve months, and I saw him. He evidently knew the English language fairly well; at any rate he spoke pigeon English and could make himself clearly understood. I hold that after that outrage which occurred a few weeks ago, if something definite and drastic is not done, a state of affairs will eventuate in the Kimberley district which should not be allowed to exist in any civilised country. I have never yet advocated severity with regard to the treatment of blacks, although I have been so accused by a section of the Press, but I say it is necessary for the protection of the men who try to develop the far-out districts of the country, that sufficient protection should be given them, and I have no hesitation in saying now, that in the past protection has not been given them. I have done my duty in bringing this matter forward, and I hope that strong measures will be taken which will have the effect of curing this trouble, or evil, and which will, in the near future, make the lot happier for the men who have gone out there to develop these far-out districts.

Hon. R. F. SHOLL (North) : I feel we are all agreed as to the necessity of settlers in such isolated districts being protected. An efficient police force should be distributed throughout these large districts. I have realised the difficulty in the past because these places are so scattered; at the same time a little more money might be expended to increase the number of police in the district. I think also that the Aborigines Protection Act should be enforced with regard to natives carrying firearms. I should prohibit natives having firearms at all. There is the power of licensing them or preventing them from carrying firearms. I quite realise the difficulty in great scattered districts so far removed from one another. In such places you cannot have a policeman at every station, but still, the police force might be strengthened, and I feel sure the Government when they realise how the unfortunate settlers go out into these parts of the country, will see that the settlers shall have as much protection as can possibly be given to them. They are settling the country, and in doing so, carry their lives in their hands. I hope the Government will do what the hon. member requests them to do, at once, that is to organise a force to go out and capture these murderers. I do not know anything I can say farther with regard to the matter. I am sure the Government will realise their responsibility.

Hon. W. MALEY (South-East) : I have no objection to offer to the motion. This is the first occasion, however, in this Chamber when a member moving a motion of urgency has had to be supported by a number of members in this Chamber so as to give expression to his views. I think such a procedure takes away all the individuality of members of this Chamber. The time may arise when something less sensational than this, but of no less importance, may be introduced, and a member may not get that ready support which he expects to get when the matter is considerably more sensational. I venture to say that the old method, when a member asked a question in this Chamber and received an unsatis-

factory, evasive, or truculent answer, and when he was able to bring it directly before the House, was far more satisfactory. The new procedure is a deprivation of the right which members of this House have in the past enjoyed. I take this opportunity of expressing these views, at the same time I am not opposed to the motion and I shall support it, but I could not lose the opportunity of declaiming against what I take to be an infraction of the privileges of the Constitution under which we have worked so long, and which Great Britain has always enjoyed. [*Hon. J. W. Longford*: This House passed the Standing Order.] Why such a Standing Order should be passed, when the other Standing Order obtained so long and was never abused, I cannot understand. I do not want to criticise the Standing Orders Committee, I only want to draw attention to the matter as being one of public importance, as it affects vitally every person within the State. Touching upon the motion, I must say that when one goes into the backblocks of this country, considering the difficulties he has to contend with in the unknown with the natives, as well as other troubles, he should receive every protection. I hope the Government will deal out justice where practicable, and at the same time with an eye to mercy on every possible occasion.

The COLONIAL SECRETARY (Hon. J. D. Connolly) : I regret very much to hear of the death of these two men. We have had in the department to-day an intimation of the unfortunate circumstance. It will be within the recollection of members that this notorious native, Major, murdered a settler named McDonald some time ago, and Mr. Connor now says that these murders which have taken place have been perpetrated by the same native. [*Mr. Connor*: I am not sure.] It is possible this notorious scoundrel has perpetrated these murders, but the latest information received by the department was that this native crossed to the Northern Territory, and if the information is correct he must have been a considerable distance from Wild Dog Creek at this time. In order to make quite certain,

police were sent out after Major, but was not successful in finding him. Before this telegram was received to-day, certain measures were taken for prosecuting a search for the aborigine Major, and some police, one in particular who knows that part of the country well, have been sent up there, and one or two special constables, who know the country well, have been sworn in and sent to scour the country for the native. From the information received from the resident magistrate at Wyndham, who has been in that part of the country, it is not certain that the murders were carried out by this aborigine Major, because in one case the victim was not shot but received his death through a blow on the head. It is quite impossible to have such a number of police in the district to make it quite certain that such murders will not take place. We should require to have quite an army of police. I realise the hardships of the settlers and the risks they take. The Government are alive to them, and will do, and always have done, their very best to protect the lives of the settlers; so that the House will rest assured that in this instance every effort will be made to bring the perpetrators of this crime to justice.

Hon. R. W. PENNEFATHER (North): I do not wish to repeat any of the reasons that have been urged by previous speakers, but I would like to point out that I think it must be evident to the Government that they should establish a police patrol in that district. Up to the present I know that the police have been unable to perform that duty for want of sufficient men, but the occasion has now arrived when it is necessary for the Government to considerably strengthen the number of men in the district, so that from station to station there will be a patrol of police to meet each other. I am told by people living in those parts, that the very sight of the police has a deterrent effect on the natives who are likely to commit outrages. Prevention is better than cure, and in this case the natives have been allowed too much latitude; many of the murderers have escaped justice, and it behoves the Govern-

ment now, and from what the Colonial Secretary has said the Government will, at an early date, take steps to stop the outrages, and increase considerably the police force throughout the Kimberley district.

Hon. E. McLARTY (South-West): I endorse what has fallen from Mr. Pennefather. I know West Kimberley; it has not sufficient police. The natives take advantage of the absence of the constable; they know when the constable goes on patrol, and they know it is weeks before he will return, and as soon as the natives know that the police have left the district they commence their depredations, and the murdering of settlers. As soon as the police return the depredations cease. I am sure it will meet with general approval if the number of police can be increased. I think the suggestion of Mr. Pennefather would be very efficacious. We all regret to hear the cruel crimes which have taken place, and it is the duty of the Government, which they fully recognise, to take some stringent measures to stop them.

Hon. F. CONNOR (in reply): Now that this matter has been discussed I wish to withdraw the motion. I may inform the Colonial Secretary that one of the great troubles in the North is not so much the small number of police, although there are not enough, but the one great trouble is the want of being horsed; they have no horses to move about, consequently the constables cannot get about. Before the trouble occurred at all I was talking to some people from the North-West, and they told me they thought the police an excellent body of men who did their work as well as could be expected, but they could not get about. Take, for instance, Wyndham, when a man comes in after having done his round of patrol through the country, he has to wait until his horse gets fat again to be able to work it; he has to spell his horse. The great trouble is the want of sufficient horses, and good horses at that. I mention this for the information of the Colonial Secretary. The Colonial Secretary also said the native, Major, was supposed to have gone into

the Northern Territory. That may be so, but a native on foot can travel from the Northern Territory to Blackfellow Creek in one night; it is very easy. I was not aware that I touched on the corns of any of my colleagues in the House. In reference to my application for leave to move the motion I do not know whether I have trespassed the bounds of decorum. If I have in any way I am very sorry, but I hold that the complaint of the member (Mr. Maley), although he has not complained to me personally, does not hold good, and I think any member of the House has the right, as long as he keeps within the Standing Orders, to bring any matter before the House that the Standing Orders will allow. I make no apology to the member for the fact that I have moved in the matter. This is the proper place for a matter like this to be discussed. I hope some good will come out of the discussion.

Motion, by leave, withdrawn.

BILL—CLAREMONT MUNICIPAL RATES VALIDATION.

Read a third time and transmitted to the Legislative Assembly.

STANDING ORDERS SUSPENSION.

The COLONIAL SECRETARY (Hon. J. D. Connolly) moved—

That the Standing Orders relating to public Bills and the consideration of Messages from the Legislative Assembly be suspended during the remainder of the session, so far as is necessary to enable Bills to pass through all their stages in one sitting, and Messages to be taken into immediate consideration.

He said: It is necessary to do this in order to pass the Supply Bill and to discuss Messages from another place, and to deal with all matters in this one sitting, as it is the intention of His Excellency the Governor to prorogue Parliament at 3 o'clock to-morrow. I presume members will have no objection to suspend the Standing Orders, as there are only two Messages, just received, and a few others that will come down from the Assembly,

all of which are non-contentious and purely formal matters, to be dealt with.

The PRESIDENT: I have to state there is an absolute majority of the Council present.

Question put and passed; the Standing Orders suspended accordingly.

BILL—SUPPLY (FOUR MONTHS).

All Stages.

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

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly), in moving the second reading, said: It is not necessary for me to give much information on the matter, as it is simply a Supply Bill for four months, to carry on the Government and to pay the public expenditure for the month that has passed and for the next three months to come. A Supply Bill is brought down every year to cover expenditure until the Estimates and the Appropriation Act have passed through Parliament. If members desire farther information as to details, they will find it in the schedule, and I shall be happy to give any information when the Committee stage is reached. The amounts referred to in the Bill are arrived at by dividing the totals of the Estimates of last year by three. The general election will take place in a very short time, and after the election there will be another session of Parliament. [Hon. J. W. Hackett: When will the election be?] I have not stated that yet. Immediately after the new House assembles, the Estimates will be brought down and full details will be given. In the meantime, Parliament is asked to authorise the expenditure for four months. This is the primary reason why Parliament was called together at all, for no measures other than those of a formal character have been brought down this session. We have met to vote supplies to carry us over the period until the new Parliament assembles.

Hon. R. F. SHOLL (North): Session after session, complaints have been made

with regard to the tactics adopted by the Governments in asking for supply, after they have expended money without Parliamentary authority. It appears to be absolutely useless to talk without taking some action. Never before, I believe, in the history of Australasia has a Supply Bill been brought down after the end of July. Had it not been for the occurrence of something unforeseen, we would not have had this Bill down yet. The Address-in-Reply was not prolonged, owing to this occurrence, and the Bill has been brought to Parliament for sanction earlier than otherwise would be the case. It appears to me that if the Government can bring the Supply Bill down in August, another Government might bring it down in September, and so on until we might not have the Supply Bill brought down until June 30th. By permitting this state of affairs to continue, Parliament loses its control of the public purse. I move as a strong protest, the following amendment—

That the farther consideration of the Supply Bill be deferred, until a measure has been passed through Parliament validating all public moneys expended since June 30th, 1908, without Parliamentary authority.

I know this is rather a drastic course to adopt, but I only bring it forward with the view of creating discussion, and to show Governments that may come afterwards that Parliament is not prepared to surrender the control of the public purse to any Ministry. I move it with very great regret, not with the view of hampering the Government, but as a protest against any Ministry taking on itself the great responsibility of expending money without having had the sanction of Parliament. It has been usual to get Parliamentary sanction before July 31st. I have always maintained that Governments should get authority before the end of the financial year, and that they should not be permitted to spend public money without the authorisation of Parliament. However, it seems to have been adopted as a practice throughout Australia that so long as the Government get supply before the 31st July, that is sufficient. This is a question affecting the law and the

Constitution, and that is the reason I refer to it now. Surely it is the duty of those who are looking after the finances in another place to enter their protest against the action of the Government and to insist that Parliamentary sanction should be obtained before money is expended.

Hon. W. MALEY (South-East) : I second the amendment, and have a few remarks to make on it. Never in the present century has such an occasion arisen as exists at the present time, when a Supply Bill is before this Chamber. I have in my hand a copy of *Hansard*, and it is one of the most slender publications we have had up to the present time. There was one copy published previously to this one, and that was more slender still. We have no information before us as to what has been going on in another Chamber, except through these *Hansard* reports. I come from a country district; the copies of *Hansard* are not posted to my address there, and members placed in the same position as myself are not privileged to read the debates before they come up to the House. Press reporters have been on strike, and we have not been able to receive the news through the medium of the newspapers. We do not know what has taken place elsewhere since we last met. We are not seized with information as to the tactics of the Government or the Opposition. We are in the unhappy position that we do not know where we are. The Colonial Secretary, who represents the Government in this Chamber, did not condescend during the debate on the Address-in-Reply to give us any information as to the condition of affairs. He did not in any way elaborate on the Governor's Speech. It is a matter for very great regret that the Government have not taken this House into their confidence. We are desired to pass whatever financial proposals the Government put before us. We are in the unhappy position of having no definite and proper information, and all we are asked is to use great expedition in passing the Government proposals. I join in the protest, and I think the hon. Mr. Sholl, who has risen on many occasions, has never risen so supreme as on the present one, especially seeing that no

information of any significance from the Government is before the House.

Hon. M. L. MOSS (West): I cannot support this amendment. The Supply Bill has for its purpose the validating of expenditure from the 30th June which was the close of the financial year. I quite agree it is always undesirable for Parliament to remain long out of session after the 30th June, and for large sums of money to be expended without the necessary authority being obtained. What the Government are doing is obtaining Parliamentary sanction for the expenditure which has taken place from the 1st July to date, and which may take place in the future, pending the general election and for the new Parliament to be brought together. This is a very proper proceeding to have adopted. The Government could quite easily have refrained from calling Parliament together and have held the general election in the middle of September. The new House would then have come in and Estimates be brought down. Had they done this, however, the Government would have been subjected to a good deal of criticism at the hands of candidates, owing to the fact that they were expending money without the seal of Parliamentary approval. If we were to get a Parliament elected three years after the date of the last election it would be impossible to have the proper Estimates brought down before the election took place, otherwise we would not get the next session over before January or February. No candidate standing for Parliament at the forthcoming election will be able to complain that expenditure has taken place without the necessary approval, that is provided the Supply Bill now before the House is passed. The Government have adopted the only course they could have taken. It would not have been the proper course to adopt for the Government to have brought down the Estimates for approval in the last hours of a dying Parliament, and they will do right to bring the Estimates down when the new representatives are fresh from the people. By the adoption of this course, all matters referred to in the Estimates can be properly discussed. All the Supply Bill means is to enable the public services to be carried

on until we get a new Parliament together. The Government are to be commended for the action they have taken, and as a matter of fact it is the only course they could have taken in the circumstances. The complaint made by Mr. Sholl is not a very serious one. Very little time has elapsed since the financial year closed, when one considers the peculiar circumstances of the position. The general elections will be held probably before the end of next month.

The COLONIAL SECRETARY (in reply): I do not know that Mr. Sholl has good ground for complaint on this occasion. He is not correct in saying that formerly the Supply Bill was brought down before the end of July, because during the last eight years there has only been one Supply Bill brought down before the end of July, and that was only a few days before the end of July in 1904. A Supply Bill would have been brought down this time before the end of July, but that the circumstances were rather exceptional. As Parliament will be prorogued to-morrow and the general elections will be held shortly, it was necessary to have a Supply Bill to cover a larger period, namely four months, instead of bringing down a Bill a week or two ago for July only. That course was not adopted. The bringing down of a Bill was postponed so that we might have a Supply Bill covering the larger period. The point the hon. member wished to make was that it was necessary to have a Bill brought down to validate the payments of the past month; but they are covered by the Bill before the House, because it validates the payments last month and also the payments for the ensuing three months. It would have been easier had the Premier asked the Governor to dissolve Parliament some little time ago and have the general elections over, instead of going to the trouble of meeting Parliament to get supplies. But I do not think there is anything to complain of on this score as far as the Government are concerned. We have gone to the trouble of asking for supplies so as to have our expenditure carried on in a legal way.

Hon. R. F. SHOLL: I just want to say that the point I take is that if the Government can bring down a Supply Bill in the middle of August to cover July expenditure, they can bring one down at any time during the year; so that practically Parliament is surrendering the control of public expenditure to the Ministry. Parliament could very well have been called together earlier, and a Supply Bill passed before the expenditure was incurred, as is done everywhere. There is absolutely nothing in the remarks of Mr. Moss, but he has evidently turned over a new leaf since his election, and is now making excuses for the Government.

Hon. G. Randell: Are we in Committee?

The PRESIDENT: The right of reply is allowed only to a member who has made a substantive motion. Mr. Sholl, as mover of an amendment, has no right of reply.

Amendment put and negatived.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time, and passed.

RESOLUTION—RAILWAY COMMISSIONER'S APPOINTMENT.

Message from the Legislative Assembly received and read, asking concurrence in resolution adopted by the Assembly approving the appointment of Mr. J. T. Short as Commissioner of Railways.

The COLONIAL SECRETARY (Hon. J. D. Connolly) moved—

That an appointment by His Excellency the Governor of Mr. J. T. Short as Commissioner of Railways, at a salary of £1,500 a year, in the terms of Executive Council minute, be approved.

He said: The resolution I have read is one that has been passed by the Legislative Assembly; and it is necessary under the terms of Section 7 of the Government Railways Act 1904, which provides that

the appointment of the Railway Commissioner has to be confirmed by Parliament, that this House should also pass it, to give effect to the appointment of Mr. J. T. Short as Commissioner of Railways. The position of Commissioner of Railways fell vacant 12 months ago by the retirement of Mr. George. Mr. Short was appointed Acting Commissioner and has been acting in that position for 12 months. During that period applications were invited for the position and advertised in America, Great Britain, and throughout Australasia. The result was that we obtained 47 applications from almost all parts of the English-speaking world. The applicants asked for salaries ranging from £3,500 to £250. There were two who asked for £250, and there were others who asked for a little in excess of that. Needless to say the cheap men on this occasion did not receive consideration. But rather strange to remark, out of that multitude of applications it was easy to cut them down to half a dozen who were at all likely to fill the position. Few applicants had anything like general experience in railway matters. Some were well up in certain branches of the work, and most of the men of standing were well versed in civil engineering, but there were few indeed that filled the bill in regard to being versed in all branches of railway management. I know there is a good deal to be argued in favour of the introduction of new blood to the department. It is often said, with a certain amount of truth, that a new broom sweeps clean, and that a new man is perhaps apt to do better work than a man who has had service in the country and who through that service has associations and settled convictions; but at the same time I think it is due to the service and to every man in the service that where a vacancy occurs in a branch of the service higher than the one a man now occupies, all things being equal, he should undoubtedly have the place. It would lead to the betterment of the service if an officer in the Railway Department or in any other branch of the public service knew that, should a vacancy occur in a position in the department higher than the position he at present occupies, he should have at least a fair

chance of obtaining the vacancy. On this occasion, the gentleman for whose appointment we are seeking the approval of Parliament has had considerable railway experience. He has had railway experience for the past 30 years. He commenced his railway career in 1878 in South Australia and he has had an unbroken railway career ever since. For the last 10 years he has filled the position of Chief Traffic Manager of our railways with great satisfaction; and on several occasions, notably during the last twelve months, he has filled the position of Commissioner and has carried out his duties very well indeed. While he has been acting during the last twelve months he has done so well that the Government considered he was worthy of the position; and they have decided to appoint him as Commissioner, subject to the approval of Parliament, for five years at a salary of £1,500 per annum. There is no long agreement attached to the appointment. The terms are covered by the Executive Council minute, as stated in the resolution we are now asked to concur in. The agreement with Mr. Short is as follows:—

“Mr. John Tregarthen Short, subject to the provisions of the Government Railway Act 1904, shall be appointed Commissioner of Railways from the 1st day of July, 1908, at a salary of £1,500 a year. (a.) The claim of the said William Tregarthen Short to superannuation allowance in respect to his services as Chief Traffic Manager shall not be prejudiced by his acceptance of the appointment of Commissioner of Railways. (b.) Leave of absence to which the said John Tregarthen Short was on the 30th day of June, 1908, entitled to in respect of his services as Chief Traffic Manager may be taken by him at the expiration of his office as Commissioner of Railways.”

Member: What is the leave referred to?

The COLONIAL SECRETARY: I do not know exactly; some accumulated leave, not a great deal, which he is now entitled to. His rights under the Superannuation Act are preserved to him. In other words, he has certain rights due by

reason of his ten years' service, under which, if he were to retire or be retrenched, he is entitled to a certain retiring allowance, and that retiring allowance is preserved to him in the agreement. But those rights will not accumulate during his term as Commissioner. In other words, his appointment as Commissioner is for a term of five years at an annual salary of £1,500, without a retiring allowance at all; and if he leaves the service at the conclusion of his term as Commissioner, or if he be then retrenched or not reappointed to the position, he will get exactly the same retiring allowance as he would to-day were he to leave the service from the position of Chief Traffic Manager. When Mr. W. J. George was appointed Commissioner he received a five-years engagement at a salary of £1,500 per annum; but it was farther provided that if at the end of his term the then Government did not re-engage him for a farther period of five years, he should retire on 12 months' leave with full pay. The Government did not re-engage him, and he retired as provided for in that agreement, on 12 months' leave with full pay. In other words, it was provided that he should receive six years' salary for five years' work; and that is exactly what Mr. George received.

Member: Is that proviso made now in Mr. Short's case?

The COLONIAL SECRETARY: No; this appointment is made for five years at an annual salary of £1,500. If at the end of the term the then Government do not see their way to re-engage him, Mr. Short will simply leave the service, and there will be no addition to the retiring allowance or leave to which he is now entitled. He will of course, as Commissioner of Railways, receive the ordinary annual leave which is accorded to all heads of departments and to subheads, such as the Traffic Manager, the position he lately occupied. Farther than that, he is not receiving any retiring allowance by taking the position of Commissioner of Railways.

Hon. J. W. Hackett: But may his accumulated leave be taken during his new term of service?

The COLONIAL SECRETARY: He is entitled to take that leave at the end of his five-years term as Commissioner; that is, the accumulated leave to which as Chief Traffic Manager he is now entitled may be taken by him after serving his five years as Commissioner.

Hon. C. Sommers: He cannot have the holiday until the five years are up?

The COLONIAL SECRETARY: No. He will of course be entitled to the ordinary annual leave, a fortnight I think it is. I do not know that I can give members any farther information. That is the agreement with Mr. Short. As I have said, Mr. Short has been in the service for ten years in the capacity of Chief Traffic Manager; he acted on a former occasion as Commissioner of Railways, and for the past 12 months he has had full control of the system. During that time he has effected considerable economies; the working costs have been very much lower during last year than they ever were before; and after carefully considering all the applications received, the Government arrived at the conclusion that his appointment was the best that could be made, and now ask Parliament to confirm that appointment.

Hon. E. McLARTY (South-West) : I have great pleasure in supporting the resolution. I have known Mr. Short in an assistant capacity for several years, and I am sure that the action of the Government in appointing him to the important position he now occupies has given the greatest satisfaction throughout the length and breadth of this State. I have had considerable business dealings with the Railways Department, and can testify to Mr. Short's business capacity and to his fairness and justice in all dealings I have had with him. I endorse what the Colonial Secretary has said as to the great inducement it is to men in the service that the Government should recognise their services and ability. I am altogether opposed to the everlasting importing of new men to take positions here. There are men here who have worked for years in the service, and are quite as capable of doing justice to the positions. I think a great injustice would have been done

had any other course been adopted by the Government. Personally I should have felt very sore if any applicant from abroad had been appointed, considering the way in which Mr. Short has carried out his duties, not only as Chief Traffic Manager for many years, but as Commissioner for the past 12 months. I think his record is creditable indeed. The railways have been economically and I think efficiently managed by him; therefore I have the greatest pleasure in supporting the resolution.

Hon. C. SOMMERS (Metropolitan) : I should like to say it affords me great pleasure to support the resolution. I have known Mr. Short for fourteen years, and have admired the way he has worked the railways. I am sure the satisfaction will be general throughout the country that the services of so worthy an officer have been recognised. I agree with the last speaker that it would have been a source of disappointment to the whole of the people had Mr. Short's services been overlooked in this appointment. So far as one may judge by past results, the administration of the railways in the future under Mr Short will be of the very best.

Hon. W. MALEY (South-East) : As one who has known Mr. Short longer perhaps than any other member of this Chamber, I am pleased to learn that he has been appointed to the position. I may say, however, that I hope the Government in appointing Mr. Short have not adopted his policy in regard to railway rates. I take it there must be some agreement between the Government policy and the policy of the gentleman they have appointed to the position of Commissioner of Railways. It is an open secret—it has been broadcast through the Press—that Mr. Short favours the duplication or looping of lines such as the Great Southern, rather than the building of spur railways. This has been a matter for comment along the Great Southern Railway district, as to whether the Government propose to push on with certain spur lines, or to go in for the loop-line system which Mr. Short, when Chief

Traffic Manager, so persistently and earnestly advocated. If the Government come down to this House and say they approve of Mr. Short's scientific tariff, under which the farmer sending his bag of wheat say from Katanning to Albany has to pay more than the cost of that bag of wheat to get it to market, then they are right in appointing Mr. Short. If they approve of loop lines as against spur lines, then they are right in appointing Mr. Short—a gentleman of whom I think very highly. I met him first in South Australia and had the pleasure of discussing railway matters with him, and I have since watched his progress in this State with concern and pleasure. I hope the policy of loop lines which he has enunciated will be satisfactory to the country. I can only hope that the policy he has pursued in the past of charging scientific rates, whereby the farmer gets all the heavy charges and the Government get all the profit, will prove satisfactory to the country. I am sorry that the Colonial Secretary could not refer to more than twelve months of the marvellous work done by Mr. Short. I would not for a moment say anything against Mr. Short; but some of his ideas, some of his policy, may I fear prove disastrous to the country. So long as he gets a free hand to do good work, he is quite able to do good work. I regret that the Government have fixed the salary at £1,500 a year for five years. I would rather see a progressive salary, whereby a man might have a chance of increasing his salary beyond £1,500, which in my opinion is not sufficient for a man in control of such a large public undertaking as the railways of Western Australia.

Hon. V. HAMERSLEY (East): I also desire to congratulate the Government on their action in appointing Mr. Short to the position of Commissioner of Railways; and I am particularly pleased to be able to congratulate the Government on this appointment, seeing that they had so many opportunities of going farther afield and making an appointment from outside the State. I think their action is appreciated throughout the State, because Mr. Short has undoubtedly shown himself

thoroughly capable in the short time he has had direct control of our railways. I feel, however, it is necessary, and I trust that in making this appointment the Government have done so, to make certain reservations not made when Mr. George was appointed Commissioner; that is with regard to the railway policy of the State. Hitherto, so far as the Government and the Commissioner are concerned, they appeared on questions of policy to be always at loggerheads. Frequently when deputations waited on the Minister for Railways, the latter has stated that the provisions of Mr. George's agreement rendered the Minister powerless to accede to the wishes of the community. It is necessary that the Government should retain at any rate some direct control over the methods and the policy pursued, as a check on the Commissioner who has charge, or rather complete control, of our railway system. I know that in several districts this question of railway policy appeals to the community very strongly. Whether the new Commissioner will alter the tactics of those who had control of the system in the past remains to be seen; but I am satisfied that the Government do not endorse many things which have been done in the past. In several districts telephonic communication has been arranged by the people at great expense, one of the main objects of which was to be in direct touch with the railways as with other public institutions. In fact I suppose the majority of the settlers have installed their telephones more with the object of being in touch with the railways than with any other public office in their respective localities. Yet I know of replies to requests for connection being sent to those people, that it is not considered in the best interests of the railways that they should be connected by telephone. I think that in a policy of that description there is something radically wrong. I undoubtedly feel that our railways have been built practically for the service of the people, and it is undoubtedly their interests that should be studied. If these people are hampered in their respective businesses by not being connected with the telephone it seems to me that the railways must suffer; our State cannot progress. We

must have the greatest conveniences brought to the doors of the persons concerned—all the persons it is possible to reach. It undoubtedly would be the means of saving hundreds of pounds to these people. I sincerely hope if the Government have not safeguarded the interests of the community in this direction that Mr. Short himself will see that the stumbling-blocks that may exist are removed. I know also some of the districts have been suffering from the alterations of the train service, and I hope that our new Commissioner will shortly see that it will be wise to run more trains, and in this direction too, to study the conveniences of the community, at the same time safeguarding the interests of the railways. I sincerely congratulate Mr. Short on his appointment. I think he is a very estimable man, well worthy of the confidence reposed in him by the Government, and I congratulate the Government on the appointment they have made.

Question put and passed.

BILL—PRESBYTERIAN CHURCH PROPERTY.

All Stages.

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

The COLONIAL SECRETARY (Hon. J. D. Connolly): In moving the second reading of this Bill, I am afraid I cannot give members all the information that perhaps it is desirable should be given. This Bill has been rather hurriedly put forward. I will admit it has only just been passed through the Legislative Assembly, but it is a purely formal Bill, and a Bill that does not concern any persons outside the ranks of the Presbyterian Church. It is a Bill for an Act, as members will see, to repeal the Presbyterian Church Act of 1884. At that time the Presbyterian Church consisted of one congregation in Western Australia, which was affiliated with the Presbyterian Church of Victoria. I have here a copy of the report of the proceedings of the General Assembly of the Presbyterian Church, held in November of last year. At that Assembly they adopted a common constitution for the Presbyterian Church of Australasia. This

applies to the Presbyterian Church of Western Australia. Previously to the adoption of this constitution, the property of the church was vested in other hands than the present governing body; in other words, this assembly constituted another governing body, and it is for the purpose of vesting the property in this body that the Bill is now introduced. There are no dissentients to this course. The business is purely of a formal character, and the church is quite agreeable. The reason for bringing the Bill forward so hurriedly is that it is rather urgent that the property belonging to the church in this State should be vested in the proper body. After the general assembly of the Presbyterian Church had decided on this course, they submitted the matter to Mr. Septimus Burt, K.C., and probably it will be more reassuring to the House if I read that gentleman's opinion on the Bill. He says:—

"I have carefully considered the draft of this Bill put before me by you and Mr. Nicholson, and am of opinion that its provisions are well calculated to effect the objects in view, that is to say to provide for the control and management of the property of the Presbyterian Church in Western Australia by an incorporated body of commissioners, subject to the general direction of the General Assembly, the rights of congregations, special trusts, and the scheme of union mentioned in Section 20. I have ventured to suggest a new clause in lieu of Clause 2. The proposed new clause will keep the present commissioners in office until the new commissioners are constituted, and the Act will come into force on its passing. The other small alterations suggested involve nothing of importance, being really amendments of wording only."

I have stated that the Bill is a purely formal one. I have no doubt there are members of this House who are members of the Presbyterian Church, and who, probably, can speak with more authority on the matter than I can. I move—

That the Bill be now read a second time.

Hon. G. RANDELL (Metropolitan): I beg to second the motion. I have only had a casual look through the Bill, but I am satisfied that every provision is made with a view of properly carrying out the intentions of the Presbyterian Church. On reading the marginal notes it will be seen that every protection is given to the individual churches, and the members of the Presbyterian Church. As the Colonial Secretary has stated, it is a formal measure, and takes the place of an Act that has been in existence for some time. It is usual in such cases to give such assistance when we are satisfied that no acts of injustice are likely to be done to the individual churches of the union, and the objects here are to enable the ruling body of the Presbyterian Church to carry out the wishes of the assembly. I notice in one clause they are not able to sell any of the lands without the authority of the Government. [*The Colonial Secretary*: That is usual.] Yes, that is the usual thing, and is quite proper in an Act of this description. As far as I have glanced through the clauses of the Bill—perhaps it is a little presumptuous on my part to express an opinion, especially after the opinion given by Mr. Burt—but it seems to me that every care has been taken to make the measure workable for the Presbyterian Church of Western Australia.

Question put and passed.

Bill read a second time; also passed through the remaining stages without debate or amendment.

[*Sitting suspended for seven minutes.*]

ADJOURNMENT.

The COLONIAL SECRETARY, in moving that the House at its rising adjourn until 2.30 p.m. the next day, said the business of the session was about concluded and His Excellency the Governor would prorogue Parliament on Wednesday at 3 o'clock; but he asked members to assemble earlier than the appointed time for prorogation, so that if there were any formal matters to put through, they could be dealt with. There were two or three formal Bills, such as to validate the rates of a roads board,

purely formal matters, the Bills containing only one clause, which it might be necessary to pass.

Hon. R. F. SHOLL: Could the Colonial Secretary give an assurance that the small Bills were of no importance, because some of these small Bills had a sting in their tail. He did not know if any member was anxious to attend the prorogation.

The Colonial Secretary: A quorum must be formed.

Hon. R. F. SHOLL would not be one even to make a quorum.

Hon. W. Maley: Out of respect, members must be present.

Question put and passed.

The House adjourned accordingly, at ten minutes past 6 o'clock, until 2.30 the next afternoon.

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Tuesday, 11th August, 1908.

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

Prayers.

RAILWAY COMMISSIONER, RESOLUTION.

On motion by *the Premier*, the following resolution passed by the Assembly