

## Legislative Assembly.

Tuesday, 10th September, 1895.

*Crown Suits Bill: third reading—Associations Incorporation Bill: third reading—Loan Act, 1894 Amendment (Kalgoorlie Railway) Bill: second reading; in committee—Ecclesiastical Grant Abolition Bill: second reading; in committee—Public Health Act Further Amendment Bill: second reading—Estimates, 1895-6: further considered in committee—Adjournment.*

THE SPEAKER took the chair at 4 30 o'clock, p.m.

PRAYERS.

### CROWN SUITS BILL.

Read a third time, and forwarded to the Legislative Council.

### ASSOCIATIONS INCORPORATION BILL.

Read a third time, and transmitted to the Legislative Council.

### LOAN ACT, 1894, AMENDMENT (KALGOORLIE RAILWAY) BILL.

#### SECOND READING.

THE PREMIER (Hon. Sir J. Forrest): Sir, in rising to move the second reading of this Bill, I think but very few words will be necessary from me to place hon. members in full possession of what the Bill proposes to do. In the Loan Act of 1894, there was a sum of £228,000 provided for the construction of a railway from Southern Cross to the Coolgardie goldfields; and an Act was subsequently passed defining the route which that railway should follow from the township of Southern Cross to the other. Members will recollect that the contract for this work was taken at a sum very much below—I think I may say about one-half below—what it was estimated the work would cost, circumstances having arisen in connection with the undertaking which induced and enabled the contractors to undertake the work at a much lower rate than it could have been undertaken under ordinary circumstances. Owing to the development of our goldfields, the necessity has now arisen for extending that railway from Coolgardie to Kalgoorlie; and, seeing that we shall have sufficient money left (out of the £228,000 voted for the line from Southern

Cross to Coolgardie) to construct this extra 25 miles—that being the distance between Coolgardie and Kalgoorlie—the Government have thought it right and wise to ask this House to approve of the provision which this Bill contains, namely, that the item included in the Loan Act of 1894, "Railway from Southern Cross to Coolgardie Goldfields (exclusive of rolling stock) £228,000," shall be held to include the extension of the line to Kalgoorlie. We fully believe there will be sufficient money available to do this work; and, if the House is in accord with the Government in regard to the proposed extension, it will be the duty of the Government, in a few days, to introduce a Bill defining the route of the proposed extension, and we shall be in a position to proceed with the necessary surveys, and to do everything necessary to enable us to go on with the work as soon as the present line is completed to Coolgardie. Seeing that it is generally admitted by everyone that this Kalgoorlie line has to be constructed, it seems to me there is no good object to be served by any delay in undertaking the work; or, at any rate, in obtaining the authority of Parliament to proceed with the work, so that the Government may be in a position to let the contract as soon as they are in possession of the railway from Southern Cross to Coolgardie. The developments that are taking place on our goldfields inspire us with every confidence that railway extension in this part of the colony will have to be on a far more extensive scale than the small extension I am now asking the House to approve. I do not, however, wish it to be understood for a moment that this railway forms any part of the future policy of the Government in regard to railway extensions on our goldfields. We merely ask the House to approve of our constructing this short line, because we feel that there is a general opinion prevalent that the railway should be carried on to Kalgoorlie, and because we believe we have sufficient money provided on the Loan Act of last session to enable us to undertake this work. With these few words I beg to move the second reading of the Bill.

MR. ILLINGWORTH: I have not the slightest intention of opposing the second reading of this Bill, or of making any remarks upon it; but I would like to have an assurance from the Government that the necessary preparation of the plans and surveys for this railway will not in any way

cause still further delay in carrying out the railway to Cue. [The PREMIER: Certainly not.] There has already been a considerable amount of delay in connection with that railway—a delay which it is very difficult for people to understand or comprehend. Of course, the Works Department comprehend it, but, to any one outside that department, it is utterly beyond people's comprehension; and I want an assurance from the Government that, in the event of this Bill passing, the necessary preparations for the carrying out of this line to Kalgoorlie will not cause any further delay in carrying out the railway to Cue—a line which is badly wanted.

THE PREMIER: I am quite prepared to give the hon. member that assurance.

MR. GEORGE: I should like to ask the Government whether they consider that the amount likely to be saved between the estimated price of the Coolgardie line and the contract price of that work, will be sufficient to enable them to equip that line, and also the line now projected, with the necessary rolling stock.

THE PREMIER: The amount voted for the Coolgardie line was exclusive of rolling stock.

MR. GEORGE: Then I hope that some provision will be made for equipping these lines. I believe the Engineer-in-Chief estimated that he would require £137,000 worth of rolling stock to equip our railways, but, at present, it appears there is only £27,000 of that amount at the disposal of the department for this purpose, leaving a deficiency of £110,000. That is on record, I believe, in a minute from the Engineer-in-Chief. Although I would be the last person to throw any obstacle in the way of carrying out this railway to Kalgoorlie, I should like to know what provision the Government are going to make to provide the necessary rolling stock for this and other lines.

MR. A. FORREST: Before the Bill is read a second time, I should like to say that I hope the Government, when they call for tenders for this important line, will limit the time for executing the work to a few months. There is no necessity whatever for giving the contractor, whoever he may be, any longer than a few months to build this short line. The country to be traversed is level, and there are no engineering difficulties, and there is no reason in the world why the country should lose the profit on the traffic between Coolgardie and Kalgoorlie, by giving the contractor a longer time than

necessary before he completes the line and hands it over to the Government. Of the pressing necessity for this extension there can be no doubt. Kalgoorlie, in my opinion, is as important a mining centre as Coolgardie itself, and the traffic on this line will be immense. Therefore, I trust the Government will hurry on with the work, and will not give the contractor longer time than is absolutely necessary to complete the work. There is no reason whatever why the contractor for the line from Southern Cross to Coolgardie should have had such a long time in which to complete his contract, thus depriving the colony from reaping the benefit of the traffic on that important line. I hope the same mistake will not be committed in this instance. The distance between Coolgardie and Kalgoorlie is only 24 miles, and I hope the Commissioner of Railways will insist upon the contract being carried out without any unnecessary delay, even though the price should be a little higher.

MR. R. F. SHOLL: The Government, in introducing a Bill for the construction of this railway, are doing what they ought to have told the House long ago, they intended doing; instead of allowing the first intimation which the House, received of their intention to have come through a telegram from Coolgardie, from a private member. The Government should have taken this House into their confidence, instead of leaving it to the House to discover their intentions from a newspaper paragraph, published on the authority of a private member. I was in hopes that the hon. member who has just sat down would have explained to the House how he discovered what the intentions of the Government were, with regard to this line, and upon what authority he made the statements attributed to him in the telegrams referred to, which certainly contained the first intimation I ever received that the Government were going to build this line. I think this House is entitled to receive such information before it is communicated to any private member, while the House is sitting.

MR. A. FORREST: Everyone knew about it.

MR. R. F. SHOLL: The hon. member says that everyone knew about it. I didn't know about it, until I saw the statement made by the hon. member at some banquet on the goldfields. I have been a constant attendant in this House since the session opened, and I know that no information on the subject was vouchsafed to members here; and the hon.

member, when he made the announcement which he did at Coolgardie, must have obtained some private information from the Ministry, which is what I protest against, as I think this House is first entitled to such information. When private information is given to one particular member as to the intention of the Government to undertake a railway to this or that part of the colony, the member who receives that information is placed in a position to take undue advantage of such information. I do not say that such was the case in this instance; but it is obvious that such a thing is possible. A member possessed of such information, to the exclusion of the rest of the public, would be in a position to make use of it to his own advantage, by speculating in land, or entering into other speculations, on the strength of the information he possessed as to the intentions of the Government to build a railway to a particular locality. I hope that, in future, the Ministry will act more openly in these matters, and take the House into their confidence, and let it know of their intention when they propose to undertake an important work of this kind.

**THE PREMIER:** We couldn't do it, could we, before we decided ourselves what we proposed doing?

**MR. R. F. SHOLL:** It appears the hon. member for West Kimberley knew all about it.

**THE PREMIER:** All nonsense.

**MR. R. F. SHOLL:** It isn't all nonsense. The first information this House received on the subject was contained in a telegram from Coolgardie, attributing certain statements to a private member of this House, who happened to be travelling about the country.

**THE PREMIER:** The other statements, I suppose, had as much foundation as this one. They were all said to be true the other day, because they appeared in the newspapers; although I have since stated in this House that they were absolutely untrue.

**MR. R. F. SHOLL:** I know nothing about that. Questions were asked on the subject in the House, on two occasions, as to whether the statements were authorised, but the Premier evaded those questions. With regard to the proposed railway, I am glad the Government have brought in this Bill, and that it is true they intend to build this railway. When I spoke on the Budget, I expressed an opinion that this was a work that ought to be under-

taken as quickly as possible, and I am very pleased to find that the Government intend to proceed with it.

**MR. SIMPSON:** I, too, am very glad indeed to support this Bill, providing for the extension of the railway to Kalgoorlie. I am glad, also, to recognise and acknowledge the desire there has been manifested on the part of the Government, lately, to recognise the requirements of the country in this respect, and to appreciate the splendid way in which our gold-fields are opening out. I am glad also to welcome the statement which has emanated from the Premier, that the decision of the Government to proceed with this line is not to be accepted as indicative of the future railway policy of the Government. I only hope that when we receive an outline of that general policy of the Government, that peculiarly leaky vessel, the hon. member for West Kimberley, will not have an opportunity of first announcing it to the country; but that the whole thing will be thoroughly ventilated in this House, before any hon. member has an opportunity of disclosing the intentions of the Government, over a glass of champagne, at a public gathering. With regard to the railway now proposed to be constructed, it will supply an urgent public want; and I can only emphasise the remark of the hon. member for West Kimberley, and express a hope that there will not be a week, nor a day, of unnecessary delay in carrying out the work, so that the further development of our gold-fields may be proceeded with as early as possible.

**MR. MORAN:** I am not going to oppose this Bill, of course; but I may say that I have just received a requisition from Kalgoorlie this evening, dated the 4th September instant, asking me to urge upon the Government the necessity of extending the railway to that important centre. The requisition is the outcome of a resolution passed at an influential meeting held in the district on the 27th. August, and I shall have much pleasure in replying to that requisition, and informing my correspondents that I have been successful in having their wishes carried out. Whatever may be said about the action of the hon. member for West Kimberley in making the statements he did on this subject at Kalgoorlie, it appears, from this requisition, that the residents of the district did not attach much weight to the hon. member's statements, or they would not have sent down this requisition.

tion, urging me to bring the matter forward in this House. There seems to have been some suspicion that after-dinner statements made at a public banquet were not altogether to be relied upon, and it may have been thought that they were made by the hon. member in a hazy moment.

MR. A. FORREST: Is the hon. member in order in insinuating that I spoke in a hazy moment?

MR. MORAN: Well, we will say in a happy moment, under the influence of postprandial inspiration. In any case, it is very gratifying to find that we are going to have this railway, and I hope the work will be carried out as speedily as possible. I am sure that all who have invested money in property at Kalgoorlie, and bought town lots there, will be very pleased to hear of the intention of the Government to undertake this work. I am only sorry I was not aware of their intention earlier, and therefore was unable to take advantage of the enhanced value which this railway will give to property in that district. That was my misfortune, I suppose; but being detained down here on other business I could not well get away.

MR. LOTON: I am very glad to be able to support this Bill. I think the country is fortunate in being able to have this 25 miles of extra railway constructed out of the sum allotted for the line from Southern Cross to Coolgardie. I think this should afford us cause for considerable satisfaction; but, to complete that satisfaction, it would be well if the Premier could inform us that this line will be thoroughly equipped with the amount of money that is available for this extension.

THE PREMIER: The amount in the Loan Act was for the railway alone, "exclusive of rolling stock." Rolling stock is provided for separately.

MR. LOTON: I hope we shall have some further information on that point when we go into committee on the Bill. It would not be a pleasant thing to have a railway constructed and have no rolling stock to equip it. It has been intimated by the hon. member for the Murray that nearly the whole of the amount voted for rolling stock for our railways has been exhausted, and, if that is so, and no provision is made for equipping this new line, the satisfaction we feel in view of the fact that the work is to be undertaken will be considerably discounted.

MR. MARMION: I have much pleasure in joining in the chorus of congratulation which

has greeted this little Bill, and in the satisfaction that is felt on all sides at the announcement of the Government that they propose to expedite the construction of a railway which, it is generally acknowledged, will supply an urgent want. The Premier has told us that this work must not be taken as a foretaste of the Government's future railway policy as regards our goldfields. But it gives me a foretaste of it; and I am perfectly convinced that, before many years have lapsed, we shall have this railway extended scores of miles beyond where it is proposed to take it now. What particular direction the extension may take, it may perhaps be premature at present to predict, but the probability is that it will be more or less in an easterly direction, and that it will largely tend to open up the auriferous resources of the country. These new lines of railway, when they extend beyond their last terminus, become no other starting points for future extensions; and, in this way, they contribute to the development of our goldfields, in all directions, and so help to enable this colony to claim the proud distinction of being one of the greatest gold-producing countries in the world. I do not think it is necessary to say any more on the subject, except to again congratulate the Government upon their determination to carry out a work which, I think, most of us who have thought anything about the subject, recognise as one of urgent necessity.

THE COMMISSIONER OF RAILWAYS (Hon. H.W. Venn): With reference to what has fallen from the hon. member for the Swan, as to the rolling stock, I may say that there is a sum of £40,000 on the Estimates for that purpose, to supplement the amount already voted, and we anticipate that the provision made in this respect will be somewhere near the mark, though of course it is almost impossible for the Government to foresee what developments may take place in connection with the requirements of the country in the way of rolling stock. I only hope it will be found that the amount we have provided will not be sufficient. I think it is to be fervently hoped it will not be sufficient to meet our future requirements. It will be a matter for sincere congratulation should we find that, owing to the expansion of our railway traffic, further provision will be necessary in the way of providing additional rolling stock for our railways. The hon. member for the Murray is quite right when he says that a large portion

of the money voted for this purpose has already been, so to speak, "ear-marked." It has not actually been expended, but the liability has been incurred, and the rolling stock has been ordered. But it is anticipated that the additional £40,000 provided on the Estimates will suffice to enable us to meet our present requirements, though, as I have already said, I sincerely hope it may not be the case.

Motion put and passed.

Bill read a second time, and committed.

#### IN COMMITTEE.

Clause 1.—"Extension of Railway to Kalgoorlie":

MR. GEORGE expressed satisfaction with the assurance of the Commissioner of Railways with regard to an ample provision of rolling stock, but said he could not accept the assurance that the additional £40,000 on the Estimates of consolidated revenue would be sufficient to meet even the immediate requirements of the railways. It was on record (as he had already pointed out) that the Engineer-in-Chief had estimated that £137,000 would be required for rolling stock on projected railways the colony, whereas only £27,000 remained unexpended and available for the purpose; therefore, when the Commissioner of Railways now assured the committee that the additional £40,000 provided in the annual Estimates would be sufficient to furnish rolling stock for the railways in existence, and the new lines authorised, that assurance was more than he (Mr. George) could grasp. Proper management and foresight should provide beforehand for the expected increase of traffic. The amount of traffic on the railway to Southern Cross should have been sufficient to give the data as to what quantity of rolling stock would be required on the Coolgardie line now under construction, and on this proposed extension to Kalgoorlie. In fact, the Commissioner of Railways had in his possession a minute which stated the amount of rolling stock that would be required for working the line to Coolgardie. It was absurd to say the £40,000 extra which was being provided in the annual Estimates would be sufficient for the traffic by the time the line to Kalgoorlie was open.

THE PREMIER: It is only 25 miles more.

MR. GEORGE said the traffic both ways meant an extra distance of 50 miles, and the difference in the rolling stock required would be considerable. It was useless to build more

railways unless a proper equipment was provided.

MR. LOTON said he did not know where the hon. member got his information that the only amount of money available and unexpended for additional rolling stock was £27,000. If that was the amount left, he (Mr. Loton) would assume that the other portion of the Loan vote for this purpose had been expended upon rolling stock which had been ordered from England to arrive in a short time. He understood the Commissioner of Railways to say the two sums together—the vote out of Loan and the vote out of the annual Estimates—would be sufficient to equip the line to Coolgardie, and sufficient also to enable the Department to proceed with the extension to Kalgoorlie. Still he (Mr. Loton) doubted very much whether there would not be a larger sum required for rolling stock, even before the next session of Parliament.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said he had not intended to say, and had not understood the Premier to say, just now, that the amount of money provided for rolling stock in the Loan Act and the further amount proposed in the annual Estimates, would be enough to complete the equipment of the railway extension to Kalgoorlie. He (the Commissioner) thought it probable that for completing the equipment of the extension to Kalgoorlie more money would be required; in fact, this Bill did not deal with the equipment at all, but he might say that with the amount of rolling stock now ordered, the line would be fully equipped for working to Coolgardie, and the 25 miles extra to Kalgoorlie would not make so large a difference in the required rolling stock as if that were a branch line. As to making provision for all possible requirements, it was better for the country that the ordering of rolling stock should be a little behindhand, than that rolling stock should be ordered in quantities larger than the traffic might require, as was done by the colony of Victoria, in the anticipation of traffic that never came. Rolling stock ran into very large figures. The Engineer-in-Chief and the Government were most anxious to have these goldfields railways properly and efficiently equipped.

MR. R. F. SHOLL said that, judging by the report of the Engineer-in-Chief, it would not be wise to defer for a long time the ordering of the required rolling stock for the extension

to Kalgoorlie, because the making of the engines, etc., occupied a considerable time.

**THE COMMISSIONER OF RAILWAYS:** Twelve months between the order and the delivery in this colony.

**MR. R. F. SHOLL** said the Engineer-in-Chief, in his recent report, referred to the ordering of rolling stock as follows:—"The estimated increase in revenue on the railways for the year 1894-5, as compared with 1893-4 was £79,436, and the additional rolling stock provided for would have been quite sufficient to meet that but the actual increase was £155,436, and, by consequence, the rolling stock has been, and is still, somewhat inadequate. The condition of the matter at present is, that we have rolling stock under order in England to the extent of about £54,000 (consisting of 7 locomotives, 24 passenger carriages, and ironwork for 160 waggon), nearly all of which was indented for as far back as January, 1895, but none of it has arrived here yet. There are also further indents for rolling stock, now in course of preparation, to the extent of about £100,000, in anticipation of votes of Parliament during the present session; and, as regards this, I may say that the Government has throughout taken full advantage of the money provision for rolling stock, and has in some cases even exceeded it; possibly not so in actual expenditure, but certainly so in incurring liabilities." It appeared from this extract that the Engineer-in-Chief was looking ahead, and had made ample provision for rolling stock for the proposed railways. The Agent-General in London might be asked to expedite, as far as he could, the completion of the orders for rolling stock, so as to keep pace with the rapid development in the railways of the colony.

**THE COMMISSIONER OF RAILWAYS** (Hon. H. W. Venn) said the Agent-General was not to blame in that matter, for the fact was that, if an order for locomotives were sent to England, it was hardly possible to get them completed and delivered in this colony in less than twelve months. If engines of a certain specified type were ordered, upon a tender received, those engines would not be delivered here in less than twelve or fifteen months. Of course, it would be practicable to order, say from Beyer and Peacock, engines of a type they usually had in stock or were making, and these

might be delivered in this colony within a few months; but that course would be departing from the usual practice, which was to order engines of a specified type. The better plan, and the usual one, was for the Government to call for tenders for rolling stock, upon plans and specifications; in which case the time occupied was about twelve months between the date of order and the delivery in this colony. Therefore, to provide rolling stock by ordering it twelve months ahead of actual requirements was a long time to provide for in advance of the traffic. Some 3,000 tons of rolling stock ordered in January last were now on the way out or being shipped, and some of it was expected to arrive in a month's time from the present. The supplying of this order, therefore, was occupying less than 12 months; though, in fact, the Government had endeavored to get these engines delivered as early as possible.

**MR. GEORGE** said he knew it was possible to call for tenders for any type of locomotive engine in England, and get the finished article delivered in this colony within six months from the date of calling for tenders. This had been done by a private firm, in ordering engines made by Beyer and Peacock; and, if the Government of this colony had the necessary foresight, in having drawings prepared, and forwarded to the Agent-General, they could get orders for engines completed within the same short time. Not only the people on the goldfields, but the agricultural districts, and even the mercantile community in Perth and Fremantle, were asking for more trucks, and could not get them. The Government should grapple with this serious difficulty by ordering too much rather than too little rolling stock.

**THE ATTORNEY-GENERAL** (Hon. S. Burt) said the hon. member for the Murray evidently knew nothing about Estimates, and it was not clear that he knew much about the ordering of locomotive engines to be made in England. A few years ago, when he (the Attorney-General) was visiting England, and was calling at the Agent-General's office in London, instruction was received from this colony to send out, as soon as possible, certain railway engines. But at that time the makers were busy, and Beyer and Peacock, as well as another of the largest firms, absolutely refused to tender, because their hands were so full of work. They would not undertake to make the engines within twelve months, and said

they could not possibly do the work in less than eighteen months. Therefore, it was not likely that private firms in this colony, as alleged by the member for the Murray, could get engines made to order and delivered here within six months, when ever they chose to do so.

MR. ILLINGWORTH said the Attorney-General might not know, but could ascertain by inquiry, that in Great Britain a system existed among certain of the manufacturers of railway rolling stock, by which they pledged themselves not to tender for a certain time; by which means they endeavored, as in the case of dealing with the Victorian Government to get tenders accepted at practically their own price. That was a knock-out arrangement, for obtaining a higher price. Knowing this was the practice, he would strongly support the suggestion of the Commissioner of Railways, that the best course for this colony would be that the Government should rely on respectable firms, and order the goods as they required them. By doing so, the Government would get better value for their money, and obtain a better quality of article. As a matter of fact, the work was not done cheaper or better as a result of the tender system. Speaking on the question of rolling stock, he might say that, when in another colony, he had held the opinion that merchants and others were crying out for trucks and other rolling stock, they should be provided at any cost. Time had, however, showed this to be an error for the reason that when the traffic went off, the colony would be burdened with a large expense for useless rolling stock. It would have great piles of rolling stock lying idle, and the people would be continually paying interest on what was not producing one penny of revenue. This was the experience of Victoria, and he would not like to see the same experiment repeated in this colony. So far, it appeared to him, the Railway Department was coping with the necessities of the traffic very well indeed, and, while of this opinion, he would not do anything which would rush the colony into buying what might prove unnecessary rolling stock thus burdening the railways and the people with a serious annual charge for interest.

MR. MORAN did not think there was much likelihood of the Government committing an error in this matter; even if they were to proceed with large orders for rolling stock. The opening of the Coolgardie line, and, afterwards, the line to Kalgoorlie, simply meant an enormous addition to the

traffic on our railways. At Kalgoorlie there were very strong companies formed, and all were ready to work, but for the fact that they had been unable to get their machinery brought on to the fields. There were thousands and thousands of tons of machinery ready to be carried to Coolgardie and to Kalgoorlie, as soon as the two lines were opened; and mining was by far too important an industry for its development to be checked owing to any insufficiency of rolling stock, when the railways were in a position to carry the goods. There was not the slightest necessity to warn the Commissioner of Railways against going too far with his orders for trucks, engines, and other requirements; and he trusted the hon. gentleman would see that, for some years to come at any rate, it would be impossible for the rolling stock at the command of the department to meet the heavy demands which would be made upon it by the opening up of lines to the various goldfields.

Clause agreed to.

Clause 2—Short title:

Put and passed.

Preamble and title:

Put and passed.

Bill reported, and report adopted.

#### ECCLESIASTICAL GRANT ABOLITION BILL.

##### SECOND READING.

THE PREMIER (Hon. Sir J. Forrest): Sir, I am sure the Bill which I now have the honor of asking the House to read a second time is regarded, and properly regarded, as an important one. The subject matter is one that, on many occasions I regret to say, has been the cause of differences of opinion in this House. I rejoice, however, in the fact that, if we pass this Bill now, we shall dispose of a question with which we have had to deal in this House every year almost, for a great number of years. It will be satisfactory to know that, in dealing with the question in the way it is now brought forward, we shall succeed in effectually disposing of it for the future. I think, Sir, that this measure which I have the honor to introduce this afternoon, may safely be said to be one of the results of self-government having been extended to this colony. There is no doubt—notwithstanding what some may say about the wisdom of the course—there is no

doubt that legislation in this colony trends, in a great measure, in the direction of the legislation which has found a place on the statute books of the Eastern colonies. I do not myself know whether it is always wise for us to too closely follow the examples of the other colonies. As a matter of fact, I do not think we should be in too much of a hurry to copy them in many of the measures they have adopted. The fact remains that we have been doing a great deal, of late years, to bring ourselves practically into line with the other Australian colonies on many of the more important social and political questions of the day. We have now in this colony the same Constitution as the other colonies, and, when we pass the Electoral Bill now on the table of the House, we shall have an electoral law almost identical with the laws in force in the other colonies, and more particularly with the law existing at the present time in Queensland. In other political questions, also, we are rapidly bringing ourselves into line with the more advanced legislation of the sister colonies. This is not to be wondered at, when we consider that a large number of the people who form the population of this country to-day, are those who have come from other parts of Australasia. We know there is a desire, and has been for years past, on the part of many members in this House, that there should be no direct subsidy of religion by the State; and this Bill is one which brings us into line with Australian sentiment and Australian thought on this particular question. In no other colony, at the present time, is there any direct subsidy by the State to religion. I am of the opinion that the action we have taken, or rather the action we propose to ask the House to take, may be regarded as a very wise one, because, although it is difficult in this community, or any other community, to estimate the great and good work the Churches have been doing, or the great influences for good they have exercised, there is a growing feeling that it will be better for the Churches themselves to depend for their support upon their own followers, rather than upon any subsidy from the State. Now, Sir, it would be very easy for me, if I so desired, to say a very great deal on this question generally, and I have no doubt the same thing could be said by other hon. members of this House. No doubt, a great deal can be said in favor of the State assisting the Christian Churches in this country, or in

any country, and there are many who could doubtless advance valuable reasons why the Ecclesiastical Grant in this colony should be continued. There can be no doubt about this, that the Government of any country and the Christian Churches of that country are interested together in the same way, to a large degree. The State wants good, law abiding, honest, and honorable citizens, and the Churches seek to teach men to become so, to be just and upright, and to do their duty towards their neighbor as well as to do their duty towards their God. The Church and the State are generally supposed to be able to help one another more than any other institutions that could be named, and there is no doubt this is so. In all the older countries of the world we find the old-established Churches and the State working hand in hand. The Churches teach their followers to be satisfied with their lot, to be honest, straightforward, and honorable men; and this is the very class of citizens that the State requires in order to carry on the work of the country. It is not surprising, therefore, when the question is studied, to find that in all the older countries of the world there is always a great deal of sympathy and moral assistance given, not only by the State to the Churches, but also by the Churches to the State. The time has arrived, however, when the monetary assistance hitherto given by the State in this colony to the Churches must cease, in so far as any contribution out of the public funds is concerned. What we have to do with this Bill now before the House is to take care that, in bringing the monetary assistance of the State towards religion to an end, we do so in what I might term a fair, equitable, and liberal manner. It is very satisfactory indeed to know that, in dealing with this matter, the Bill now before the House meets with the approval of all the religious bodies concerned, and, that being the case, I think we may take it for granted that it will meet with the approval of the great majority of the people of the colony, for, with the exception of the Congregationalists, and one or two other less numerous bodies, the majority of the population are comprised within the folds of the four denominations mentioned in the schedule of the Bill. Fortunately, also, we are dealing with this question at a time when the finances of the country are in a sound condition, when everything is prosperous, when everything is peaceable, and



when there is a general good feeling among all classes, existing, perhaps, to a greater extent than ever before in the history of this colony. Speaking for the Government, Sir, I may say that our desire in this matter is to act liberally towards the Churches, and our proposals are set forth in the schedule of the Bill. We propose to give each of the Churches mentioned in the schedule a sum equal to ten times the annual grant which they have been receiving for so many years. It will be observed that the total amount of the commutation is £35,000, which it is proposed to distribute to the various denominations as follows:—

	£	s.	d.
Church of England .	20,042	5	0
Roman Catholics ...	10,085	17	6
Wesleyans ...	3,686	14	2
Presbyterians ...	1,615	3	4
	<hr/>		
	£35,430	0	0

What makes the step we are now taking a more pleasant one, is the fact that we are aware that we are moving in a way that meets with the concurrence of all the Churches interested. They are all satisfied, I believe, with the proposals embodied in this Bill, and I am happy to think that they consider that Parliament is treating them in a fair, and even in a liberal spirit. So far as the amount proposed to be given is concerned, some may consider it even too liberal, while others perhaps may regard it as too small. I think if we are to err at all in this matter, it is much better that we should err on the right side, — on the side of liberality. We must remember that we are bringing this Grant to an end—I will not say by force, but without asking the consent of the Churches to the arrangement.

MR. R. F. SHOLL: There is no reason why we should.

THE PREMIER (Hon. Sir J. Forrest): The hon. member can argue that point presently. I say that when a privilege has been enjoyed by an individual or by a public body for a number of years, we have no right whatever to take it away, unless some compensation is given in its place. We are now changing the policy of this country in regard to this Ecclesiastical Grant. We have decided to deprive the Churches of that aid which they have received for many years past, and, so far as I am concerned, I say that we should deal most liberally

with those who have received this Grant from the State during the last half a century. It has been suggested that the Government should keep some control over the expenditure of the money that it is proposed to pay the Churches in lieu of the Grant, in order that we may be able to see to what objects the money is being applied. But I altogether dissent from that view of the matter. I believe in allowing the Churches to manage their own business, in their own way; and that for the Government to maintain a control over the expenditure of the compensation money would be to perpetuate the system of State aid to religion, instead of bringing it to an end. I believe that the Churches are sagacious enough, and single-minded enough, to be quite able to look after their own interests, and to invest this money in the way that would be most beneficial; and I do not think it would be to their interests, or to the interests of the country, for anyone else, or for the State, to exercise any control whatever over this money. I take it that, in granting the proposed compensation, we are at once and for ever making a complete severance between the State and the Church. I think that we may congratulate ourselves on what I may consider the causes, to some extent, which have given us an opportunity of removing from the political arena, and removing from our political path, one of those vexed subjects which so often give rise to religious dissension in the community. We want to live in peace, as a community, without religious disturbances or religious strife. This Ecclesiastical Grant has been the subject of a great deal of dissension in this House. Every year we have had an adverse vote proposed by some hon. member who does not consider that some of the Churches should receive that aid from the State which other Churches feel that they cannot conscientiously receive. I am very glad that we are now able to see our way to move in this matter, in a direction that is not likely to do any wrong or injury to the Churches, while we shall, at the same time, be able to remove from the political arena a subject which is calculated to give rise to a considerable amount of dissension, and acrimonious discussion, in this House. And I hope that, in a few days, we shall be able to remove from the political road and the political arena another subject, which recently has caused even a great deal more trouble than the Ecclesiastical Grant, throughout the length and breadth of this

country. I refer to the Education question. I hope that both of these controversial questions will be removed from our political path, and that in the future we shall be able to go on with practical legislation without being interrupted by hon. members bringing up religious matters for discussion in this House. As I said before, I rejoice that these questions are now about to be dealt with by the House, because it seems to me that we shall be able to deal with them now in a manner that will be acceptable to those particularly interested, and that no ill feeling will be left behind, because, if ill feeling should be left behind, I should feel that our work was only half done. There is another thing I would like to point out with regard to this money compensation for the withdrawal of the Ecclesiastical Grant, and it is this: in giving the compensation to the Churches we are not giving it to persons who will use it improperly, or to persons who will take it out of the country and use it in another country. We are giving it to those who will use it for the best purposes, namely, towards the making of the citizens of this country good men and good women. Therefore, I take it that this House will support the Government in dealing fairly and liberally with the Churches, now that the Ecclesiastical Grant is to be abolished. It is unnecessary for me to dilate on the subject, and, with these few words, I move, Sir, that this Bill be now read a second time.

MR. RANDELL: I have not come prepared to address myself at length upon the Bill before the House, but I should like to express the satisfaction I feel that we have now reached a stage in our political life which I have desired for many years to reach, namely, the abolition of the Ecclesiastical Grant. I belong to a denomination—the Congregationalists—which has been established in Perth for the last 50 years, and in Fremantle for ten years, and which has, consistently, throughout the whole of those periods, refused to accept money belonging to the State, inasmuch as the members of that Church felt that it would be contrary to their religious views and religious principles for them to accept funds belonging to the whole community, for the promulgation of the tenets of their own particular faith. I am very glad that the Government has at last proposed to withdraw State aid altogether from religion, and, in doing so, I am sure the House will agree that the Government have made a proposal which is liberal.—I may say

generous,—and that the Churches will admit it to be so, seeing that the Grant might have been removed by the vote of a hostile House, without any compensation at all. Such a step would, however, in my opinion, have been improper, especially as the Churches, having been accustomed to enjoy the grant for a more or less number of years, have, to some extent, come to rely upon it. But I believe that the withdrawal of the Grant, and the payment of the compensation which the Bill proposes in lieu of the Grant, will be a step that will be found to be in the interests of the Churches themselves, and in the interests of the general community. I do not think I shall be disappointed in the expectation that the Churches in question will rise to the occasion, and that their members will see that it is their duty to support their Churches out of their own pockets, and that they will do so cheerfully and liberally. I do not think there need be any fear in any person's mind that the Churches will suffer because this Grant has been withdrawn from the denominations which now participate in it. I hope, Sir, that, as the members of those Churches have been more or less energetic in the past, they will still be more energetic in the future, in order to take care that the Church revenues shall not suffer. At the same time, the House, by voting the sum asked for by the Government to be paid as compensation for the taking away of the Grant, will relieve the members of those Churches from a feeling of injury, and will also stimulate them to recognise that their best friends desire to aid them, in their best interests, and in the best interests of the country. While I am speaking upon this subject, I may say that I trust that, in the future administration of Constitutional Government in this colony, we shall not commit another great error, that is, of making large grants of land to the various Churches, for such grants really constitute endowments, perpetual endowments. I may say that, at one time, I refused on behalf of the Congregational body, a grant of land for a church, or a minister's residence, or school, although, perhaps, I may not be able to logically establish my position in having done so, for I think that there is no more acceptable use for a Crown grant of land than for one of the purposes referred to. But I hold that the giving of grants of Crown land would constitute a permanent endowment, and I trust no Church which is at present in existence, or any other

that may come into existence, will ever receive such an endowment from the State, for, in my opinion, such a grant would be neither necessary nor wise. I should not have risen to speak on this matter except to express my extreme gratification that the Bill has been brought forward, and that we are now within measurable distance of seeing the end of this Ecclesiastical Grant, and in what I regard as a very satisfactory manner. I only trust that the sums of money named in this Bill will be accepted by the various Churches in the spirit in which they are given. I believe it will be so. I am glad that the Premier has referred to the suggestion that has been made to him, that the Government should control the expenditure of the money that is to be disbursed by the Churches, under the provisions of this Bill. I think that would be utterly inconsistent and incompatible with the proposed abolition of the Grant. You must trust the various bodies to manage their own affairs in their own way; and I feel certain that the governing bodies of the respective churches are competent to do so with discretion. Sir, I hope that the passing of this Bill will be a step towards binding the people of this colony together in a feeling of amity towards each other, in order that they may work together for the best interests of the country.

MR. R. F. SHOLL: I would not have ventured to speak upon this Bill but for the remark of the Premier that we should not take away, by force, privileges which the Churches have enjoyed for so long a time, that they have acquired a certain vested interest in this Ecclesiastical Grant. I deny that, because Churches have been assisted for fifty years, they therefore have vested interests in this Grant, and have acquired the privilege of having it continued. On the contrary, as the Churches have enjoyed this assistance for so long, that is one reason why they should be in a position by this time to do without it. There are only four Churches which have had a share of the vote, namely, the Roman Catholic, the Wesleyan, the Church of England, and the Presbyterian; though I do not see why other Churches, such as the Jewish, or other denominations, should not have participated in it. Not having done so, I think they are all the more entitled to consideration now. The House will also remember that we have given very valuable grants of lands to different religious bodies in this colony, and I agree with the hon. member for Perth that there should

be no more such grants. I think the hands of the Government should be strengthened by the House passing a distinct resolution against any further grants of this kind. [AN HON. MEMBER: You move it.] I think that the members of all religious bodies should be prepared to support their own Churches without any aid from the State, as the members of some denominations support theirs. All should be treated alike. Where is the line to be fairly drawn, as to which faith is to have aid from the Government, and which is not? A little while ago one of the religious bodies—that is to say the members were religious from their point of view (Mahommedans)—asked the Government for a grant of land upon which to build a place of worship; but they did not get it, though, logically speaking, it might be argued they were just as much entitled to it as any other body, however much we may disagree with their religious views. I think the proposed vote is a very liberal one—perhaps too liberal; and, if any hon. member will move that it be reduced, I shall support the motion.

MR. ILLINGWORTH: I have pleasure in supporting this Bill, and, before it passes through all its stages, I think that two things should be stated. It has been said, and it has been reiterated by the Premier this evening, that one of the reasons why the State should contribute towards the Churches is that religion has so much to do with the maintenance of order and good Government. Now I desire to express distinctly my conviction that the Church has a higher mission than simply to be a wheel in the Government machinery of the country. Though I have spoken in this, and in another colony, against the Ecclesiastical Grant, I have done so through no lack of appreciation of the great work the Church has to do and is doing, but solely because I desire to separate that work from the machinery of the Government. The House should recognise the danger of establishing grants of this kind—a Grant which has now been continued so long that the Churches claim it as a right. But it is not a right; it is a gift. The country is, in this case, having the experience of a private individual who has charitably befriended a person for a certain length of time, until the recipient forgets to be grateful, and looks upon the help given him as assistance which he has a perfect right to claim. The proposal of the Government is more than liberal; it is gener-

ous, in the amount of the proposed compensation—generous in the extreme. Whether it is just is another question, and I will not stop to discuss it. But, when this question was discussed in another colony, the decision arrived at was that the Grant should be gradually reduced, at the rate of 10 per cent. per annum, till it finally ceased. Now, if this principle were applied to our Ecclesiastical Grant, the amount which the Churches would receive in any one year, and during the next eleven years, would amount to £15,500. Any person having the handling of money knows that it is a very different thing to receive say £20,000 to-day or to receive £30,000 divided into ten years, or in equal payments extending over ten or eleven years. A grant of £20,000 to-day is practically double what it would be, if it were spread over ten or eleven years. Now, the Government proposal is to give £35,000 to the Churches, and I want to emphasise this, because I hardly agree with the view that has been expressed by the Premier and by the hon. member for Perth. I emphasise the true value of the vote, in the desire and the expectation that, when the Bill has been passed, the Churches will see that they have been dealt with generously, and that they will receive this gift as full and complete satisfaction for any deficiency which may arise out of the withdrawal of the Grant. I want to emphasise the value of the vote, in order that, if possible, we may arrive at a permanent settlement of this question. If this amount of £35,000 is given to the Churches in a lump sum, instead of the compensations being paid to the Churches on the basis approved of in Victoria, the amount is equivalent to £60,000, because the £35,000 properly invested will, with interest and principal, have yielded £60,000 in eleven years time. Therefore, I think it will be generally recognised that we now propose to deal most liberally with the Churches in this matter, because, if the alternative proposal of a 10 per cent. reduction, extending over ten years, had been agreed upon, all that the Churches would have received would have been £16,000, whereas it is now proposed to give them £35,000. I wish to emphasise this point: I do hope the religious bodies which are interested in this Grant will recognise that hon. members, in agreeing to pay them that large amount, have stretched their liberality and their generosity to the fullest possible extent; that, in voting

for the payment of this £35,000 we feel that we are more than generous, and that, so far as the country is concerned, the action of Parliament in granting this sum may even be regarded as a little more than strict justice. But I am inclined to think, as the Premier thinks, that it is better to err on the side of generosity in this case, than to err on the side of niggardliness. Therefore I propose to vote for the second reading of the Bill.

MR. SIMPSON: I heartily welcome the introduction of this Bill to abolish the annual Ecclesiastical Grant. As hon. members have pointed out, it will determine once and for all the vexed question which has cropped up in this House, year after year, as to whether there should be State aid to religion or not. I have little doubt myself but that the abolition of this assistance will operate in the interests of the religious bodies themselves. So far as I know, from personal observation, increased animation, and a desire to more faithfully accomplish their public duties, has been apparent in regard to all religious bodies, in every part of the world, as soon as they become emancipated from State aid. It appears, also, that the atmosphere in which kindred bodies exist in this colony is not congenial to robust growth, when this State aid is depended upon. The traditions of the Churches in other lands are largely inherited, but in Australia it seems to me that in the evolution of the question of State aid to religion, we find that the most active and useful work is done in those Churches whose vitality is promoted without any assistance from the State.

THE COMMISSIONER OF RAILWAYS: No!

MR. SIMPSON: I think the hon. gentleman will find that the most active religious bodies, and those which are accomplishing the most good, are those which have been longest emancipated from State aid. I do not know that in any assemblage of legislators in Australia, I have heard more distinct recognition of the work of these bodies expressed than has been expressed in this Assembly; and, in addition to the words of praise which we have so liberally bestowed upon them in the past the Bill now before the House shows in a practical manner that we heartily appreciate the work which the Churches are doing. If we are committing an error in granting so large a sum as £35,000 to these bodies, we are erring on the side of liberality, and so far as I am concerned, though perhaps conscious that we are erring in that direction now, I am prepared to sup-

port the second reading of this Bill, which will remove from our path a very big bone of contention.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn): While listening to the speech of the Hon. the Premier in moving the second reading of this Bill, I was struck with what he said regarding the march of thought in connection with this question of the Ecclesiastical Grant. I remember that, when I first entered this House, I was one of two or three members who protested against the continuance of State aid to religion, and we divided the House, year after year, when the annual vote was discussed, in order to record our opposition to it. I am glad now to find that the House recognises the principle we were then fighting for, because I feel that the Churches themselves will benefit eventually by the abolition of this annual grant-in-aid, and the substitution of the lump sum of £35,000, distributed under the conditions proposed by the Bill now under consideration. Being a member of the Government my mouth has been practically closed on this question for the last five years, although my colleagues knew all along that I held very strong opinions concerning it. I agree with what the hon. member for Nannine has said in regard to the question of gradually diminishing the Grant year by year, at the rate of ten per cent.; and, if I remember rightly, that suggestion originally came from the hon. member for Geraldton. Although I believe, now that that would be the more preferable course to take, and I should have supported any proposal embodying that idea, still, it is my intention (seeing that the House is of opinion that the proposal embodied in this Bill is a desirable one) to support the second reading.

MR. MARMION: I merely rise to say a few words. The subject has been alluded to as an important subject in the arena of our local politics, and it has been my pleasure to appear in that arena from time to time in support of the Grant, as well as in connection with an equally important and somewhat analogous vote. I have always been an advocate for giving State assistance to those religious bodies who thought it was right to accept such assistance; and, I do not consider it is a good argument to say that, because one body refuses to accept such help, the assistance should be withheld from others. I do not think, however, that this is the time to

traverse the very many arguments which from time to time have been used, *pro* and *con*, with reference to the question of State aid to religion, because we are now met in a spirit of harmony and of goodwill, and with a strong desire to deal with the Churches, as some hon. members have said, "fairly," as others have stated, "justly," and as others have remarked, "liberally and generously." I heartily congratulate hon. members on their readiness to deal with this question in that praiseworthy spirit. It also affords me great pleasure—after having for years taken a course of action with regard to this vote, which has met with opposition in some quarters—it gives me great pleasure now to agree with hon. members in regard to this Bill, and to act in the same generous spirit towards the Churches as those members who have already spoken on the subject. With regard to the question of the amount proposed in the Bill to be granted, it is not one of very great moment, so far as the public funds are concerned. The country can very well afford, at this stage, to act generously in this matter. I would like to say that, in my opinion, the country will not make such a bad bargain after all, if this £35,000 is granted to the Churches; inasmuch as payment of this lump sum of £35,000, in the manner proposed, will have the effect of forever abolishing the annual vote of £3,500, which has appeared on the Estimates for so many years, and over which so much contention has annually arisen. If we were to borrow £35,400 to-morrow, at the rate at which we can borrow money at present, we—

MR. SIMPSON: You would not pay this Grant out of loan money, would you?

MR. MARMION: I say if we borrowed this amount of £35,400 at the rate of  $3\frac{1}{2}$  per cent.—which is the rate at which we can borrow money at present—the annual Grant to the Churches would be £1,239, as against this sum of £3,500. On the other hand, the Churches, if they are able to invest this £35,000 at 6 per cent., will then have an income of £2,124 from that source or, about £1,400 less than they now receive from the Ecclesiastical Grant. That is between the four Churches who participate in the Grant. On the whole, I do not think that there is much cause for complaint on either side. I again congratulate the House and the country (as the step we are now taking has been decided upon) upon the fact that this annually recurring and much-

vexed question of the Ecclesiastical Grant is to be settled in such a generous way, and in a manner satisfactory to all parties concerned.

MR. SOLOMON: As one who belongs to one of those denominations referred to by the hon. member for the Gascoyne, I think I should, on behalf of the denomination which I represent, express my opinion on the subject. I think that Parliament should deal generously and liberally with those religious bodies which have for so long been in receipt of State aid, and who are now to be deprived of that annual assistance. The Jewish people do not feel that, because they have not also received any assistance from the State, they would be justified in protesting against other denominations receiving such help; but, so far as I am personally concerned, I may say I am pleased that this Ecclesiastical Grant, which has always engendered more or less ill-feeling, is about to be abolished, on a fair and equitable basis. I have, therefore, much pleasure in supporting the second reading of the Bill.

Motion put and passed.

Bill read a second time, and committed.

#### IN COMMITTEE.

The Bill passed through committee without amendment or discussion.

At 6.22 o'clock p.m. the Speaker left the chair.

At 7.30 p.m. the House resumed.

#### PUBLIC HEALTH ACT FURTHER AMENDMENT BILL.

##### SECOND READING.

MR. TRAYLEN: The Bill of which I now move the second reading is the embodiment of a number of resolutions that have been come to from time to time, by that body which is most representative and most qualified to express opinions on the subject of the public health, the Municipal Conference. On two or three occasions, when that Conference has met in Perth, in Fremantle, and in Geraldton, there have been expressed opinions with reference to the necessity for improving, in some respects, the public health laws of this colony. I should like to pay a high tribute to the person, whoever he may be, who originated the Public Health Act, which is, as I believe, a model of most of those prevailing in other colonies of Australia. But it is no reflection on the author of that Act to say that experience has shown there are some particulars in which improvements are desirable, and especially as to the

powers of local bodies in dealing with questions of sanitation. I hope that before very long—perhaps next session—the Government will see their way to bring in a Bill for consolidating and improving the Public Health Acts of this colony. This process of amending has been going on for some little time, and I think it is well to have our laws on a given subject comprised within one Special Act for the purpose. The present Bill is intended only to meet pressing exigencies for the current year; hoping that, next year, there will be a Consolidation Bill, and one made somewhat more fully on the lines that have been most recently adopted in the Eastern colonies. Taking the urgent amendments that have been requested at once, in the order which they relate to the sections of the Public Health Act, I will first deal with Clause 3 of the Bill, asking that there may be some words added to the definition of the term "house;" and the circumstances which call for this addition are these: it will be within the knowledge of hon. members that during the greater part of last summer there were a large number of miners in Perth, some of them too poor to pay for lodgings in the ordinary way; and they established themselves in tents upon whatever block of vacant land they could find at all suitable for their purpose. Some of them camped upon private land, the owners of which—one owner in particular—had no particular or immediate use for the land, and this owner not being a resident of Perth, it was not a matter of moment to him whether his land was occupied by miners living in tents, or otherwise. But the neighbors had very good cause for complaint as to the want of sanitation prevailing under these circumstances. The Local Board of Health were appealed to again and again, but the Board felt they were considerably handicapped by, first of all, their having little or no power to get at the owner of the land; secondly, by their having little or no power to get at those who were camping on the land. The Board of Health had not the power to step in and say, this insanitary state of things should not go on; and, somewhat in desperation, we (the Board) took measures that were fairly successful, but not so successful as I could have wished. In order that we may not be in similarly difficult circumstances in the coming and other summers, I have asked this House to be good enough to agree to the few words being added at the end of the definition of the term "house," so that

whoever camps on land within a municipality, whether the land be private land, or a municipal reserve, or a reserve for a park or recreation purposes, may be subject to the control of the Board of Health, and be prevented from living in an insanitary state. Those hon. members who are familiar with municipal affairs will be aware there is a section of the Public Health Act which requires certain sanitary conveniences to be attached to every house; therefore, if it be clearly defined that a tent is a house, we can then require the erection of these sanitary conveniences where persons are living in tents, and that provision will put an end to the trouble as far as this particular phase of the question is concerned. Section 27 of the Act requires some little addition by inserting the words "or owner" after the word "occupier," and I can easily explain the circumstances that call for this. First let me say, that in many places, "occupier or owner" is the form in which reference is made to certain responsible persons; but in the 27th section of the Act the responsibility rests merely with the occupier; and I want to say the Local Board of Health is often placed in an awkward predicament, because the person occupying premises happens to be too poor to be able to carry out the duties imposed by the Health Act. The circumstances are usually these. In a row of small tenements—perhaps one tenant occupying one room, or one room occupied by some poor, infirm person who is able to earn only a very few shillings a week—there may be one ashpit attached to the whole group of tenements. It has been found impossible to compel any one of these poor tenants, in such a case, to pay the cost of emptying the ashpit; indeed, it would be manifestly unfair to compel any one person to do this; and the Local Board in Perth have found groups of tenements of this character, where all the tenants were so poor that it was absolutely useless to take legal steps against any of them, so that the Board have had to bear the necessary cost of cleansing these premises, simply because the Board could not get at the owner. They could not get at him because of the omission of the word "owner" after the word "occupier," in that section of the Act; therefore, I trust the House will agree to this amendment. Section 27 of the Act provides also for the making of by-laws in a number of cases; and amongst the things for which by-laws may be made, is the proper

regulation and management of dairies. That is all very well as far as the dairies within a municipality are concerned, and there is no question arising as to the power of the Local Board of Health to make regulations for the proper management of dairies within a town. But hon. members will know that very little of the milk now supplied to the inhabitants of Perth, for instance, comes from dairies within the municipal bounds. There are dairies in the suburbs, one to four miles away; and at present there is no means by which the health authority of a town may exercise any control or supervision over these extra-municipal dairies. I am therefore asking the House to add such words to that section of the Health Act as will enable the Local Board of Health to inspect such dairies and insist on conditions of cleanliness, wherever they may be situated, and this will apply not only to the dairies around Perth, but to those adjacent to any town in the colony. Section 40 of the Act also, in the judgment of the Municipal Association, requires some amendment in order to make it quite clear that medical practitioners attending cases of what are popularly called low or colonial fever shall be obliged to report these to the health authorities in the same way as they are obliged to report certain other forms of fever. Without my entering into the somewhat vexed question as to whether low fever or colonial fever is an abortive kind of typhoid fever, I think there is sufficient evidence before the world to show that we ought to be at least careful, and to make quite sure that even suspicious cases which may develop into really serious diseases should be reported, so that the health authorities might take the necessary precautions in such cases. Consequently I am asking the House to agree to the amendment of Section 40, which will make it imperative on medical practitioners, not only to report cases of typhus and yellow fever, and other things, but also low, colonial, or typhoid fever. While on this question, I may remark there is a somewhat strong feeling amongst the medical men that they ought to be remunerated by a small fee for reporting such cases; but I have not introduced that principle into this Bill, because it seems to me to be somewhat objectionable. Section 42 of the Health Act is one that provides the power on the part of Local Boards to destroy clothing, bedding, and so on, if there be any sufficient reason for supposing these things are infected

with matter that is capable of communicating a like disease to some other human being; and the section closes by saying: "Such Local Board of Health may give compensation therefor." That was interpreted by some magistrates in such a way as to be a serious drain upon the funds of the Health Board in Perth, at the time of the prevalence of the small-pox epidemic. Whoever was, at that time, compelled to burn a suit of clothes which might be an old suit, or to burn a bed, or any domestic or personal article that had become infected, forthwith came on the City Council, as the health authority, with a demand for several times the value of the article destroyed; and if that demand were not agreed to, some solicitor was found willing to take the case into court, and our experience in Perth was the painful one of finding that somewhat heavy compensation was invariably awarded. Therefore, in order to prevent magistrates from reading the section in that way, I am asking the House to amend it by inserting these words: "The Local Board of Health may give compensation." No doubt they will give it in all cases where it is reasonably necessary, but this amendment will prevent them from being actually liable and subject to an action; in other words, that those persons who are well able to bear the unfortunate experience of having some of their goods destroyed for preventing the spread of disease should not be able to take a case into court and expect large compensation from the Local Board of Health. Section 96 of the Health Act is a very important one, and here I am asking the House to strike out a kind of proviso which has operated in this way. There are, as might be expected in the city of Perth or the town of Fremantle, a great number of persons occupying large grants of land—sufficiently large not only for the erection of a house and its appurtenances, but for a garden also; and all these persons may under the Health Act as it exists to-day, use all their refuse matter, by burying it in the soil of their gardens, so long as that matter, of whatever nature it may be is used as manure. The neighbors have no redress against this dangerous or offensive practice, although they may be conscious that very great harm is being done. The Local Board of Health have tried to take proceedings in flagrant cases, but have found themselves barred by the existence of this exception in the Act which permits refuse matter to

be kept and used as manure. The one condition limiting its use in this way is that the refuse matter shall not be a nuisance. I scarcely know how such refuse matter can be used in a town without being somewhat of a nuisance, but the fact is that the Act permits it. I therefore ask, in this Bill, that no person shall be allowed to bury refuse matter of any description within the boundaries of a municipal area. We have attempted, in Perth, to get over this difficulty by means of by-laws, but our by-laws have been blocked by the Central Board of Health. I will not stay to explain exactly why this is, but there is a very cogent reason why. In Clause 4 of the Bill I desire to meet another difficulty, and I am free to confess it is a serious one, whichever way we look at it. It is as to the disposal of waste waters from our premises in towns. At present there are hotels, laundries, and private houses that simply turn their refuse water into the street, and it is left to get away the best way it can. The result has been, in many parts of Perth, that this foul water has become most offensive to those who reside in or have to use the particular street. No gutters have yet been made sufficiently good to effectually carry off this refuse water, and there it lies, an abomination—I know of no other word that sufficiently expresses how extremely offensive these foul waters are. Some hon. members will have noticed these offensive waters in Perth running down or stagnating in William-street, in Murray-street, in Barrack-street, and in some other places; and in Clause 4 of the Bill, I am asking that it shall be declared unlawful for any person to turn refuse water into a street. I am aware that in the Municipalities Act, which became law a few days ago, there is provision for the making of by-laws to prevent this; but it will take a long time before any city or town can have by-laws made under that Act; therefore I ask now that this House will come to the rescue of the Local Board of Health and put an end to this offensiveness. I am aware that this, when done, will leave a great deal of offensiveness in the backyards of premises, but that must be dealt with in some other way. For the present, it seems to me wholly improper that persons who live by various kinds of business should be able to turn their refuse waters into the public street and there cause offensiveness to all who use that street, by making it at times almost impassable on account of the stench. Clause



5 is perhaps one of the most important in the whole Bill. It is an attempt to get at the difficulty that has arisen in and about the towns on the goldfields, and which is felt at Northam, at Southern Cross, and perhaps one or two other places. The principle it proceeds upon is that of extending, for certain specified purposes, the authority of Local Boards of Health beyond the bounds of the municipal area for which they originally exist. This principle finds a place in the Public Health Act to a slight extent, for that Act recognises that there may be, just outside a municipality, something so offensive to it, or so offensive to the inhabitants of the city or town, that the Local Board of Health should have power to interfere and take action in the matter. But that is only a very restricted application of the principle. Later on—three years ago—the then Parliament recognised this same principle in a much more extended form, for it recognised that there is, on the Darling Range, a catchment area for the water supply of Perth, and this House provided that those persons who use the water should have a right to control what goes on within that catchment area, in so far as the sanitation of the city of Perth may be affected thereby. The circumstances of the goldfields, also at Southern Cross, and to some extent, at Northam are that outside of those municipalities there are scores of persons who set up their tents and reside there in their own fashion. These persons are under no law whatever so far as sanitation is concerned. There is no statute that touches their conduct, so that they may do nearly anything they choose to do of an insanitary kind. They may very largely affect, for evil, the municipality near which they are encamped; and neither that municipality, nor the Government, nor any other authority can step in and say they shall not do it. I should like to recall to the recollection of hon. members an article written by Dr. Tratman, of Perth, which was published in a medical magazine in Victoria, and reprinted in one of the newspapers of this colony; and I would here like to say there is scarcely another person in this colony taking equal rank with Dr. Tratman on the subject of public health and general sanitation. In that article he made it very clear—as I had previously thought was probably the case—that the germs of typhoid fever spread from these extra-municipal areas amongst the inhabitants of the adjacent

towns; and so the typhoid epidemic continues to spread wider and wider as the summer months come on. I do not wonder that Coolgardie and some other places should, over and over again, have appealed to the Government to back them up in doing something to prevent this evil—almost beseeching the Government to interfere by sending the police, or sending anybody or anything, that would prevent the continuance of this evil. By the extension of this principle that has already been slightly recognised in the Public Health Act, and more fully recognised in the Water Supply Preservation Act of 1892, I now ask that the same idea be extended to the municipalities on goldfields, and to the town of Northam, which is to some extent affected in the same way; because in the summer months great numbers of miners camp outside the town of Northam, and are a source of danger and a menace to the health of the inhabitants of Northam, who have no means, at present, for preventing that menace being continued. Clause 6 of the Bill, relating to the pollution of a water supply area, is called for in this way—and I may say it is merely a declaratory clause, having regard to the Municipal Water Supply Preservation Act of 1892. To those hon. members who were not in this House at that time, I may say that Dr. O'Connor, the Health Officer of the Perth Board of Health, reported—just before the session of Parliament closed—that there had been an outbreak of typhoid among the people employed at the Canning Jurrab Timber Company's sawmills, and that those mills were situated on one of the brooks that drain the water from the catchment area into the Victoria reservoir. Somewhat hastily, a Bill was passed through Parliament, without any of us knowing precisely the circumstances for which that Bill was drafted; and that may explain why there have been found in the Bill some expressions which the Resident Magistrate in Perth construes in a sense contrary to that put on them by the Perth Board of Health. I understand that, though the Magistrate has ruled in favor of the Board's contention, in one case, he now tells us he thinks he was wrong in doing so, and that where the water is supplied by a contractor, as in the case of the supply in Perth, the Magistrate says it is not a municipal water supply. Clause 6 of this Bill is intended to make it clear that, whether the water is supplied by contractors or otherwise, all catchment areas from which

water is obtained for a municipality shall come under the provisions of the Water Supply Preservation Act of 1892. Another point is that the Government, very properly, proceeded to make and to declare a reserve for the purposes of this catchment area; but it so happens that their reservation is bounded by straight lines, and has little or no reference to the contour of the hills and ramifications of the gullies; so that some of these gullies may take their rise outside the rectangular area of the reservation. In the wording of this declaratory clause I have studiously avoided any measurements or survey made by the Government as being necessary for defining this catchment area, and I have simply declared it as being the catchment area. Well, within the actual basin that drains the water supply into the Victoria reservoir, there are some blocks of land held in fee simple; and naturally, when the Government were making a reserve for this water supply, they were obliged to leave these freehold blocks out of the reserve, having already alienated them. When the first case of alleged insanitary conditions at the sawmills township was taken into court by the Perth Board of Health, the solicitor employed on the other side took into court the map of the reserved area, and contended that the alleged offence occurred on one of the fee simple areas not included in the reserve, and that therefore the Act did not apply. Now I want to make it quite clear, by this clause, that the survey of the reservation on any maps made by the Crown Lands Department have nothing whatever to do with that Act; that the Act simply rests upon its own definition, namely, that of the catchment area, whatever that area may be; and that the Act has nothing to do with fee simple lands, and nothing to do with Government reserves, also that it has nothing to do with the question whether the water is supplied by contractors or otherwise. My friend, the hon. member for East Perth (Mr. James), detects another shortcoming, and he will, in committee, move an addition to this clause. Clause 7 is introduced at the urgent request of the Guildford Municipality; and the circumstances which led that Council to ask for this amendment of the law—they have asked the Municipal Conference and also personally asked me—are these: the Public Health Act only allows a cesspit to be closed when it is leaky, or in some respect offensive, and the Act does not declare that a cesspit *per se* is a nuisance.

Therefore, when a municipality seeks to make an arrangement for sanitary cleansing, the Local Board has to consider how many householders will voluntarily fall in with that arrangement. The Guildford Council have been trying to make some arrangement whereby to improve their present sanitary method, but they find they are blocked by the number of those householders who continue the old and objectionable method. There are so many who refuse to fall in with the new order of things that, in the case of Guildford, it is not found remunerative to carry on the new sanitary method which a few are willing to adopt. I therefore ask, in Clause 7, that when a municipality is in a mood for improving its sanitary arrangements, it shall be able to say to those householders who may not be willing to fall in with the new plan that they must do so, that the best interests of that community demand it, and that the Council insists on putting an end to the old offensive method by substituting a better one. I now come to those provisions of the Bill for which I am indebted almost entirely to the hon. member for East Perth. I do not know that I need say more about them than that they are in substance taken from the Victorian Health Act. Strong references have been made from time to time on the two subjects of lodging houses and private hospitals. Believing, as I do, that the matter contained in these provisions is a condensed form of what appears in the Victorian Act, I do not think I need elaborate any further on these clauses. I trust the House will agree to this Bill. There are some additions that may still be made, and perhaps some verbal alterations may be suggested by those legal members of the House who may see a more concise way of expressing certain ideas in legal phraseology. I now beg to move the second reading of the Bill.

MR. MORAN: I am not hostile to this Bill, but welcome it for one principal reason. It may be expected that the prominent movers in sanitary matters in the city of Perth will have been well advised about the particular clauses in this Bill which affect the city. The hon. member who introduced the Bill is well-known in Perth as being perhaps the most prominent mover in sanitary matters; and certain of the new provisions affecting Perth and the old established towns will doubtless meet with the approval of this House. I have to thank him very heartily for the introduction, in

Clause 5, of a new provision that will be received heartily in the newly established towns of the colony, and particularly those on the goldfields. The Premier and other Ministers well know that for months past there have been continual applications from municipal bodies on the goldfields, and more especially from that of Coolgardie, for the Government to take some steps for enabling them to make better sanitary provisions against the spread of typhoid fever in the coming summer. This demand is met by Clause 5, which provides a means of dealing with areas adjoining the declared municipalities. There is at these centres, and particularly around Coolgardie and Kalgoorlie, a congregation of men who, for reasons of their own, choose to live outside of municipal control. They are to be found in hundreds, living in tents or more permanent structures of wood and canvas; and, being just outside the municipal area, they are free to pursue their own course as to sanitary or other matters. It is nobody's business to attend to sanitary arrangements among the men outside of a township; and it is needless to say that things have dropped into a lamentable condition. It was only this week or last week that the Government were so generous as to forward to the municipal body at Coolgardie a sum of £500 for enabling them to grapple with this state of things outside the municipal area, by taking steps to have these areas cleansed before the coming summer. There is a well-founded dread that, whatever they may do to cleanse the municipal area inside the boundaries, the fact of there being no machinery existing for cleansing the areas outside the towns is a state of things not calculated to prevent the spread of fever from those outside to those inside the cleansed areas, when the men are passing in and out of town every day. In asking, as this Bill does, that these outside areas shall be placed under the sanitary control of the municipal body, I believe this House will sympathise with that request, and will not tolerate that this menace to the health of large communities shall continue through the want of some proper provision among the men who pay no rates, who may be migratory to some extent, and who may not recognise any responsibility for keeping up to a certain standard in sanitary regulations. I am here to support very strongly this measure. The principle of local self-government has been long established

throughout Australia, and this Bill is only an extension of that principle. If you have a congregation of men, for reasons of their own, camped just outside of a well-governed town, they may, by the neglect of sanitary precautions, become a menace to the health of the town population; and I think that, in the public interest, this menace or danger should be removed by the extension of the municipal powers to matters of health outside the town boundary. Therefore I say this is a wise measure, and I congratulate the hon. member upon having introduced it. I can also support the Bill as regards the older established towns, in reference to the clauses for the supervision of dairies outside of towns, and the keeping pure of public water supply; because, if the citizens have to consume milk from dairies situate outside the city boundaries, there should be a power of inspection for insuring that the dairies are in a proper sanitary condition. The same argument applies to the possible contamination of a public water supply, and there should be a sanitary authority for preventing any risk of danger. It appears to me ridiculous that in the water catchment area at the Canning Hills there are certain freehold blocks on which people may settle and set the sanitary regulations at defiance, because these persons may be technically exempt from control. For these reasons I have much pleasure in supporting the Bill, which will particularly meet with the concurrence of the municipal bodies on the goldfields, at Coolgardie, Kalgoorlie, and Southern Cross. There may be some discussion over the clauses, but, on Clause 5 in particular, I hope there will be no difference of opinion in the House.

MR. JAMES: In supporting the second reading, I desire to echo the opinion expressed by the mover, when he said he hoped to see a Consolidating Act passed next session. I hope there will also be some alteration made in the constitution of that important body, the Central Board of Health, which has the general control of health matters throughout the colony. The present constitution of that central body is most unsatisfactory; for, if the Local Boards in any part of the colony are lacking in energy in the discharge of their duties, that lethargy can be removed only when we have a competent directing body at the head. I hope that, before next session, the Government will consider this matter, and will put forward some scheme of

reform in the next session. In connection with this Bill, there are several sections that require looking into. Sub-section 4 of Clause 3 (definition of the word "fever") is an important alteration, and I hope it will meet with the approval of the House. We have found, in connection with the Perth Local Board, much difficulty in getting the medical practitioners to report cases under the Health Act. Those practitioners seem to want to be paid for making such reports, and the consequence is that, unless the cases they have to report do come strictly within the Act, they refuse to report them. Some doctors will call a certain fever "typhoid," some will call it "low fever," and some "colonial fever." We want to have words inserted that will cover all these cases of fever, in order that the Local Boards may receive notice of every case of fever, and be able to make proper provision for protecting the public health. Sub-section 6 of Clause 3 (nightsoil used in gardens as manure) should be somewhat modified. In Victoria, the power to tenants to dispose of nightsoil on their own premises does not exist in towns; but I think it will be desirable here to provide that the existing right to use nightsoil in gardens should be restricted to certain approved localities—say, in Perth, to certain parts to be defined by the Local Board, subject to the control of the Central Board. It might work a hardship if the right were abolished in all cases, as proposed in the clause, because that would interfere with occupiers in places—say in other towns—where there may be no danger from overcrowding. Clause 5, dealing with the insanitary condition of areas adjoining the towns on goldfields, must commend itself to the favorable consideration of every member, and I believe this power of sanitary control beyond the municipal area will be availed of more largely on the goldfields than elsewhere. It will be a convenient power even in the case of Perth, where suburbs are growing up outside the boundaries; and it seems anomalous that there should be a power given in the interest of the public health to do certain things on one side of a suburban road, while on the other side there is no machinery available. Clause 6 (catchment areas of water supply) is, if I may so, a somewhat difficult section, and is caused by the original section in the Act being worded somewhat absurdly. I think that what is asked in this amending clause was intended to be given

in the Act of 1892; and we now ask that the meaning should be made clear. As to lodging houses, hon. members will recognise the need for this part of the Bill. One of the greatest troubles we had last year, when typhoid fever was so prevalent, was that we could not take the necessary action, in the case of lodging houses in Perth, for preventing the spread of the disease. Persons having the fever came down from the goldfields, and took up quarters in lodging houses or went into private hospitals as patients. These places became a menace to the inhabitants in those localities. To establish a private hospital for fever patients in a dense neighborhood, say in Hay-street, is not only a danger, but a scandal; and it becomes necessary that the Local Boards, with the approval of the Central Board of Health, should make provision as to where and how these private hospitals shall be kept, and that the persons attending on the patients shall be competent to discharge their duties. This clause of the Bill will enable the Local Boards to stop a great number of the grievances that have been felt during the last twelve months.

MR. SOLOMON: I think some of the clauses in this Bill are very necessary; but the Bill affects all the municipalities, and I hope that, before the House goes into committee on the clauses, sufficient time will be allowed for the Municipal Councils to see the Bill and make suggestions upon it.

Motion put and passed.

Bill read a second time.

#### ESTIMATES, 1895-96.

The further consideration of the Estimates was resumed.

Vote—"Railways and Tramways, £226,900":

MR. LEAKE said it was not his intention at that moment to propose any resolution, but simply to discuss the general administration of the Railways Department, and doubtless it was a question upon which the majority of the hon. members of this House would desire to say something. The estimates of this department were the most important of all, and, although very little had been said so far, in regard to this particular department, he felt certain, from the general conversation of hon. members, that before the close of the debate the Hon. the Commissioner would be given a good deal to reply to. It was not his in-

tention, as he had said, to move any resolution at this moment, but, later on he would move one which would take the form of attempting to reduce some particular item, and, if what hon. members said outside was a good indication of their feelings, then it would be found that the House was not at all impressed with the manner in which the department in charge of the Commissioner of Railways was controlled. The Commissioner, he was prepared to admit, very likely occupied a false position in this matter, and was doubtless often made the scapegoat for the faults of others; but, so long as the hon. gentleman accepted the responsibility of the office, and the blame for any little mistakes, so long would he have to accept whatever condemnation of the administration of his department hon. members might think necessary to make. The course he was about to adopt in this matter was the proper one, from the constitutional point of view, because, although hon. members might show their disapproval of the proceedings of the Commissioner and of his estimates, the Government would not be prejudiced by the passing of any resolution, for the reason that if any vote was struck out the Government could easily have the Estimates re-committed and re-insert any item struck out.

THE PREMIER (Hon. Sir J. Forrest): We certainly could not do that.

MR. LEAKE would, at any rate, move later on to strike out some particular item; and what he wished hon. members to understand was that he took this form of entering his protest against the manner in which the Commissioner of Railways had controlled the affairs of his department. In order that other hon. members might be in accord on this point, it was only necessary they should remind themselves of what transpired during one of the later debates of the last session, when the House was asked to vote a sum of £50,000 because of the mistakes made in the Railway Department in connection with the question of water supply on the goldfields. Hon. members would recollect the strong indignation expressed when this announcement was made by the Government.

THE PREMIER (Hon. Sir J. Forrest): That was not in the Railway Department at all, but in the Public Works Department.

MR. LEAKE thought that might be so, but the Commissioner of Railways had control of the department in which that extraordinary blunder had occurred. There was a mistake

which required £50,000 to rectify, and the Hon. the Commissioner appeared to accept all the responsibility of that mistake. Although this was so, the information on the subject—which was the cause of so much indignation in the House, it would be remembered—was in the possession of the Ministry some six weeks before the announcement of the deficit was made. For six weeks the Ministry had thought fit to keep this information to themselves, and things would appear to have run not all too smoothly between the Hon. the Commissioner and his colleagues. There was not that unanimity of feeling one would think was necessary for good administration on the part of the Government, and the general advancement of the country. Addresses in the last session of the House, and remarks publicly made outside, had shown there certainly was considerable friction between the hon. gentleman and his leader, and the Commissioner had been severely rebuked by the Premier for certain things which he had done or intended to do.

THE PREMIER (Hon. Sir J. Forrest): When was that?

MR. SIMPSON: Oh, you remember that old minute of yours.

THE PREMIER (Hon. Sir J. Forrest): Oh, that is ancient history. What have we to do now with what occurred three or four years ago? Far better to let it drop.

MR. LEAKE said he was referring to that old minute among other things, but the Premier himself had really continued the tenor of that rebuke in the remarks he had subsequently addressed to his colleagues. Hon. members would particularly remember, also, that a very interesting correspondence was published between the Premier and one of his colleagues (the late Colonial Secretary), and it was only right that this correspondence should now be referred to, for the reason that it showed that, even at that time, the Commissioner of Railways did not possess the confidence of the Premier. That correspondence proved that the Hon. the Premier desired to oust the Hon. the Commissioner of Railways from his position, but that, in endeavoring to carry out this object, the Premier had only succeeded in ousting another member of the Cabinet. The correspondence he proposed to refer to was that which passed between the Premier and Mr. S. H. Parker. It commenced on the 28th November, 1894, and ran as follows:—

THE PREMIER (Hon. Sir J. Forrest): Is the hon. member in order in dealing with this correspondence? Surely, whatever passes between a Premier and another member of the Cabinet with regard to a reconstruction of the Ministry does not concern the Estimates.

THE CHAIRMAN: The hon. member appears to be endeavoring to show that the Premier had lost confidence in his colleagues.

THE PREMIER (Hon. Sir J. Forrest): Yes, but the question of the reconstruction of the Cabinet is not the question before the House. What has any correspondence on that matter got to do with the Estimates? The hon. member is apparently anxious to bring personal matters into this debate, rather than the administration of the Railway Department.

THE CHAIRMAN: I think the hon. member can keep more directly to the question before the Committee than by reading the whole of the correspondence in the way he proposes.

MR. LEAKE: I desire to show my position clearly. I would not have tried to read all this correspondence if I had any idea this question was going to be brought on so soon, but I had not the time to make the necessary extracts. I would prefer to read the actual correspondence, rather than that it should be said I have been drawing upon my imagination. I now propose to read the correspondence. The first letter dated 28th November, 1895, reads:—"My dear Parker—

THE PREMIER (Hon. Sir J. Forrest): Really, I must ask you again, Sir, what can this have to do with the Estimates?

MR. LEAKE: I propose to read the correspondence between the Premier and Mr. Parker.

THE PREMIER (Hon. Sir J. Forrest): Oh, go on then. I don't care what you read.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn): I would really ask the House to allow the hon. member for Albany every latitude. The more he reads, the better position it will leave me in, and I trust, having commenced this correspondence, he will be permitted to proceed. Personally, I would not do anything to prevent the hon. member saying anything he wishes. He certainly cannot harm me.

MR. LEAKE: I am very glad to hear the hon. gentleman say so, and, if he can explain the matters I refer to, no one will be more satisfied than myself. I have no doubt he can explain, but if he does, someone else must suffer.

THE CHAIRMAN: I think the hon. member

should only read such extracts as he find necessary for his argument. The whole of this correspondence cannot be relevant.

MR. LEAKE: I am very sorry that I cannot read the whole of the correspondence.

THE ATTORNEY-GENERAL (Hon. S. Burt): Read the funny parts.

MR. LEAKE was quite prepared to read the funny parts. Here was one of them:—"Perth, November 28, 1894. My dear Parker,—It is not yet public, but Marmion has resigned, and I propose to make a re-arrangement of offices, and that they shall for the future be:—1. Colonial Treasurer and Colonial Secretary. 2. Attorney-General. 3. Commissioner of Railways and Director of Public Works. 4. Commissioner of Crown Lands. 5. Minister of Mines and Education. I propose to take No. 1 myself, and, in regard to No. 3 or No. 5, I shall be obliged and very pleased if you will take your choice. No. 4 I propose to offer to Venn, as he has a good knowledge of land and everything connected with it. I have thought this matter out very carefully and feel convinced that this arrangement will work much better than the present, and, if I am fortunate enough to have the cooperation and support of you and Venn, all will, I feel sure, be well. You might send me a telegram to Bridgetown, or on my return on Saturday night, and I hope it will be in accord with my wishes.—Yours faithfully, JOHN FORREST. No. 5 would control Mines, Geological, Education, Post Office, Emigration, &c., &c., &c." The correspondence really began with a letter from the Premier regarding the Federal Council, and Mr. Parker replied the same day. Then came the letter he had read and, still on the same day, Mr. Parker sent the following telegram:—"Sir John Forrest, Bridgetown: I regret I cannot accept number three or five, but I do not wish to stand in the way of the proposed re-arrangement. (Sd.) S. H. Parker." The next item in the correspondence was one that showed most distinctly the Premier was anxious to oust the Commissioner of Railway. On December 3rd, 1894, the Premier wrote:—"My dear Parker,—I regret you are not willing to take Works and Railways, as I should have been glad to have had you controlling these departments, and it would have assisted me in other ways. Why cannot you do it?" It was no use the Premier declaring there had been no friction, or that he had not been

anxious to oust the Commissioner of Railways, for this correspondence showed the fact to be undeniable that he would have ousted him if he could have carried out his arrangements. As members of Parliament, they could not shut their eyes and ears to the facts. There could be no question that the Government had acted very strangely in the matter of that £50,000 required for the department of the Hon. the Commissioner of Railways. If they did not know of it—and this was a point upon which the Commissioner himself could inform the House—then the Commissioner was open to the gravest censure; but, if they had the information in their possession without informing the House of it, for six weeks, then the censure should be upon the Government. Under all the circumstances the Ministry could not blame hon. members for bringing such an important matter before the House. If the Commissioner had the confidence of his colleagues, and was discharging his duties to their satisfaction, there was no necessity for the Premier to seek to oust him from that position; and the discussion now opened would be fair to that hon. gentleman, for the reason that it would give him an opportunity to explain his position. He (Mr. Leake) was bringing the matter forward in order to let the hon. gentleman answer some of the charges made against his department, not only in this House but outside as well. Personally, he believed that whatever were his own faults, they did not include the one of making charges behind the back of the Ministry. Whatever charges he had to make were made in public, and for this reason he brought the question of this correspondence forward. He intended to show that the Premier himself had been endeavoring to remove the Commissioner of Railways from that office.

THE PREMIER: Well, give us some facts. Don't give us generalities and nothing more.

MR. LEAKE thought this correspondence would open up a very wide field of discussion. The letters to Mr. Parker implied that if it could have been done, the Commissioner of Railways was to be removed from office. Another letter from Mr. Parker to the Premier showed that he (Mr. Parker) considered he had been practically charged with maladministration. It was written on December 4th and portion of it went on to say:—"In any event I could not accept either of the Ministerial offices you offered me. The Commissioner of Railways and Director of Public Works must of

"necessity be in the Assembly. To put the Ministerial head of the great spending departments of the Public Service in the Council would be a manifest absurdity, and I cannot think, that, with your pronounced views in regard to the exclusive control over money matters claimed by the Lower House, you made the proposition with any hope of its being accepted." That letter concluded with Mr. Parker's resignation, and it also included a suggestion that the treatment by the Premier of his colleagues had not been what they had a right to expect. The Premier in his reply to Mr. Parker, under date December 4th, wrote:—"As to my being fully determined to treat my fellow members as 'subordinates,' I do not think this assertion is based on any facts." Following this came Mr. Parker's reply on the same date, and in it he said:—"The remark I made that you appeared determined to treat your fellow Ministers as 'subordinates' was based on facts which I stated; and your letter to-day in effect admits the truth of the observation. In connection with this subject—whether to negative my statements, or as a reason for treating me as 'a subordinate, is not clear—you bring a string of vague and indefinite charges against me, which obviously come from your offering a willing ear to the slanders of mischievous talebearers and sycophants. I will not condescend to answer them, but if you will make definite charges, I shall be prepared to make my defence." The whole of the correspondence showed most conclusively that the Premier desired to alter the administration of the Railway Department, for in one of his letters to Mr. Parker he said:—"I recognise most fully that you have carried out the duties of Colonial Secretary and all the other offices you control, with marked ability, and I desired that you take the control of the Works and Railways Departments, because I recognised that you had the ability and knowledge necessary for so important a task. Your surmise that I did not wish you to remain in the Cabinet is therefore entirely erroneous, for, by offering you one of the most important positions, and one that has been recently much assailed, proved conclusively I valued your services." There was one matter worth referring to in that, which was a remark that had been made at the time by the Premier, that he had consulted Mr. Burt.

THE CHAIRMAN: I hardly see what this has

got to do with the question before the Committee.

THE PREMIER (Hon. Sir J. Forrest): This has all been published months ago.

MR. LEAKE agreed that it had been published, but the matter had not been before the House, nor had it been brought into *Hansard*, where it ought to be; and he regretted that he had not been allowed to read the whole of it. It was a matter for regret that the Chairman was forced, by the rules of debate, into preventing the correspondence being read. The correspondence showed one thing most clearly, and that was, there was a great deal of friction, ever since the time of the Premier's "old minute;" and what they wanted to know was the reason why the Premier made this attack upon his colleague, and why it was that he wanted to oust the Commissioner of Railways. The only inference that could be drawn was that the hon. gentleman was not satisfactorily discharging the duties of his office.

THE PREMIER: We wanted a Minister of Mines, and so did this House.

MR. LEAKE thought the truth was, rather, that the Premier wished to get rid of the Commissioner of Railways, only he had not gone about it in the right way. In fact, so far as the £50,000 already referred to was concerned, the announcement of which came upon the House like a thunderbolt, it was well known that the Ministry were in possession of the information for at least six weeks before the state of affairs was communicated to the House. Of course, it was proper for the Premier to laugh. Hon. members on the Opposition side of the House knew only too well that the Ministry, with its solid majority behind it, could afford to laugh. The Estimates of this department constituted a most important vote, and although he was not himself in a position at present to go into details, he believed there were other members who were. The debate would probably last over one night, and that would give him the opportunity of securing certain necessary information as to some of these details, and which information he would have been prepared with that evening if the matter had not been rushed on the House in an unexpected fashion. At any rate, he had shown the Ministry was not quite the "happy family" it should be. [THE PREMIER: It is.] The facts appeared to contradict the assertion of the Premier. It was his (Mr. Leake's) inten-

tion to move a certain resolution later on, but, for the present, he thought sufficient had been said to demand some reply, at any rate, from the Treasury benches.

MR. R. F. SHOLL said it was not his intention to rake up old sores, or to find fault with the Commissioner of Railways. They must not lose sight of the fact that when he first took office the present Commissioner of Railways had had no previous experience, and he had also to deal with circumstances and developments unprecedented in the history of the colony. Taking everything into consideration, he thought they should be very well satisfied with the manner in which the Commissioner of Railways had administered the affairs of his department. He thought this should be said in all fairness, although when the matter of the unauthorised expenditure of £50,000 was before the House last session, and a want of confidence motion was tabled, he voted against the Government. He would do so again, if a similar cause for such a motion arose. However, this question did not affect the present Estimates. Personally, he wished to congratulate the Commissioner and his department on the manner in which they had grasped the demands of the heavy traffic which they had to cope with. But there were one or two statements in the report of the Engineer-in-Chief which he would like to refer to. What struck him very forcibly was that while our railways had increased their earnings from 38'01 in 1890, to 71'72 last year, the expenditure had increased from 43'51 to 43'79; and this was in face of the fact that new locomotives had been imported, heavy grades had been regraded, and a greater extent of railway had been brought into operation. In fact, there was every reason why the expenditure should have been decreased instead of increased. To him the only explanation appeared to be that there must be extravagance somewhere, and that some of the lines were not paying. That this was the case could best be judged by extracts from the report of the Engineer-in-Chief himself, in which it was said:—  
"In addition to the facts deducible from these figures, there is also to be taken into account the higher charges on the goldfields railways in Western Australia, in order to create a reserve fund to repay the cost of these railways by the time the goldfields are worked out. If these higher charges were eliminated from the receipts, the proportion of



"working expenses to gross receipts for the Western Australian railways as a whole, for the year 1894-5, would be in or about 70 per cent., and this leaves ample room for the improvements in financial results." If, as the Engineer-in-Chief suggested, there was any fear of the goldfields being so soon "worked out," then the Government had no right to go on with the construction of the lines to the goldfields. It really appeared as if the goldfields lines were being charged with the loss on other lines, and this was borne out by a further remark of the Engineer-in-Chief, who said:—"As regards the 'in or about 70 per cent.' above mentioned, I should explain that it would take a much longer time than has been available, and also involve a great deal of labor and cost to ascertain this fact with absolute accuracy (depending, as it does, upon the exact effect which the higher charges on the goldfields railways has upon the receipts as a whole), but it is believed that the 70 per cent. above mentioned, is a close approximation to the truth." There was no questioning the fact that the goldfields line was paying most handsomely, but he agreed with the Engineer-in-Chief that it was not a proper thing to "penalise" these lines for the benefit of other lines in the service. There was another matter he wished to refer to in connection with this Department, and that was the question brought forward by the hon. member for Beverley, on a previous occasion, and that was in connection with the employment of useless persons in the public service. There was one item on the Estimates which he proposed to refer to when the detailed items were before the Committee, and that was in connection with a certain official who was paid for the work done by others. It was his intention to move that this particular item be struck out. This report certainly gave a great deal of information, but it would be still more valuable if it dealt with the lines in sections, as was done in Tasmania, in order to show the proportion of profit earned by each section. He noticed that the Engineer-in-Chief again desired to obtain control of the Railway Stores, and that provision was made on the Estimates for a Railway Storekeeper. The Engineer-in-Chief, on page 13 of his report, said: "It cannot, however, be expected that our railways will be worked as cheaply as they ought to be until two other important wants are provided for, which have not as yet been under-

taken, namely (1) adequate workshops and machinery; and (2) a Railway Stores Department under capable expert management. Both these things are of the very highest importance; and it is therefore very pleasing to find that the Government has provided for these on the Estimates, and I hope I shall be authorised to take the necessary steps without delay." Before, however, the House agreed to alter the existing state of things, and surrendered the control of the Stores to the Railway Department absolutely, hon. members must be quite satisfied that there is very good reason for the proposed change. Taking everything into consideration he thought the Commissioner of Railways had done very well, and he also thought—and he took the opportunity of saying it—that the General Traffic Manager deserved the thanks of the community for the way in which he had managed the traffic branch of our railways. Not very long ago Mr. Davies was probably the best-abused man in the colony, but he had managed to live that down, and very different opinions were now expressed about him. He thought there was a great deal of prejudice when Mr. Davies was attacked as he had been, and that many unreasonable faults were found with him, owing largely to the fact that the Traffic Manager was not an independent officer, employed by a private railway company, but was hampered a great deal by being under a Minister in charge of Government Railways, from which the public expected many more indulgences than they would from a private company. He could only express the hope that the day would soon arrive when the management of our railways would be taken out of the hands of the Government and placed in charge of Commissioners, who would manage them in the interests of the colony, and not in the interests of a few. He would reserve any further remarks he might have to offer until the details of the vote were reached.

MR. COOK WORTHY said, although he was a supporter of the Forrest Ministry, he could not refrain from taking exception to the great want of tact displayed on the part of the Commissioner of Railways, in dealing with almost everyone who had occasion to come in contact with him. He (Mr. Cookworthy) had no difficulty in talking over matters of public importance with other members of the Government, or in discussing railway questions with the Engineer-in-Chief, with

whom he had many interviews, or with the General Traffic Manager, who was a hard-working man, and a man who was desirous of pleasing the public as far as he could, consistently with his duty to the State, which it was a difficult matter for him to do. But the Commissioner was practically unapproachable. The hon. gentleman, he must say, was a drag upon the Government—he was the one weak point in the present Ministry. He was sorry to have to say so, but it was a fact. He had had occasion to ask for many things from the Government in connection with the railways, and he always had to go to the Premier, who ought not to have been troubled with matters of detail outside his own departments. He would have been most happy to have met the Commissioner in a friendly mood, but he was too “stand-off” altogether. His pompous manner seemed to say “stand on one side,” and to give his interviewer a peremptory dismissal. He would give the Committee an instance. He once spoke to the Engineer-in-Chief about running some of the passenger trains at the rate of 25 miles an hour, on the Bunbury line, and the Engineer-in-Chief spoke to the General Traffic Manager, who said that he would be happy to do it, in course of time. He (Mr. Cookworthy) also spoke to the Commissioner about the same matter, and the reply he got was “I suppose you want me to relay the track with 60lb rails.” Of course he wanted nothing of the sort. He wanted nothing unreasonable. If we had sufficient passenger traffic to run trains, without stopping at every station to shunt goods trucks, without wasting the time of passengers between Perth and Bunbury, he did not see why we could not have these fast trains on certain days in the week, instead of always travelling so preposterously slow as they did at present. Everyone who had had anything to do with the Commissioner of Railways must know that his manner was, to say the least of it very objectionable. He was very sorry that it was so. He had always found that men who really understood a subject were willing to discuss it, because they could show that they understood it; but sometimes it had struck him that the manner of the Commissioner had been assumed, to hide his ignorance. There was another thing he should like to bring under the notice of the Committee, namely, the manner in which some of the employees of

the Railway Department were being treated in the matter of house accommodation. The House, a few sessions ago, had agreed to a proposal that certain cottages should be erected for railway employees, and the cottages were erected, but a rent of 5 per cent. of the cost of these cottages had been charged to men living in them. At the same time, married men were cooped up in dwellings of only two rooms, which hon. members well knew were not sufficient for more than a single man. The discomfort of married men—and most of the employees he referred to were married—was most unsatisfactory. He asked the Railway Department to give them more accommodation, and, if necessary, to charge them a little extra for it. Some hon. members had advocated the placing of the railways in the hands of Commissioners. He was entirely opposed to that being done. He thought that our railways should be managed by a Minister of the State, who was responsible to Parliament. Commissioners, they knew, in a corporate sense, had neither a soul to be saved nor a body to be kicked; and you could do nothing with them. But, when the responsible control was in the hands of a Commissioner of Railways, who was a member of the Government and also a member of that House, if there was any fault to be found, you could bring him to book for it. He trusted that, as long as hon. members had any voice in the matter, they would never consent to put the railways of the colony under the control of a Board of Commissioners.

Mr. SIMPSON said that everyone who had had anything to do with the Commissioner of Railways would entirely sympathise with the hon. member for Sussex, and it was unnecessary to say that he had not been the sole observer of the peculiar manners of the Commissioner of Railways. The Commissioner, the other night during the debate on the Workshops' question, was good enough to say that he (Mr. Simpson) had been his personal enemy ever since he had been in the House. Had he said his “political” enemy he would have been quite content to accept the indictment and to plead guilty; but, as his opposition had assumed the shape which the hon. gentleman described, in his mind, he did not intend to take any action to disabuse him of it. In regard to the administration of the Railway Department they all knew how unpleasant it was for the Commissioner to have this debate rushed on in the House

before he was prepared to adduce all those facts and figures which he would like to lay carefully before the House in connection with his branch of the service. There were a few things in connection with the Department which would serve to "point a moral and adorn a tale," and which it would be as well to refer to, in order to show the absolute failure of the Commissioner to supply his Traffic Manager, after repeated requests from the Manager, with facilities for carrying on the traffic of the country. And it was a singular thing in connection with this matter—he thought it was almost unparalleled in railway management—that the report on the working of the lines should come not from the General Traffic Manager, but from the Engineer-in-Chief. One would think that after the careful selection which the Attorney-General, when in England, made—and made very much to the advantage of this colony—for filling the position of General Traffic Manager, hon. members would have had from that gentleman who was brought from England to perform this important duty, a report of his own, on the working of the traffic branch. But no such report had appeared, the working of the traffic branch of the railways being, he supposed, one of those mysteries into which no eye but that of the Commissioner was permitted to peer. The choice of the General Traffic Manager was an exceedingly happy selection for this colony, and the services of that gentleman are of so much value to the department that he should be very glad when (as has been hinted by the Commissioner) some recognition could be made of the satisfactory result that Mr. Davies was said to be achieving in the management of our railways. As regards the question of furnishing the Traffic Manager with facilities for doing his work, there was some information on record which he should like to place before the House, especially as the matter had been referred to that evening in connection with the equipment of our railways. On the 14th May, the General Traffic Manager wrote to the Engineer-in-Chief, requisitioning rolling stock for the Southern Cross-Coolgardie railway. On the 1st February the Engineer-in-Chief wrote to the Commissioner of Railways as follows:—"As you will see from the figures now supplied by Mr. Jull, hereunder, there is only some £27,000 available towards complying with Mr. Davies' request, which

amounts to £130,420 for the Coolgardie and Cue Railways, as shown hereunder. That is to say, Mr. Davies' request is in excess of the rolling stock already ordered to the amount of £62,680 for the Coolgardie, and £67,740 for the Cue Railway, making in all £130,420 as above, against which we would appear to have funds available to the extent of £27,000 only." These were matters which came distinctly and definitely under the cognisance of the Commissioner, and he presumed that hon. gentleman was responsible to this House. Further inquiry into this matter elicited the information that reference had been made to the fact that provision was made in the last Loan Act for the rolling stock for the railways in question. Mr. Davies being asked—"What does 'funds available' mean?" replied: "There is provision in the last Loan Act for the construction and equipment of these railways." He was further asked—"Equipment covers the rolling stock, does it not?" His answer was—"Covers it to the extent of the £27,000 only; and that is the difficulty we experience. We cannot get the lines sufficiently equipped." The Traffic Manager was then asked—"And you are in a position to know what is required;" and Mr. Davies replied: "I consider I am in the best position to do so." He was then questioned—"Did the matter go any further than you have told us?" The answer was—"Yes, I have received a memo. from the Engineer-in-Chief telling me that only £27,000 is available, and asking for my advice, which has not been submitted yet." He further said: "The matter is in abeyance." When asked the question "You cannot do the work without stock;" he replied: "That is my difficulty. There are ontcries about the inefficiency of the coaching stock. I have not got it, and therefore I cannot supply it; but the position has been pointed out time after time to the authorities." The question was asked: "When they are compiling the Loan Estimates for the House, do they send to you first to know what you require." Mr. Davies replied: "I believe this is the only instance in which it has been done." He (Mr. Simpson) should like to know how it was that, although the Loan Bill was submitted to this House last year for the equipment of these railways, the Government did not enquire of the Traffic Manager until the following January what rolling stock it would be necessary to order for the lines

in question. In order that there might be no misunderstanding as to whether the Commissioner of Railways—who said he is so terribly hard worked in his department—knew of the want of rolling stock, he would quote Mr. Davies again. The Commissioner, in fact, did so little that it was difficult to know how he put in his time, unless it was in writing minutes, which were so voluminous that they were said to be more like hours than minutes, it took so long to read them. But he would show that the Commissioner knew that rolling stock was wanted, for Mr. Davies, being asked: “Was the Minister aware of the difficulty you had to contend with at the time the Loan Estimates were before Parliament last year,” replied: “Yes he was aware of my difficulties.” There was another interesting thing in connection with this Railway Department. The House would remember that a bonus of £2,500 was offered to the railway contractors if they would complete the Southern Cross railway by the 2nd June, in order that it might be ready for traffic on the 3rd June. Well, the contractor worked hard, earned his bonus, and got it; but it would scarcely be believed that after paying this money in addition to the contract price for the early completion of the line, the Government was not ready to utilise the line, and the contractor had to be paid to carry on the traffic, so that they had a Government railway contractor who was also an officer of the Civil Service at the same time. The following extract from the evidence would speak for itself:—“Question 4580.—I am informed by Mr. Keane and by Mr. McDowell that the Government, although they gave the bonus to the contractor, were not ready to take over the line. You were ready, but the Works Department did not give you the facilities, and consequently Mr. McDowell was for a time a Government officer. Mr. Keane informed me that they got £2,500, in addition to the bonus, to run the line?” Answer: “Mr. McDowell was a Government officer for one month, because we were using his stock as well as our own, and consequently the contractor had no stock to go on with to finish his work.” There was another peculiar matter in connection with the Railway Department. It would be thought, having regard to the high value placed upon the ability and services of the General Traffic

Manager, that the revenue of his department would be under his superintendence, but it was not so, for the accountant of the railway service was only accountable to Mr. Alpin Thomson, the Under-Secretary. Upon inquiry being made as to whether it would not be to the advantage of the Railway Department to make a change in this respect, Mr. Davies said—“I should reorganise the branch, and I think it would be necessary to clear out some of the officials whom I think are useless. . . . The expense would be about the same, but there would be greater efficiency.” The great feature of the railway system should be the safety of the travelling public. He did not wish to speak as an alarmist, but he was compelled to pay some attention to the exact information which was before him, and that was, that so recently as May last the travelling public were in grave peril, and this—taken in conjunction with the fact that last week the Attorney-General asked the House to pass a Bill providing that the relatives of any man killed on the railways shall not receive more than £1,000 compensation—certainly looked ominous. On the 2nd June the General Traffic Manager sent to the Commissioner a memorandum to the following effect:—“Some time ago I asked that certain stations on the Eastern Railway should be fitted with signals, interlocked with switches, etc. Nothing, however, has been done in this direction, except at Claremont, and some of the stations are very much in need of signal protection. May I ask you again to give this matter your consideration? Northam, Spencer’s Brook, Clackline, Chidlow’s Well, Midland Junction, Fremantle, Perth, and Smith’s Mill, especially, should be protected. If Smith’s Mill had been protected with signals and safety sidings, interlocked the one with the other, I do not believe the accident reported to you in my memo. of 13th April would have occurred. There can be no doubt that our signalling is most loose and inadequate. To spend money in signals, interlocking gear, etc., is far more advantageous to the Department than to pay heavy claims on account of accidents which may occur for the want of proper signalling.” He did not, as he had already said, wish to be regarded as an alarmist, but he did not think any public man ever passed over the William-street crossing without having before his eyes a railway accident at that place, that would involve heavy claims for

damages. The Traffic Manager had urgently recommended the placing of proper interlocking and signalling gear at the Perth station, without delay, but nothing had been done, as was shown in the further examination of Mr. Davies, as follows:—"What is the general fate of your suggestions in regard to what you consider absolute essentials?"—Well, I do not get as much done as I should like to. "They are neither carried out with promptitude nor with regard to the improvement in carrying on the traffic?"—No, I think they are not carried out as quickly as they should be. I think this will show that that is so. "That is a fair sample of the bulk?"—Yes, it is a good sample. In consequence of the failure of your chiefs to comply with those suggestions, you are unable to make as satisfactory returns as you would wish?—Well, not exactly that, but it increases my responsibility. Increases the responsibility, which should not rest on you?—Yes, and increases the risk to the travelling public. "Has nothing been done yet?"—No. And then again Mr. Davies said:—"I consider that North Fremantle and similar stations should be interlocked from end to end. In order to bring pressure to bear, I wrote a similar memo. to Mr. Venn, through the Under-Secretary, as I had to the Engineer for Existing Lines, with the following additions to the memo. already read:—'In fact it is dangerous to work trains in and out of Perth and Fremantle stations yards.' This is the answer I got. It is dated April 28th, 1895, and is from the Engineer-in-Chief:—'I am directed by the Engineer-in-Chief to acknowledge the receipt of your letter of 16th inst., addressed Under-Secretary, and to inform you that the matter is receiving attention, and a further communication will be sent you in due course.'" "The want" said one of the examiners, "of attention must be very disheartening to you in the matters of such serious importance as this?"—To which Mr. Davies replied: "The want of power is most disheartening. I consider that the power should be vested in the General Traffic Manager or the person responsible for the working of the traffic." Again on the 16th November the Traffic Manager wrote to the Engineer-in-Chief as follows:—"I certainly recommend that the interlocking and signalling of Perth station should be put in hand forthwith. The work is ex-

ceedingly urgent, and, until it is complete the working of trains in and out of Perth Station will be attended with risk, and on busy days it is absolutely dangerous to continue working as at present, unprotected with signals and interlocking gear. I have spoken to yourself, and the Minister of the want of signals for some time, and of the risks we are running in their absence. The stations generally require to be signalled and interlocked, in order to obtain greater safety and security to the travelling public, and a protection to the department against accidents. . . . At the present time it is dangerous for people to cross either at William-street or Melbourne-road. Of course, I admit that Act 55, Vic., No. 34, aims at protecting the department, and is useful where there are few people and vehicles using a crossing; but, with reference to William-street and Melbourne-road the department, while supplying signalmen and signals, evidence their own desire to protect the public from risks, on account of the railway and road traffic being so heavy. I now go further, and state that the protection we afford is miserably wanting in efficiency, and that nothing short of gates interlocked with signals will meet the case. There is little doubt that, so long as the crossings remain in their present state, an accident of a serious nature will sooner or later take place. There have already been very many narrow escapes. I should, therefore, be glad to see the necessary signalling works undertaken without delay. In case of accidents at either of these crossings, or at a railway station, for want of signalling, I should like it to be recorded that neglect in supplying protection has not been caused by those who have to work and control the traffic arrangements, but rather that the wishes of the Traffic Department have not been acceded to." Finally, on the 16th April, Mr Davies wrote as follows, to the Engineer-in-Chief:—"Some time ago the Engineering Department submitted to the Minister, plans for signalling stations on the Government lines. At that time, the Minister, for want of funds, I believe, delayed the work. Since then, however, the traffic has increased very considerably, and the necessity for signalling and interlocking is much more apparent. Especially is this so at Perth and Fremantle station yards. I therefore sincerely hope

"that the signalling and interlocking asked for will be authorised forthwith. Signalling has been provided at all stations on the Midland and Great Southern Railways, where the traffic is not nearly so heavy as that over the Government railways. Your reply will oblige." Now where was the evidence of the splendid way in which this splendid department was being carried on by the Commissioner? The facts disclosed were appalling. So much for the important object of public safety. He might also say that the incapacity of the department to take proper care of goods, and especially of perishable goods, was giving the commercial public cause for great dissatisfaction, while in regard to the condition of the employees there was also much to complain of. An enquiry recently made had elicited the following information:—"(1.) What are the number of hours guards, porters, engineers, platelayers, and others, work, and what are the rates of pay?—Fifty-four hours per week. The minimum rates of pay are, Porters, 6s.; guards, 7s.; drivers, 10s.; firemen, 7s.; cleaners, 5s.; platelayers, 6s. 6d.; shunters, 6s. (2.) Is the overtime system general? There has been a deal of overtime, but the Traffic Manager has issued orders to stop the system as much as possible. Overtime is paid at the same rates as ordinary time, with the exception of Sundays, when time and a half is allowed. The porters are very glad to get overtime. Their pay is so wretchedly low and the cost of living so high, that they find it a hard matter to make both ends meet on 36s. per week. (3.) Do the railway men desire that the eight hours system should be adopted, and that extra pay be allowed for overtime?—Yes; the men would gladly welcome the adoption of the eight hours system, and they consider extra rates should be fixed for overtime. The wages are exceedingly low, and the men are very dissatisfied, but in the absence of an organisation through which to make their grievances known, it is useless for individuals to complain. (4.) I understand you to say guards and porters work nine hours continuously, without a break for dinner?—That is so; they work nine hours right off; they get a 'snack' when they can. They prefer to do this under the nine hours system, as the day is shorter. (5.) If a man goes on at 6 p.m., does he reckon his time onwards as ordinary time, or is there a special rate for night work?—Porters and guards do not

"receive extra pay for night work, but have to work 54 hours per week, whether night or day. Every alternative week they are on the night shift between Perth and Fremantle. (6.) How do the rates of pay here compare with those of Victoria?—Wages are much higher in Victoria where living is at least 50 per cent. cheaper. The eight hour system is recognised in Victoria."

THE PREMIER: Is that the Royal Commission?

MR. SIMPSON: No, it is not the Royal Commission you appointed to smother the inquiry. Considering the cost of living in this country, it is hardly possible for the most thrifty man to live in comfort upon 6s. a day, and, looking at the profits of the department, I do not think it is necessary for the department to sweat its employees,—the term "sweating" being defined by Webster as "the exaction of an excessive amount of labor for a very small amount of pay." After reading the wonderful speech of the Commissioner, in which he so magniloquently described the condition of the Railway Department, he should be glad to acquit the hon. gentleman of having wilfully misled the House in the light of the facts he (Mr. Simpson) had presented to the House; but he thought he had shown that there was a great deal in the inner working of that department, of which the Commissioner has shown his ignorance. And he hoped, after what had been disclosed as to the peril of the travelling public, that no time would be lost in equipping the lines in a proper manner.

MR. GEORGE said he found some difficulty in speaking to the question, as, as from the ruling given to them, the vote for Works and Buildings could not be separated from that of Railways. He did not intend to follow the example of the hon. member for Geraldton, and "slate" the unfortunate Minister for Railways, because he thought the interests of the country could be better served by seeing where the department was at fault, and setting to work to remedy those faults. In the speech of the Commissioner, the other evening, he foreshadowed a change in the management of the railways in the following words:—"The position will become more arduous, and, from my view, more impossible, and the railways should, I think, be placed under the control of a Board of Commissioners." Again, the Engineer-in-Chief in his report

(page 21) said:—"In conclusion, I would wish to take this opportunity of submitting for the consideration of the Government as to whether the time has not arrived when the *raison d'être* for my connection with the working of the railways has ceased to exist, or whether, at any rate, that time is not near at hand." There were then not wanting evidences that the Minister intended to abdicate his position in regard to the railways; and, to his (Mr. George's) mind, the hon. gentleman would do well to resign, for it was impossible for one man to do justice to two such large departments as those of Works and Railways. Under these circumstances, he thought that the Commissioner might claim some amount of sympathy for the unhappy time he was having that evening, for, having found himself unequal to the burden, he was now contemplating finding a successor in the control of the department. In his own words, he proposed to "consider the matter during the recess, and prepare recommendations to submit to the House next session." The hon. gentleman had further declared it to be his policy to appoint capable officers, and to accept their suggestions; but it appeared that he had not done so in connection with the recommendations of the General Traffic Manager, which were designed to provide for the safety of the travelling public. It seemed to him that the sooner the hon. gentleman gave effect to these recommendations, the sooner he would absolve himself from the grave responsibility which would attach to him should an accident occur, through the neglect of those precautions which the experts of the department considered to be essential to the proper carrying on of the traffic. The Hon. the Director of Public Works having told the Committee that the estimates of his department were never prepared in an haphazard manner, but were, on the contrary, carefully framed, would, perhaps, inform hon. members how it happened that so many public works could not be carried out last year owing to an insufficient amount of money having been voted for them. Then there was another point which he wished to refer to, and that was the carrying out of public works by the Government by day work, instead of by public tender. It could not be said that any Government department could itself get work done cheaper and more expeditiously than it could be done by tender, and, as a striking instance of that, he would

refer to the Southern Cross and Coolgardie railway contract.

THE COMMISSIONER OF RAILWAYS: But the contractors have the benefit of the traffic for a certain time.

MR. GEORGE: said the Government would not dare to carry on either passenger or goods traffic under the conditions which contractors carried it on, because it was possible to attain a speed on a contractor's line which on the well-equipped railways of the Government it would be, perhaps, considered dangerous to attempt to attain. And then there were the great harbor works at Fremantle, of which they heard so much, and by which the Government hoped to make that place the port of call for the mail steamers. The work of removing that huge hill of sandstone and the depositing of the material on the moles, would have been done much cheaper by tender than by day work.

THE CHAIRMAN said the hon. member was not in order in referring to that matter, as the Railways vote was now under discussion, and not the Public Works vote.

MR. GEORGE said, with all due respect for the ruling of the Chairman, he would again ask how it was possible to avoid referring to other branches of the department in speaking generally on the vote. He would like to know how he could proceed with his remarks.

THE CHAIRMAN said the hon. member must speak to the vote for Railways and Tramways, which was the only vote now before the Committee.

MR. GEORGE said he would endeavor to do so, and would refer to the connection existing between the railways and the harbor works, by reason of the railway being used for the conveyance of stone from the quarries to the moles at the harbor works; and he would like to ask the Director of Public Works, whether he thought that stone could be loaded into the trucks and conveyed on the Government line to—

THE CHAIRMAN said he must again ask the hon. member to strictly confine himself to the vote for Railways and Tramways. He would be able to discuss the Works and Buildings vote on another occasion.

MR. GEORGE said he was very sorry that the Chairman did not, at the beginning of the debate, think fit to inform him how far he could go in discussing the vote now before the Committee, because it was very confusing to him to be called to order so often. He would

ask again how far it was possible for him, when he was dealing with one branch of the department, to refer to another branch?

THE CHAIRMAN said the hon. member must confine his remarks strictly to the vote which was under consideration.

MR. MARMION said that, with all due respect to the Chairman's ruling, he might remind him that the Commissioner of Railways, when he introduced these estimates, was allowed to refer generally to the different branches of the department, and it seemed to him that to interfere with any hon. member, in the early part of his remarks, and to expect him to re-arrange the whole subject matter of his speech, was to place him at a great disadvantage. He thought, under the circumstances, it would be fair to the hon. member for the Murray, who was not an old Parliamentary hand, like some of them, to allow the hon. member to proceed in his own way. He did not think the Commissioner of Railways would object to the two branches—"Railways and Tramways" and "Works and Buildings"—being discussed together by the hon. member.

THE COMMISSIONER OF RAILWAYS: I have not the slightest objection.

THE CHAIRMAN said it was not a matter for the Commissioner of Railways to decide. The hon. member would have to confine his remarks to the vote before the Committee, namely, "Railways and Tramways."

MR. GEORGE said that under those circumstances he could not possibly proceed.

HON. MEMBERS: Oh, go on!

MR. GEORGE: No; it is absurd. The Chairman's interruptions had completely broken off the thread of his arguments, and he could not go on with his speech. (The hon. member then left the chamber.)

MR. RANDELL drew attention to the fact that a quorum was not present; whereupon—

THE SPEAKER took the chair.

A quorum having been obtained,

The Committee resumed.

MR. HARPER moved that progress be reported, and leave asked to sit again. He said he did so because the hon. member for Geraldton had quoted a portion of the evidence given before the Civil Service Commission in connection with the Public Works Department, a copy of which evidence hon. members had not yet been supplied with, nor had the report of the Commission been presented to the Government. He moved last

year in the direction of dissolving this Commission, and it was in deference to the wishes of those who desired to have some evidence before them as to the working of the Public Works Department, that he withdrew his motion. As the Commission had not yet presented its report of the evidence which had been taken,—though some of it had been brought in that evening by a side wind—he thought it was not fair to other hon. members that the Committee should continue the discussion on this vote until hon. members had copies of that evidence supplied to them.

THE PREMIER (Hon. Sir J. Forrest) said he had not the slightest objection to report progress; but it seemed to him to be a most extraordinary proceeding on the part of the hon. member for Geraldton, who happened to be a member of the Civil Service Commission, to ventilate portions of the evidence taken by that Commission before it had been presented to the Governor. The Commission in question, like all other Commissions, was vested with great power, and its duty, after taking evidence and acquiring information on the matters referred to it, was to report to the Governor the result of its enquiries. In the present instance a member of that Commission had made use of a portion of the report of the evidence taken before the Commission for the purpose of attacking a member of the Government, before that evidence had even been presented to the Governor, and, as a consequence, the hon. member was acting in a manner altogether at variance with the terms of the Commission, in making use of evidence which he was privileged to obtain as a member of that Commission. He never heard of such a course of action being adopted before.

MR. SIMPSON said the Premier had favored hon. members with another lecture on deportment. It was just as well that, in defending his own action in reading a portion of the evidence taken before the Civil Service Commission, before the report of the Commission had been presented to the Governor, he should describe the action of the hon. the Premier in regard to that Commission.

THE PREMIER: Two wrongs do not make a right.

MR. SIMPSON said he would remind hon. members that some two years ago he moved for the appointment of a Royal Commission to enquire into the working of the Civil Service, and that the Government strongly opposed him, the Premier especi-



ally being very aggressive and angry in his opposition to the proposal. The House, however, decided to appoint the Commission. What followed? In order to further frustrate the wishes of the House, a Commission was appointed which practically blanketed the enquiry. A gentleman was appointed Chairman of the Commission who was not a member of the House, and who could not answer for himself in the House; therefore he would say nothing in regard to him. The other members of the Commission were the representatives of Fremantle—where a good deal of public money was being spent in public works—and an able and accomplished civil servant who was to advise the Commission on matters connected with the various departments. The members for Fremantle, who were out and out supporters of the Government, and represented, as he had before stated, a constituency in which a large amount of public works were in progress, would not be likely to interfere with the expenditure of public money at Fremantle. He would ask hon. members to imagine an enquiry being held as to the wisdom or the legitimacy—he did not use the word in any sinister meaning—of the expenditure of money upon any of these works, would they not have heard from those three Fremantle gentlemen that any expenditure of public money at Fremantle was all right? Matters had arrived at such a pitch—the time of the Commission was being so much wasted and the money of the public wasted in a fruitless enquiry—that he had considered it his duty as a member of the Commission to move in the direction of requesting the Governor to dissolve the Commission. Hon. members would scarcely believe that the Chairman of the Commission absolutely refused to put the motion. Repeatedly had he been baulked by the Chairman refusing to put motions which he had brought forward. An effort was made to induce the Premier to make further appointments to the Commission, in order that they might do some really useful work; but the Premier had declined to do so. His (the Premier's) letter was in evidence and he hoped it would be published.

THE PREMIER: That is not what we are discussing now.

MR. SIMPSON said the Hon. the Premier had had his say, and he (Mr. Simpson) did not interrupt him when he was talking. At every point, when he endeavored on that Commission to secure information which he thought

would be useful to the House, he had (he conscientiously believed) been blocked in that endeavor directly by the Government nominees on that Commission, and, indirectly, by the Premier himself. That was the reason which had induced him to use the evidence he had quoted that evening. He had taken the only course that was open to him to get the evidence before the House and the country. Could the Premier dispute the facts he had stated?

THE PREMIER: I do not know. I have not seen the evidence.

MR. SIMPSON: Did the Premier mean to insinuate that he (Mr. Simpson) had been reading a statement which he had referred to as a minute of the General Traffic Manager's, when it was not so. Did he mean to imply that he (Mr. Simpson) had told a lie? The Premier was trying to hoodwink the House and the people of the country, and to keep back from them information about our railways which should be given to them, when, that very moment, those who were travelling on our railways did so in peril of their lives.

MR. R. F. SHOLL thought that hon. members were entitled to have the evidence taken by the Civil Service Commission on the Works and Railways Department before them when they were discussing the vote for those departments. The Government should assist hon. members to obtain it, as it was apparently already in print, and could be easily placed at their disposal.

THE PREMIER: It has not been sent to the Governor yet.

MR. R. F. SHOLL said that if the Government had cared to assist in the matter, the Commission would have issued a progress report; and he certainly thought that the hon. member for Geraldton, in supplying part of the information—whether he acted in accordance with Parliamentary usage or not in quoting evidence that was not in the possession of the Governor—had done his duty to the country, in divulging certain facts in regard to the railways of the colony, and disclosing a state of things which no hon. member had the slightest idea ever existed. He hoped, therefore, that progress would be reported, in order that hon. members should have this evidence before them. It was only fair to the Minister controlling the department that he should

have time to look into the matter before he replied.

THE PREMIER (Hon. Sir J. Forrest) said that he was aware of the existence of some of the information contained in the evidence quoted by the hon. member for Geraldton. For instance, he saw some time ago some minutes written by the General Traffic Manager to the Commissioner of Railways, especially that referring to the need for interlocking gear at some of the stations. It would be found that interlocking gear had since been ordered, and that the General Traffic Manager had been instructed to take every precaution. Therefore he thought it would be admitted that the Government had done all that was possible, in regard to this matter of improving railway station conveniences. His object in rising, however, was to say, in regard to the remarks of the hon. member for Geraldton, alleging that the Government had "packed" the Civil Service Commission, that the hon. member must know such a statement was unwarrantable and untrue. There was scarcely a member of the House who had not been asked to act on that Commission. The hon. members for the Swan, Perth, Gascoyne, and Beverley had, amongst others, been asked to sit, also the hon. member for Albany.

MR. LEAKE: And I refused.

THE PREMIER (Hon. Sir J. Forrest): And the hon. member for Nannine.

MR. ILLINGWORTH: And I refused also.

THE PREMIER (Hon. Sir J. Forrest): All these hon. members were asked to act; therefore, to say that the Government had "packed" the Commission was an unwarrantable and an unjustifiable statement.

MR. SIMPSON: You appointed others who are not members of the House.

THE PREMIER (Hon. Sir J. Forrest): The Government would not be dictated to by the hon. member for Geraldton as to whom they should appoint members of the Commission, and they were quite prepared to take the responsibility of their action. There was a correct way of doing things. The report of the Commission in question, or of any other Commission, should first go to the Governor, then to the Government, and then to the House. He had not yet received the report of the Civil Service Commission, and therefore he must ask the hon. member for Gascoyne to believe him, when he said that it was not the fault of the Govern-

ment that the report had not been laid on the table of the House. As to urging the Commission to present a report, the Government had other things to do. They might even be accused of endeavoring to coerce the members of the Commission. The Commission had been instructed to discharge certain duties; and, personally, he had no knowledge as to how they were carrying out those instructions. He had heard that they had sent for officers of a certain department to give evidence, without first informing the Minister controlling the Department that they desired the presence of those officers; and he believed that Government officers had been summoned from all parts of the colony to give evidence, whether the heads of their departments could spare their services or not. One instance occurred at Bunbury, when a gentleman occupying an important position in the Railway Department at that place was summoned as a witness before the Commission, without the Minister being informed of it. However, the Government said nothing about that action, and tried to assist the Commission in every possible way. There had been an attempt on the part of the Commission to drag him into a correspondence, with the object of possibly creating some grievance against the Government, but he was not to be caught in that way. He had no objection to reporting progress if hon. members wished it.

MR. SIMPSON said he rose to explain that the Civil Service Commission issued a progress report some time ago. The evidence taken by the Commission had been printed, and, from what he had heard, he had little doubt that at least some members of the Ministry had read the evidence.

THE PREMIER (Hon. Sir J. Forrest): It is not in my possession, at any rate.

MR. JAMES said he desired to express his thanks to the hon. member for Geraldton for having brought forward the facts elicited by the Commission as to the Railways Department, and he hoped that the Premier would realise what he had apparently not yet realised, that, after many years' experience of Crown office despotism, we were now living under Responsible Government. The time had gone by when Ministers could imagine that because they had certain information stowed away in their pigeon holes, the House was not entitled to look at it until it was first reported to someone, who reported it to someone else who handed in on to someone else, who

in turn laid it on the table of the House. If light had been thrown on the working of any Government Department during the last twelve months by this Civil Service Commission, particularly the Works and Railway Department, he would like to know why hon. members, when they were discussing those departments, should not have that information before them.

THE PREMIER: Whose fault is it?

MR. JAMES said he only complained that when an attempt was made to give the House valuable information, as the hon. member for Geraldton had done, there should be an endeavor to smother the information. He regretted that the Premier had thought fit to attack the hon. member for Geraldton for doing what he considered was his duty to the country, in bringing to light important facts concerning the working of one of the most important of our Government Departments.

MR. GEORGE said that, as a member of the Civil Service Commission, he desired to speak to the motion to report progress, and he hoped that in doing so he would not be subjected to any interruption from the occupants of the Treasury benches. The Commission had been accused of not having done any good after having sat for two years. Now, speaking of the work of the Commission since his appointment on it, he could honestly say that the members worked very hard, and were, he ventured to think, doing good work for the colony. They had elicited a quantity of useful information, especially in regard to the Public Works Department, which would interest hon. members when it was presented to the House. He knew but little about the Parliamentary usage and procedure to be observed in bringing that information before the House; but he knew that the information which the hon. member for Geraldton had given to the Committee, was already embodied in the official documents which were in the possession of the Director of Public Works. The Premier had said that the Commission had summoned persons from all parts of the colony, without consulting the heads of the departments. He would say in reply to that statement that he did not know that the Commission had ever been told that it was necessary to consult the Minister before summoning his officers to give evidence. He did know that the Director of Public Works very anxiously desired to see some of the witnesses

—at least one of them—before they were taken before the Commission. The particular witness he had mentioned, stated that he had received instructions from the Government as to what evidence he was to give to the Commission, and he still adhered to the statement that he received those instructions from the Government.

MR. SIMPSON: And yet they say they do not know the nature of the evidence.

MR. GEORGE said, with regard to the alleged summoning of official witnesses without the knowledge of the heads of Departments, he could state that the only person they summoned from Bunbury was the station master, Mr. Roberts, who was summoned through the General Traffic Manager. He saw no reason why the evidence already taken by the Commission, concerning the Railways Department, should not be given to hon. members. Several important witnesses remained yet to be examined before the investigation into that department would be completed, and it was the intention of the Commission to present the report, with the whole of the evidence, to the proper authority as soon as the taking of evidence was finished as to the working of the Railways Department.

Motion to report progress put and passed.

Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 10.45 o'clock, p.m.