

## Legislative Assembly,

Thursday 11th September, 1902.

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

## PRAYERS.

## PETITION—BUILDING CONTRACTOR'S CLAIM FOR EXTRAS.

MR. A. J. DIAMOND presented a petition from Mr. John Maher, of Fremantle, building contractor, relating to circumstances connected with his contract for construction of the east wing of Public Works Offices in Perth, and praying for the appointment of a select committee to inquire into his claim for full settlement.

Petition received, read, and ordered to be printed.

## PAPERS PRESENTED.

By the MINISTER FOR MINES: Geological and Mining Plan of Lendonville district.

By the MINISTER FOR WORKS: Return showing arrivals at port of Fremantle from 1894 to 1901, and for half-year ending the 30th June, 1902, at the inner harbour and the outer jetty.

Ordered: To lie on the table.

## REPORT ON CAMELS IMPORTATION.

MR. MONGER brought up the report of the select committee appointed to inquire into the attempted importation of camels by Faiz Mahomet.

Report received, read, and ordered to be printed.

MR. MONGER moved that the consideration of the report be made an order for Wednesday, the 24th instant.

THE SPEAKER pointed out that when a member made a motion that a subject be considered at a future date, the parliamentary practice was that at least one day before the subject came up for consideration he should put on the Notice Paper the motion he intended to move.

MR. MONGER said he would do so.

Order made accordingly.

## QUESTION—ALBANY AND FRESH-AIR VISITORS.

MR. HOPKINS asked the Colonial Secretary: Whether he will inquire into the possibility of placing the Albany Quarantine Station at the disposal of the Fresh-Air Societies of the Eastern Gold-fields during the approaching summer.

THE COLONIAL SECRETARY replied: Yes; inquiry will be made, and the hon. member communicated with.

## COLLIE TO COLLIE-BOULDER RAILWAY BILL.

## SECOND READING.

Debate resumed from the 9th September, on the motion for second reading, and on the amendment moved by Mr. Butcher that the Bill be read a second time this day six months.

MR. R. HASTIE (Kanowna): I do not propose on this occasion to discuss the merits of the Bill very largely, for the reason that I have spent some time in looking over the files of the department, and the more I have done so the more necessary it seems to me that we should have more information than the files contain. One or two things have impressed themselves upon my mind that I should like to mention. This is a Bill authorising the construction of a railway from the centre of the Collie station-yard out as far as the Collie-Cardiff leases; and upon discovering this, partly from the debate and partly from looking over the papers, I was surprised that the Minister did not take the House a little more into his confidence and explain to us all that the Bill intended. I have come to the conclusion that it is absolutely necessary for us, before we deal with the Bill, to remit it to a select committee; but before we do that we must pass the second reading *pro forma*. That would not be an innovation; for members will remember that last session, when Mr. Moorhead brought in a private Railway Bill on behalf of the Hampton Plains Company to authorise the construction of a line by that company, we did not discuss the merits of the measure, but passed the second reading *pro forma*. A select committee of the House inquired into the Bill, and afterwards Mr. Moorhead brought up the report. Upon the motion that the report be received, we had a long discussion, with the result that

the House refused to receive the report. If we follow the same course on this occasion, when the select committee's report is brought up the House will have an opportunity of going into the whole question. If that is not enough, then upon a motion being moved that the report be adopted, members can discuss the question again, and can finally discuss the Bill in Committee; so that we do not risk anything by remitting the Bill to a select committee. If we do remit the Bill to a committee, there are some things I should like to mention that the committee might inquire into. For instance there is the first part of the measure, which has not been particularly specified by the Minister for Works, but which sets forth the necessity to authorise the construction of a railway line from the centre of the Collie railway station-yard out to the Collie Proprietary, which work I believe has been finished and in operation for the last two or three years. There is also the question whether this committee should advise the House to authorise the construction of a line from Collie to Collie-Boulder. Then also the other question as to the advisability of that line being constructed from Collie to Collie-Cardiff. There are one or two other questions that probably would be suggested by other members, and which will suggest themselves to the minds of members who are appointed upon the select committee. There may be some subsidiary questions as to what authority the Collie-Boulder people had to begin building the line; also there will come up the question, have the Executive the power to authorise the construction of railways without parliamentary sanction? That, I take it, will not be a direct question, but it will be one on which any select committee will find themselves compelled to have something to say. If the Executive have that power, the question will come before the committee, why was an agreement made in this instance? The select committee will be able to find out all the particulars that are required. I wish members to consider that there are various people who are concerned personally in this debate. The name of the member for the South-West Mining District (Mr. Ewing) has been mentioned, and Mr. Ewing is in the position of being a privileged individual, and has taken

advantage of that privilege by speaking in pretty strong language of Mr. Walkeden, who is not a privileged individual. Therefore, as there is not in this House the opportunity of discovering exactly what may be the case from Mr. Walkeden's point of view, I take it that a select committee, besides calling the Minister for Railways and Mr. Ewing, will allow Mr. Walkeden to state his case. I feel certain that if this be done, the committee in the first place, and the House afterwards, will be able to come to a clear decision on the various points raised in the debate. One other matter has been brought up, and that is a serious charge against the Minister for Mines. That matter, however, I do not anticipate the committee will be able to deal with one way or the other. The Minister for Mines himself is here, and will have an opportunity of speaking in reply to the charge if he think fit. Another subject into which I should expect the committee will inquire is, what has hitherto been the custom in this country relative to supplying railway communication to companies opening up new mines? We must take it for granted that right through mining operations, whether the proposition be coal or gold, companies must have facilities for connecting their mines with the Government railway system. If companies have the power to construct sidings, then necessarily the question arises, how is that power limited? Is it limited to the extent of half a mile, or five miles, or six miles? Has the company here concerned the power to construct a line independently of Parliament and even independently of the Government? All these questions are of such a nature as to preclude the House from deciding on them with the information now before it. Incidentally, no doubt a farther inquiry will be made; and that farther inquiry has reference to the Collie Proprietary Company. The company had a line laid to its mine two or three years back, and I understand that the principal condition in the laying of that line was that the company should pay for it by supplying coal to the Government. Now, if the company has already paid the Government by supplying coal, why should it be necessary for this House to go back to a transaction several years old by authorising a line which is already built?

It will be contended by certain members who are always ready to say, "Let us thresh out everything on the floor of the House; do not let us refer anything to a committee," that every member has the opportunity of reading the files and so forming his own conclusion. I submit, however, that the experience of hon. members generally is that every individual member is not in a position either to read the whole of the files or to find the key to reading the files. This advice to refer to the files is something like the advice occasionally given to refer to Scripture. I never yet have known a man who, searching the Scriptures, did not find exactly what he wanted to support his preconceived views. And so it will be if we are all to study the files, unless we have something to go on, unless we have some authoritative person, some committee, to indicate to us what lines our perusal should take, and to throw some light on the meaning of the files. I think I have made out a fairly good case why we should, instead of now discussing the measure farther, remit it straight away to a select committee. By that course the House, having read the measure for the second time, will still have two opportunities of discussing it. I strongly urge the member for the Gascoyne (Mr. Butcher) to withdraw his amendment that the Bill be read this day six months. I feel certain the majority of the House will agree with me that on presentation of the select committee's report we shall be far better able to consider the Bill as it ought to be considered.

**THE MINISTER FOR MINES (Hon. H. Gregory):** I desire to make a few remarks at this juncture, because I am unwilling that any length of time should elapse before my reply goes forth to the charges made against me, mostly by way of innuendo, by the member for the Murchison (Mr. Nanson). It has been stated by that hon. member that in speaking on the second reading of this Bill I deliberately sought to mislead the House. That, I say, is absolutely false. I had no such desire, and I spoke simply because the late Minister for Railways (Hon. W. Kingsmill) was absent. I endeavoured to give the House some little information respecting my reasons for supporting the construction of the line. I endeavoured

to show hon. members what the agreement in question is, and what development work has been done on the property. I have been taken to task because I made the following statement, which I give in what I believe were the exact words I used:—

An agreement was made by the Forrest Government with the attorneys of the company to the effect that if a certain amount of capital, £45,000 or £50,000—I am not sure which—was brought into the country for the development of these coal measures, the Government would construct this short line of railway.

I desire the House now to understand that some six months prior to the present time this matter was brought before the present Government, that extracts from these papers were read by the then Minister for Railways, that the whole of the facts were placed before Cabinet, that amongst those facts was the statement, confirmed in Cabinet, that if the money were brought into the country the Government would be only too pleased to construct the railway. That was exactly what I wished the House to understand when I made the statement I have just quoted. Speaking later, I observed that it was over six months since I had seen the files, and that I could not, therefore, be too certain of the figures I had used. I went farther, and assured the House that all papers and every possible information would be placed before hon. members on the resumption of the debate. I hardly think it was necessary for me to say any more. I was speaking merely from memory. The statement I did make in regard to an agreement referred to, the agreement entered into by the Forrest Administration and confirmed by the Throssell Government, to the effect that if the stipulated amount of money were put up the Government would construct the line. That, and nothing else, was what I wished the House to understand on the occasion in question. I had no manner of desire to mislead the House in any respect whatever. The whole question of this railway will be fully dealt with by the Minister for Works and Railways, and therefore it is not necessary for me to enter into details. A mountain has been made out of a molehill, and the Minister for Works will try to crush that mountain. I think the Minister will be able to give the House such information as will satisfy hon. members that the

Government have, on this occasion, acted rightly in every respect.

MR. MORAN: But the trouble is that you are giving the information at the wrong end of the debate.

THE MINISTER FOR MINES: Possibly. I wish to assure hon. members that the Government entertain no objection whatever to the appointment of a select committee to consider the Bill. Indeed, it is the intention of the Minister for Works, before closing his speech, to ask that a select committee shall be appointed. The member for the Murchison (Mr. Nanson), however, went somewhat farther, and sought to make out that the member for the South-West Mining District (Mr. Ewing) had used political influence with me in order to secure continued exemption of his property.

MR. NANSON: On what do you base that statement?

THE MINISTER FOR MINES: It was claimed that the hon. member had brought political influence to bear on me.

MR. NANSON: If I am in order, I should like to ask the Minister for Mines on what statement contained in my speech he bases that allegation?

THE PREMIER: That is the inference I drew.

THE MINISTER FOR MINES: I have not a copy of the hon. member's speech here. If I had, I should throw it in the fire. I have heard in this House so many speeches which ought to be put in the fire.

MR. NANSON: It would be more to the point if you tried to answer the speech.

THE MINISTER FOR MINES: I shall answer it. I am about to deal with the inference which every member has drawn from the speech of the leader of the Opposition.

MR. NANSON: You draw an inference of your own from the speech, and then accuse me of having made a certain statement.

THE MINISTER FOR MINES: I feel satisfied that hon. members will agree with me when I say that the impression to be derived from the speech of the leader of the Opposition was that the member for the South-West Mining District had used political influence with me in order to obtain continued protection of his property. Did not hon. members

draw from the speech the inference that I had abused my position to protect the property of the member for the South-West Mining District? Such, I say, was the impression I derived from the speech, and I believe it was the general impression as well. The member for the Murchison makes in this House many speeches of which he might well be ashamed, and of which I think he has been ashamed.

MR. NANSON: Oh, certainly!

THE MINISTER FOR MINES: I am sure you must be ashamed. If you are not ashamed, other members are. I can only say—

MR. MORAN: On a point of order, the Minister surely is not right in addressing a member saying, "I am sure you must be ashamed." The Minister should address the Chair.

MINISTERIAL MEMBERS: Oh!

THE MINISTER FOR MINES: I was merely about to say that a strange feeling came over me last night when I heard the member for the Murchison state that there were three or four gentlemen who had won honours in the political life of this State, three or four gentlemen who would be fit to hold the elevated position of Governor of this State. Those three or four gentlemen, I say, ought to go down on their knees and thank God that they were never political opponents of the member for the Murchison, otherwise they would have—Is the hon. member about to rise to order?

MR. NANSON: Oh, no.

THE MINISTER FOR MINES: I ask hon. members in considering this matter to carry their memories back a little, in order that I may show them how grossly the member for the Murchison misrepresents facts. I should like them to recall an incident in connection with the granting by the hon. member as Minister for Lands of a special lease to a Mr. Clemenger. The member for the Murchison had all the files relative to the grant before him; he went through all the records; and thereupon he told the House that the special lease had been approved by me whilst I was Minister for Mines. That statement was utterly false, but it took a great deal of time and labour to induce the hon. member to admit that there was no such record on the files, and that I had no connection

whatever with the matter. I was one of the few who, on the occasion in question, looked at matters in a proper light. I knew the hon. member was not to blame in the transaction, bearing in mind that he had only just assumed office and that the grant had been recommended to him; and I said as much at the time in this House. However, I wish to call attention to the fact that the hon. member, after having gone through the files, deliberately sought to warp the meaning of words in order to rid himself of responsibility and throw blame on someone else. Turning now to the Collie-Cardiff leases, I admit that they certainly have had a considerable amount of protection. They are leases on which development work has been prosecuted to a certain extent. I have here the first evidence placed on the table of the House showing that boring operations had been conducted and that coal had been discovered. Full information was given to the Mines Department of the development work done, and it was considered that the holder of the Collie-Cardiff leases had done everything possible in the absence of railway communication. The member for Kanowna (Mr. Hastie) made a remark as to the equal necessity for railway communication in the case of gold mines and collieries. I maintain, however, that there is a vast distinction between the two cases. Work can be prosecuted on a gold mine without the assistance of railway communication, but it is absolutely impossible to work a colliery which has not a railway to its very doors.

MR. NANSON: How much exemption altogether was allowed in connection with these leases?

THE MINISTER FOR MINES: I am now endeavouring to deal with the matter. The hon. member can speak afterwards.

MR. NANSON: Thank you. I merely wanted a little information.

THE MINISTER FOR MINES: Before going farther, I may mention that the hon. member has persistently attacked the member for the South-West Mining District as being the owner of the leases. The papers have been before the leader of the Opposition night and day, and they have been laid on the table of the House, and amongst them is a plaint by Mr. Walkeden for the forfeiture of the leases.

This is a plaint under Schedule 1 of the Mineral Lands Act, wherein Mr. Walkeden complains of Eliza Caroline Frances Hill Tuxford, Owen William Hough, and Henry William Branch Brooke, the executrix and executors respectively of John James Tuxford, deceased. These are presumably the owners of the leases. I have farther a telegram from Mr. W. H. B. Brooke, executor of this estate, who says:—

Executors Tuxford estate still retain their interest Collie-Cardiff leases.

I do not want the House to imagine the hon. member has no interest in these leases, but I want to show the House the hon. member had absolute information placed within his grasp that there were other persons connected with these leases. I can show, with regard to these developments—the papers are here for hon. members—that there were sufficient developments here not only to warrant the extension of the railway—which is no concern of mine as Minister for Mines—but to warrant exemption being granted upon these properties until provision was made to enable them to place their coal within a reasonable distance from the market. Until that was done it was impossible for them to carry out the labour conditions of those leases.

MR. MORAN: Is the Collie-Boulder under exemption?

THE MINISTER FOR MINES: Not at present, but it had been. In farther confirmation of my statement, I may say that I had a telegram from the Inspector of Mines in reply to one. The telegram he was asked to reply to was:—

Has sufficient work been done on the Collie-Cardiff leases to warrant opening out of colliery? Reply urgent.

The reply is:—

Yes. Sufficient area of payable coal has been proved on Collie-Cardiff leases to warrant opening out of colliery.

I am dealing with the granting of exemptions something like six or twelve months ago right up to the present time, and all these things had happened prior to the granting of these exemptions. The first matter I would like to deal with is in regard to applications for exemptions. I may say that this application was not made in my time, but it was made on the

28th February, 1901. Mr. Ewing, acting as attorney to this company, wrote:—

You have no doubt the plans and sections of the prospecting work done by the Collie-Boulder Co., by which you will be able to verify my sections. I am now in a position to open out a colliery, but it is useless attempting to do so until the railway is extended to my property. The matter of the railway extension is, I believe, under the consideration of the Government in connection with the Collie-Boulder Co.

I wish members to understand that this letter was written in February, 1901, before Mr. Ewing was a member of Parliament. This matter came before the Mines Department, and the Under Secretary for Mines draws attention to this request for a special license. He says:—  
—the reasons given being that until the railway is extended to the property at the south-east end of the field, it will be impossible to work the colliery at a profit, and that no more work can be profitably done at present.

He states that exemption was granted to the Collie-Boulder Company for the very same reasons, and he recommends that this should be favourably considered. Mr. Lefroy replies:—

It does not appear reasonable to expect any more work to be done until facilities for transit are supplied. They should take steps to obtain these. Special license for six months' exemption approved.

On page 56 Mr. Parker, with whom that agreement was made by Mr. Ewing as attorney for the company, says:—

—on behalf of my company to buy his property, and guaranteed to provide a minimum sum of £10,000 working capital, and to start work immediately the railway is completed.

To that a reply is sent by Mr. Lefroy, who says:—

I agree with you that nothing farther can be done until the present license expires. I am satisfied of the *bona fides* of the transaction between Mr. Ewing and Mr. Parker, and strongly advise an extension of the license when it expires in August. The existence of a good seam has been proved, but it cannot be worked without a railway. It is not advisable to unduly force labour on to all these coal leases.

This matter never came before me in any shape or form until September; and in September, when Mr. Ewing was a very strong Oppositionist, he stated that he only took advantage of three of the six months' exemption which had been granted. He says:—

—but I would point out that during the exemption under that license, I carried on

boring operations for three months, so I really only availed myself of three months' exemption under that license. I may say the boring has been most successful, and has proved the existence of a large area of coal country which was supposed not to exist. I would farther state that all the work that can be profitably done until the railway line has been carried out has been completed, and it would be a waste of money to attempt to open out at present.

This matter came before me in September of last year, and a special license was issued at that time. That was the first time I took any action whatever with regard to that property. I think members will agree with me that I was justified. In February of this year another application was made with a desire that I should grant a farther special license. Under these circumstances, I issued a special license for three months only. I was under the impression that the Government would, as soon as possible, proceed with the prosecution of this railway, and I gave the three-months special license, which set forth that no labour whatever should be provided.

MR. MORAN: When was that?

THE MINISTER FOR MINES: On the 26th February this year.

MR. MORAN: You did not think Parliament would sanction it within three months?

THE MINISTER FOR MINES: I gave three months' exemption from labour conditions, and I stated that such labour conditions as would be recommended would then be insisted upon. That special license was granted, and at the end of three months no report came from the inspector to myself. I took action. I wrote to the Under Secretary and told him that a railway should be started upon that work, and that it would be necessary for them to start their colliery, and I gave instructions that the inspector should report as to the labour that should be employed upon that lease.

MR. MORAN: You did not know the railway would be started.

THE MINISTER FOR MINES: A fortnight elapsed and I got no reply from my inspector of mines. I sent a second letter to the Under Secretary. The reason the delay occurred was that the inspector of mines met with an accident, and we had a person acting temporarily as inspector

who only attended once a week or a few days during each week. I want the House to understand it did not go from the Under Secretary, or the inspector, or any record on the file except my own, insisting upon these labour covenants. I insisted upon these labour conditions being enforced. I gave instructions, after receiving the recommendation of the inspector of mines, that six men in the first month would have to be employed.

MR. NANSON: And were they employed?

THE MINISTER FOR MINES: No. Mr. Ewing, the attorney for this company, came to me and explained the whole of the circumstances of that agreement under which he was pledged to a London company. So as to satisfy myself absolutely with regard to what he had been stating to me, I insisted upon his sending to me a copy of that agreement in order that I could judge whether he was placed in such circumstances as to warrant farther exemption being granted. He gave me that agreement, and after reading it and after having a long conversation with him, in which he stated his intention to take proceedings to void the agreement, I said I would only give him exemption on one ground, which was that a writ would have to be issued at once to try and void that agreement. That writ was issued. From what I could see from that agreement, no man was ever more in the toils with regard to any property than he was at that time, and I said that unless he did that and fought it assiduously, I would admit of no delay. I asked that fortnightly reports should be sent by my officers with regard to the work being done in reference to voiding this agreement that they were trying to put into effect. The hon. gentleman assured me he could get £14,000 locally to start that colliery if he could only get away from the agreement under which those people were bound. I said, "Unless you will exert yourself and use every means the law allows to void that agreement, or compel them to put up the capital to start the work, I will insist upon the labour covenants being enforced."

MR. MORAN: That is a very dangerous action for a Minister, to put a premium on legislation extending over years.

THE MINISTER FOR MINES: It was simply a question as to whether these people should be compelled to abide by

labour covenants or not. I was given to understand that the position was simply this, that if the hon. member had got outside money and started development upon the mine, the London people could have come along, put up a deposit, and said, "This mine is ours; you must complete the agreement." There were other clauses which made it extremely awkward. My object was that he should do the work, or the company; I did not care which. I had no desire to penalise the man who had completed all the development work which made this property fit to be opened up. I had no desire to say to him "You must put on this labour," without giving him a fair trial. I gave him what I considered a fair trial by insisting that he should immediately take proceedings. I advised him that if there was any undue delay, protection with regard to this property would immediately lapse.

MR. MORAN: That will lapse if this line is built, will it not?

THE MINISTER FOR MINES: I will go a little farther. The Act specially provides that the existence of litigation is a reason for granting exemption.

MR. MORAN: But not that the Minister shall insist on litigation being started.

THE MINISTER FOR MINES: I insisted that the hon. member should do one or the other, to show his *bona fides*, either start litigation or comply with that agreement. That was the reason why I had that agreement on the files and required periodical statements to be furnished, so that I should be able to judge whether I should grant him the protection he desired. I am making this statement simply to justify the protection granted on those leases. I hardly need to make it for my own sake. I make the statement because it has been looked on as improper for a member of this House to have any personal dealings with a Minister. But I can assure the House that it is often necessary for the member for Dundas (Mr. Thomas) to come to me in reference to mining matters; I am satisfied also that the member for Coolgardie (Mr. Morgans) would not feel he was acting improperly by drawing my attention to such matters; and many other goldfields members feel that they are not debarred from coming

before me. I may even go so far as to say that the leader of the Opposition (Mr. Nanson) does not think it improper to come forward and urge me to spend public funds to assist men who have been strong political partisans of his own. [MR. NANSON: When was that?] In reference to an application made by the hon. member that I should do certain boring on the Geraldine lease at Northampton. I went so far as to tell the hon. member that I would pay one-half the money for the boring, on certain specified conditions.

MR. NANSON: Am I interested in that lease?

THE MINISTER FOR MINES: No; but the manager for the Geraldine mine was a particularly strong partisan of the hon. member.

MR. MORAN: How do you know that?

THE MINISTER FOR MINES: Oh, I was up there during an election; and the fact was observed both by the member for Mt. Margaret and by me. As I say, I went so far as to promise, on certain conditions, that I would pay half the cost of doing this work; and the conditions were that if the mine-owners struck anything good and developed the property, they should then repay the Government.

MR. NANSON: Did not I urge you to stick to those conditions?

THE MINISTER FOR MINES: And those people actually sent word to me that if the Government would do the boring, they would find the water to work the drill! I should like to say that as regards persistency, no hon. member has been more forward than the hon. member opposite; but I should not for a moment conclude that he did this with a desire to make himself popular in his electorate by getting public money spent on all occasions in his district. But when no person accuses the hon. member of such intentions, he should have the same consideration for other members.

MR. NANSON: I urged you to stick to the conditions.

THE MINISTER FOR MINES: I have no desire to go any farther. The merits or demerits of this line will be fully explained by the Minister for Railways. I desire only to explain fully the reason why protection was granted on this property. I have tried to point out that it was fully developed; that it was

fit to be opened out as a colliery; that until the railway came to that place any expenditure there would have been wasteful, because no man could afford to raise coal from a colliery and cart it to a railway. I think I have shown that my actions were justified, and that there was nothing unfair in the position taken up by the member for the South-West Mining District. It was very rarely he came to see me on this matter; and I can assure hon. members that he never spoke to me on one occasion in reference to this railway. I should like to say, farther, that it is impossible for the Crown to resume for railway purposes land in a mineral lease, until an Act has been passed authorising the railway; and that until the House has passed the Act, the Government have not power to resume any property within such limits. That, I take it, was a matter which seriously influenced the Colonial Secretary when he insisted that this line should go a few chains farther on.

MR. MORAN: In this Bill he could have provided power to resume for the extension.

THE MINISTER FOR MINES: That is a matter which may have been overlooked. Certainly a clause could have been inserted providing that the portion of the ground required for the extension into the next lease might be resumed; and such a proviso will, I feel satisfied, be all that the Government require. I desire only to lay these matters before the goldfields members, so as to satisfy them as to the question of exemption, which is most important in regard to our mineral lands. Time after time I have reduced the periods of exemption recommended by our wardens; I have never shown a desire to grant undue exemptions; and I think it quite right for me, having been charged as I was charged, to make the fullest explanation I could possibly give this House.

MR. G. TAYLOR (Mt. Margaret): I think much acrimonious discussion would have been prevented, had the Minister in charge of the Bill (Hon. C. H. Rason) taken the House into his confidence and stated exactly what the Bill meant. The title reads, "An Act to authorise the construction of a railway from Collic to Collic-Boulder." The agreement, which I have read, sets



forth that the terminal point shall be the Collie-Cardiff coal leases; but until the debate took place, the House was not in possession of that fact. And farther, it was only after the speech of the member for the Murray (Mr. Atkins), who spoke with a knowledge of the district, that I knew that a mile and a half of the railway had been constructed some two years ago on condition that it should be paid for by a mining company, and that such payment has not been made, though the line has been paid for by the Government; and that such line is included in this Bill. Moreover, the distance from the Collie-Boulder to the Collie-Cardiff leases is something over six miles, of which I think there is only about four miles to be constructed under the Bill. I am safe in saying the House became quite suspicious of the Bill; it looked a simple little measure, and the simple way in which it was introduced made it almost pass its second reading without much debate. But I listened very patiently to the Colonial Secretary (Hon. W. Kingsmill), who, according to the files, made most of the arrangements for completing the construction of this line; and in his defence of the position of the Government, he set forth as the cardinal argument that the line was necessary to break down the monopoly of the present coal proprietors of Collie. He said also that on the completion of this line and the opening of the Collie-Cardiff leases, he was safe in saying—I hope I am not misrepresenting him—that there would be a saving to the Railway Department of at least £15,000 per annum.

THE COLONIAL SECRETARY: I did not say I was safe in saying that. I said I estimated it.

MR. TAYLOR: That is so. I say, your estimate was a saving of £15,000 per annum. This being a private line of railway, then, accepting the statement of the Colonial Secretary, it is only another overwhelming testimony to the necessity for nationalising the coalfields.

THE COLONIAL SECRETARY: It is not to be a private railway.

MR. TAYLOR: It is a private railway till this Bill is passed. I understand the railway is at present being constructed. The House was of opinion—I can speak for myself, at any rate—that the line had

not been started, and that the Bill was to authorise the construction. We now find out that the line is under construction, and has been under weigh for something like six or eight weeks. Is that not so? That is the general opinion. And we are called on to pass a Bill to construct a line of railway which is now in course of construction by a private company. Now there may be every necessity for the railway line, according to the Colonial Secretary's argument, to cheapen the fuel by breaking down the monopoly. But, as pointed out by the member for Beverley (Mr. Harper), if the present coal companies combined to keep up the price of coal, it is quite within the province of this other company also to combine. If it be necessary for this State to build a railway for private companies, it is more necessary to build lines to State coal mines, the State being practically the only customer for Western Australian coal. Take away the State custom from those mines, and how much coal would they sell? That is the way to look at it. I believe there is to be a select committee. During the speech of the leader of the Opposition, when he suggested a select committee to inquire into this matter, I was much struck with the attitude of the member for the South-West Mining District in refusing that select committee. He said he hoped there would not be a select committee to inquire into this.

MR. EWING: No; I said, "into my conduct"—not into the whole matter.

MR. TAYLOR: Well, as to your conduct I do not wish to speak. I suppose I have read those files as carefully as most hon. members, and I have made very extensive notes. But I see that it is the desire of the House and of the Government to have a select committee; and as I shall have a farther opportunity of speaking on the subject, I think that in justice to the hon. member concerned, members should not speak too strongly without being perfectly sure of their facts. I certainly say that any person who does not know anything about the Collie-Boulder or the Collie-Cardiff leases, or their owners, and who reads those files and this Bill, will think it necessary that the House should have farther information on the measure. While I shall wait until the select committee report before

I deal in any way with the files, I repeat that I hope the member for the South-West Mining District will be able to make his position clear. I also say I feel somewhat sorry that the member for the South-West Mining District refused to have a select committee, but stated to the House that he would vindicate his character in the House, and thresh out the matter here in his place. The proper place to wield the flail, when threshing has to be done, is before a select committee, where more light can be thrown on any matter than in this Chamber. I hope the hon. member will come out in the proper manner. I know how a man feels when his honour is impugned, and I can make an allowance for the hon. member in his defence. I have stood on my trial on one or two occasions and have had to defend myself, and I am pleased to say I have been most successful in that position. As for the Minister for Mines, I did not look back in the files as far as he did this afternoon; but I read the jumping case which was heard before the registrar in Collie, and I certainly saw some things that were attributed to the member for the South-West Mining District—using political influence, also pointing out that he had been favoured by the Minister for Mines. The jumping case was heard on the 18th August, and I read a report of the case in the *Collie Miner* of the 23rd. From the evidence brought out I do not think anybody will say that the Minister for Mines did any more for the member for the South-West Mining District than he would for anybody else. The leases held by the member for the South-West Mining District were being jumped, and the Minister granted seven days' exemption. The nonfulfilment of the labour conditions occurred on the first, second, and fourth, the days on which the mines were not working, and on which the mines were jumped. I suppose the fact of the exemption being granted from the seventh to the fourteenth saved the property of the member for the South-West Mining District. I have heard a great deal about the facts of the case, and there is no doubt that the property has been sought after by the person who jumped it; but that is not a matter to go into here. I am looking forward to seeing a select committee appointed. If I thought the passing of

the second reading would prevent the appointment of a select committee, I would vote to throw the Bill out on the second reading. If I thought we could have a select committee without passing the second reading, I would vote that the measure be read this day six months. I want to see a select committee on this matter, and no one who has read the files as I have read them will come to any other conclusion. I do not wish to make a statement now, as the Bill may come up again for discussion; I do not wish to say anything which may prejudice the committee or injure the member for the South-West Mining District. The time for that will be when a select committee has reported. If I thought we could have a select committee although the Bill was thrown out, I would vote to throw the measure out. If the passing of the second reading will secure the appointment of a select committee, I shall vote for the second reading in order that we may get a committee to inquire into the matter, because we shall have the right to discuss the Bill after the committee has dealt with the various phases of this question.

**MR. J. C. G. FOULKES (Claremont):** In connection with this Bill there appear to be two important features. One is, a Government—and I am not referring to any particular Government—has taken upon itself the right to construct a railway without the consent of Parliament, and the other is the unfortunate manner in which the Bill was brought before the House. With regard to the construction of the line without the consent of Parliament, the position seems to have been that three or four years ago application was made to the Premier of the day, Sir John Forrest, to construct a line of railway to a certain colliery. Sir John Forrest was at the time leader of a very strong party in the House; I believe he had been Premier at that time for six or seven years.

**THE PREMIER:** Ten years.

**MR. FOULKES:** There had been several attempts made by the present leader of the Government and his colleagues to turn him out of office, but during all those years the Premier held the confidence of the House, and his position was practically unassailable. When the application was brought before

Sir John Forrest asking him to construct the line, I have no doubt in his mind he felt perfectly confident of his position and of the position he held in the House. But when the application came before him he said: "I cannot undertake to build that line; all I can do is that I will bring the line before the House and recommend it." To me it appears that the Premier, although he had such great influence, was afraid of usurping the privileges of Parliament, and he declined to exert any influence which he had in trying to override the wishes of Parliament. That course was followed by his successor in office, the member for Northam (Mr. Throssell). The same question was brought before the hon. member, and he said: "I will not undertake to make this railway. All I will do is to bring it before Parliament." In the next stage we have the late member for West Perth (Mr. Leake) as Premier, and the question was brought before him, and he said: "All I will do is to ask Parliament to sanction it." Here we see that up to a certain point we have three different Premiers all agreeing that Parliament should be consulted before the railway was constructed. These three different Premiers had practically given pledges that Parliament should be consulted.

**THE PREMIER:** Consulted before the Government built the line.

**MR. FOULKES:** I do not draw much distinction as to whether the Government should make the line or a private individual. The next stage is that for some reason or other—I have not been able to gather the reason—leave is given to a syndicate or a private individual to build the railway. I cannot help thinking that it is a most dangerous position for the Government to take up. The member for West Perth (Mr. Moran) was twitted with the fact that he had complained that there had been a breach of constitutional law, and he was also twitted with continually bringing forward complaints of that kind. I am not here to apologise for the member for West Perth, but I know as far as I am concerned, whenever the Government—I do not care what Government—take upon themselves to construct railways, or give permission to others to make railways, without the consent of Parlia-

ment, as long as I am a member of the House I shall most strongly oppose that course. We may be quite sure of the fact that the reason for the constitutional law or axiom, that no public work should be commenced without the consent of Parliament, has stood the test of experience. These maxims relating to constitutional law are the result of centuries of experience; and it is a most dangerous thing for a new Government, such as the present Government, to try and override the rules of Government, rules which statesmen of experience would not dare to overrule. I will refer now to the unfortunate manner in which this Bill was brought before the House. It was introduced by the Minister for Works in a speech which contains exactly 24 lines. I cannot help thinking that really the Minister for Works, owing to the fact that he had only just taken up the position of Minister for Works, knew very little about this particular Bill. But what I cannot help thinking is that in the speech which he made the whole position was not explained to the House. It is most unfortunate that the member for Collie did not explain the matter more fully. Here we had the Minister for Works who did not mention at all that this railway was actually in course of construction, which perhaps I say he did not know was the case.

**MR. NANSON:** He did know.

**MR. FOULKES:** Perhaps I am more charitable in my interpretation than other members are.

**MR. NANSON:** The Minister knew it.

**THE MINISTER FOR WORKS:** Do not be so anxious.

**MR. FOULKES:** Unfortunately the member—

**THE SPEAKER:** The hon. member cannot quote from *Hansard*.

**MR. FOULKES:** I am simply refreshing my memory. The member for the South-West Mining District was called on very suddenly to give some particulars about this Bill. The fact that he was so suddenly called on proves to my mind that the Minister for Works at the time knew very little about the Bill. The member for the South-West Mining District said it would give him very great pleasure to give information to the House in regard to the Bill.

**THE SPEAKER :** I have told the hon. member that he must not read from *Hansard*.

**MR. FOULKES :** "I take it," the hon. member says, "the Minister for Works has advocated this short line because he believes such a line would be of advantage to the country." After he had spoken, the member for Beverley (Mr. Harper) got up and referred particularly to the danger that would happen to the country if these various collieries amalgamated and kept up the price of coal. And the member for Beverley said before he would agree—my memory is perhaps not quite clear on this point—to vote for the second reading, he must be absolutely certain that there was no risk to the country of the different collieries amalgamating. And he farther said : "Before I will agree to the construction of the line I should like to be quite clear on that point." It seems extraordinary that here was a Minister sitting on a bench practically opposite to the member for Beverley, hearing that member say he would not agree to the construction of the line unless all fear as to the amalgamation of the companies was removed, yet the Minister allowed the member for Beverley to remain under the impression that this railway was not in course of construction. I am sure that members on both sides regret exceedingly that there was not more frankness and straightforwardness in regard to giving information to the House on moving the second reading. I believe—and perhaps it is rather presumptuous on my part to give advice to any Government—there is nothing that pays so well, I know it is so in private life and in private business, as being straightforward and frank ; and the same principle applies to politics.

**MR. DOHERTY :** Oh, no.

**MR. FOULKES :** The member for North Fremantle says the same principle does not apply in politics.

**THE PREMIER :** His election for North Fremantle proves that, perhaps.

**MR. FOULKES :** An amendment has been moved that the Bill be referred to a select committee. The case is, in my opinion, most certainly one for strict inquiry ; and I shall, therefore, support the amendment.

**MR. JACOBY :** No amendment has been moved yet.

**MR. FOULKES :** I shall be glad to support such an amendment when it is moved.

**MR. F. ILLINGWORTH (Cue) :** The general trend of this debate has shown the necessity for referring the Bill to a select committee. The House knows my objection to the frequent appointment of select committees, and knows also that I do not approve of work which can be done by the House being done by committees. The present condition of affairs springs from the circumstance that the Government have not placed before the House the facts in connection with this Bill. I am inclined to think that possibly the Minister for Works and Railways himself did not know the facts. I am the more inclined to that opinion because most of this debate has been in the nature of a revelation to me, although I was a Minister at the time when some of these questions arose. One point which I think has been overlooked in the discussion is that there is power under the Railways Act for the Government to make sidings of some considerable length in any particular place from which traffic can be obtained. The Government can make sidings at the public cost, or make them at the cost of the individuals or companies interested. The first point to which I have to take exception is that the Bill does not disclose the facts which it ought to have disclosed. The railway proposed by the measure is not a railway from Collie to Collie-Boulder, but is a railway from the centre of the Collie district, covering a mile and a half of line already constructed—constructed years ago—then a continuance of that line to the Collie-Boulder leases, and a farther continuance to the Cardiff leases, which have only just been heard of. I want to say, however, that the Government have power to do a certain amount of railway construction of this character, and also that there is power under existing Acts for the Government to grant to private individuals the right to make tramways over certain lands—sometimes over Government lands, and sometimes over freeholds and leaseholds of their own. These two circumstances must be borne in mind in dealing with the subject. However, if the railway is one which is to be owned by the State, which is to become State property,

undoubtedly and indisputably there must be a Bill. If this measure had simply stated on the face of it that it was a Bill to purchase an existing railway, or rather to authorise or (properly speaking) to ratify a railway which the Forrest Government constructed years ago, constructed on behalf of a certain company which was to pay for the line in coal, whereupon the railway would become the property of the company and not the property of the State—if these facts had been distinctly put before the House, and if reasons had been given for the course proposed, there would not, I think, have been the slightest difficulty in regard to that portion of the Bill. Had the question of the extension from the existing terminus to the Collie-Boulder leases been properly put before the House, with a statement of the reasons which influenced first the Forrest Government, later the Throssell Government, afterwards the Leake Government, and eventually the present Government to adopt an attitude favourable to the construction of the line, I say no difficulty would have arisen; and if, farther than this, the Bill had disclosed certain facts which it does not disclose, again there would have been no difficulty. And here I must say that it is to me an utterly unaccountable thing that a Bill which purports to be a Bill for the construction of a railway from Collie to Collie-Boulder should really be intended to authorise the construction of a line some distance beyond the Collie-Boulder into a different property altogether. However, if the Bill had disclosed the facts, and if the necessary explanations had been tendered, no great difficulty would have arisen. Now, to deal with the first portion of the subject, as I understand it the Forrest Government made arrangements with the Collie Proprietary Company to construct this line at the cost firstly of the Government, who would defray the expense, I presume, out of the vote for improvements to existing lines; and the Government were to be repaid the cost of the work in coal. Consequently there would have been a refund of the cost. In the process of time, however, the Forrest Government conceived the idea—and I want to say at this stage that the idea was a very wise and proper one—that it was inadvisable to allow the 1½

miles of line then constructed to become private property.

MR. DOHERTY: Three-quarters of a mile, not one and a quarter.

MR. ILLINGWORTH: Well, three-quarters of a mile. Distance does not affect the argument. It became clear to the Forrest Government that although they had given permission for the construction of a line, and had themselves constructed a line that was to become private property, it was undesirable that the line should, as first intended, pass into private hands; and consequently when the company failed to pay for the line in coal, the Government wisely retained possession of the railway. Here we have a piece of line constructed years ago, and owned now by the State, for which piece of line no constructing authority has been given. No one in this House would have objected to the authorisation of the construction of that piece of line. But why, I ask, was not the fact disclosed in the Bill, and why was not the House informed that such was the object and intention—not to build a line, but to purchase a line? Again, we have to remember that the Government are desirous of granting a concession which all the Administrations that have handled the question have declared ought to be given. There is no dispute about the line itself. The Government are not attacked with regard to the line, but with regard to the manner in which they have dealt with the question, and the manner in which they have placed the case before the House. It has been argued that the construction of the continuance of this line to the Collie-Boulder leases was an unconstitutional act in itself; but that depends on what one calls the line. If it be simply a tramway for the purpose and utility of the Collie mine, and if that tramway is to remain the property of the mine, then no constitutional question arises. If, however, the Government in their wisdom desire that the line should not be a private tramway, but should be a private railway, then essentially there must be a Bill for the construction of that railway.

MR. MORAN: That is the exact position.

THE PREMIER: Will you tell me the distinction between a railway and a tramway?

MR. MORAN: Ask the Crown Law Department.

MR. DOHERTY: Ask the Attorney General.

THE PREMIER: The Attorney General doesn't know.

MR. ILLINGWORTH: In the meantime there comes a company prepared to continue the railway as far as the Collie-Boulder lease, and it appears that the Government gave consent to the construction of the line by the company at the company's risk, but promised that a Bill would be introduced into the House. If these facts had been explained, no difficulties would have arisen. Another matter which has not been cleared up is how it comes about that there is put before the House a Collie to Collie-Boulder Railway Bill, which is really a Collie to Collie-Cardiff Railway Bill. That matter is not disclosed in the papers, which I have carefully perused.

OPPOSITION MEMBER: Ask the member for the South-West Mining District

MR. ILLINGWORTH: I shall not deal with the question of—

[Several interjections.]

THE SPEAKER: Order!

MR. ILLINGWORTH: I think it is unworthy of any member of this House to make insinuations regarding the character of another member, unless the member reflecting on the character of his fellow member is prepared to make a distinct charge, and to follow it up, on the lines of corruption. In a debate on great national questions, insinuations affecting the private character of individual members seem to me distinctly out of order. If they are not out of order according to the standing rules, still they are out of order in the common-sense judgment of members generally. I shall not discuss that aspect of the matter. I maintain, however, that so far no constitutional breach has been committed, because at the inception all that was authorised was the construction of a siding. The original permission was not to construct a railway, but to construct a tramway for the particular use of a particular company. That is the position. Then there is a continuance, an unknown, unspecified, unrevealed proposal for a continuance of the railway still farther, beyond the Collie-Boulder leases to the Collie-Cardiff leases; and here I say that

if the Government have got into confusion, it is their own fault wholly and solely. If the Government had simply said to the House straight out, "Here we have in existence three quarters of a mile of railway which was built years ago by the Forrest Government and was intended to be purchased by the company in coal, but which, on farther consideration, the Forrest Government thought ought not to become a private line, and we now desire to continue that line as a State line; wherefore we now come to you and ask you to authorise this piece of work which was done years ago," no one would have objected. If thereupon the Government had said, "Three Governments have promised to bring before Parliament a Bill for the purpose of constructing a line from Collie to Collie-Boulder, on condition that the company asking for the construction of the line shows its *bona fides* by depositing a certain sum of money," there would have been no difficulty. Mark you, so far as my memory goes there was a distinct condition that as a guarantee for the putting up of the working capital the company was to provide one-half of the cost of constructing the proposed railway, then estimated at £10,000; that is to say, the company was to place in the hands of the Government a sum of £5,000. The original proposal was that the Government were to construct the line at their own cost, the Government undertaking to seek the authority of Parliament for the construction of this particular piece of line. So that, had things gone as proposed, the Bill which would have come before the House would have been in the nature of a proposal that the Government should construct a railway at a cost of £10,000, subject to a deposit of £5,000 being paid into the hands of the Government by the company as a guarantee that the company would expend certain sums of money on the development of its property, and that the guarantee having been fulfilled, the company was to get its £5,000 back. If the mine had proved a failure, or if the working capital had not been put up, the effect would have been that the Government would lose one-half the cost of the railway, and the company the other half. That was a fair business proposition,

and that fair business proposition would have passed the House at any stage of its existence. But there comes in now the element of urgency, and the Government have to take the responsibility of the action involved. The immediate construction of the line was represented to the Government as a matter of extreme urgency. The Government thereupon said, "We cannot construct the line without an Act." Thereupon the proposal comes from the company, "We will construct the line at our own cost if you will waive the guarantee." But the line in itself is a guarantee, and consequently there exists no business reason why the waiver of the deposit of £5,000 should not pass. In the first place, the Government were going to spend £10,000, and they asked on that basis for a guarantee of £5,000, saying to the company, "When you have proved your mine we will take the responsibility of the line, and we will pay for it; but if you do not prove your mine, and do not put up the working capital agreed on, you will lose your £5,000, and we shall lose the same amount." Now, however, comes the question of urgency. The company interested said "We will construct the line ourselves." Thereupon the Government, as I understand the matter, said, "Well, you can construct your line; we will permit you to construct your line, and we will bring in a Bill to authorise its construction; but you will, meantime, construct at your own risk. If the Bill does not pass, the line will be your own; but it will then be only a tramway and not a railway, and will be limited to all the conditions of a private tramway or a private siding; subject to all the conditions surrounding private tramways and sidings, the line will be your own property, built at your own cost." What objection has the House to that permission? None, I say, nor would it have had if the proposition had been put fairly and squarely before members. Consequently the whole responsibility rests with the Ministry for not bringing this question fairly before the House. There is, however, a point on which I desire information. I want to know why this Bill was brought in as a Bill for the Collie to Collie-Boulder railway, whilst the intention was an extension to Collie-Cardiff. I think the Government have

made a mistake here, which will have to be remedied as the Bill goes through its various stages: the title of the Bill does not represent the work to be done. Then comes the question about construction. A certain portion is constructed, a certain other portion is in course of construction, and a third portion is to be constructed. Seeing that this line is arranged for right to the Collie-Cardiff, why could not the Bill have been one to purchase a line from the company that constructed it, and not a Bill to construct? That is a question which has been asked. A difficulty arises to some extent in this, because although it is a small portion, there is a portion of a line which has been constructed by the Government, and this Bill proposes to authorise construction at any rate of that portion. I presume that, with the necessary explanations, there will be no objection to the wording of the Bill. A question arises what is to be done at the present stage. We have had a lot of debate, acrimonious some of it, and a good deal of it to be regretted, I am sorry to say, because I have always protested—and since I have had the honour of a seat in this House I have tried to practise what I preach in reference to this—I have always protested against personalities in this House, and I never would support them. Even when my own leader gave way occasionally to personalities I never supported him in it, and I never will support departure from the honest rule in reference to avoiding personalities in parliamentary life? But what is to be done under the existing circumstances? I think it would be wiser if the Government were to withdraw this Bill and introduce another stating the facts. [MR. MORAN: Hear, hear.] I believe it is the intention of the Minister to give explanations now; but I say the time is unfitted for those explanations. Those explanations ought to have been given when the Bill was introduced. I think the best course for the Government to pursue would be to withdraw the Bill and bring in another, and let us have the Minister's speech then and all the facts placed before us; then I do not think there will be any difficulty in passing the Bill. A member suggests that it would be waste of time. I suggest—I know it by parliamentary practice—it would be an immense saving

of time. Of that I am certain. In this debate, in consequence of the feeling that has been introduced into it, an inclination has arisen for the appointment of a select committee. I do not like that. I say the wisest course of procedure would be that which I have suggested. From the fact that personalities have been introduced into this debate, however, I think it would be wise for the House to submit to a select committee. While I would be inclined to say a good deal, it is desirable not to say any more. I think members will see—and members have already suggested it—that a select committee becomes almost a necessity at the present stage. There is a certain amount of haziness about the whole question, a certain amount of suspicion, and a certain amount of unrest I am afraid, which will not be allayed unless we have a select committee to go into all the facts. I suggest to the House that members should accept the proposal made, and let us have a select committee to deal with this matter and debate the subject on their report.

MR. H. DAGLISH (Subiaco): I am willing to support the second reading, on the condition that there is a select committee, in order that we shall have an opportunity of considering how we shall vote on it when the report of that committee has been received. But as I understand that the Minister for Railways is going to speak before this debate closes, there is one point upon which I should like farther information. It was required that the Collie-Boulder Company should put up a deposit of £5,000, and subsequently, instead of doing that, they were allowed to put in a certain amount of work, presumably I suppose to represent £5,000 in value. I am not clear whether it has been required that any deposit should be put up by the Collie-Cardiff Company, or whether it is required that any work to represent such deposit should be performed by that company; and I want to know if the same terms were supposed to be applied to both companies. It seems to me that there should be a condition made precisely the same with both companies or with both syndicates. This debate has disclosed the fact which we have had before us on more than one occasion, that the Government are used very largely for

speculative purposes; and I object altogether to the principle that the country should be required to pay for a railway for the purpose of adding to the value of what in effect is private property. I do not think that the railway has been called for in either case by the demand of the public. I cannot understand how the public will gain by its construction. Personally I cannot agree with the Colonial Secretary in the view that because of its construction coal will be cheaper to the public; and as far as my inquiries go, I cannot ascertain that there is any shortage of supply as compared with the demand for Collie coal. At the present moment it seems to me that the House should take up a very firm position when it is asked to pass any measure that will have the direct and sole result of improving the property of any individual or the property of any incorporated company. On these grounds I should be quite prepared to vote against this measure, because I think it is a reasonable proposal that these companies, if they are to be the sole bodies to profit by the railway, should themselves be required to pay for its construction; and holding as I do the opinion that all lines should be held by the Government, I think they should, after the construction of the line, be required to hand it over to the Government in order that the Government rolling-stock may run on it. That would be another form of application of the betterment principle, and a more direct form of its application than that included in the Public Works Bill which we were discussing a few nights ago.

MR. ILLINGWORTH: That would affect the construction under the Railways Bill.

MR. DAGLISH: This Bill was introduced as a Railway Bill. That does not in any way affect the argument I have raised before the House, and that is that a line which is purely for the benefit of individuals or companies should be constructed solely at the cost of those individuals or companies, and we should not waste public funds for private benefit.

At 6-24, the SPEAKER left the Chair.

At 7-30, Chair resumed.

MR. C. HARPER (Beverley): I do not wish to go any farther than previous



speakers have gone into the merits of the case, but just to indicate what I think would be the wisest course to pursue in dealing with this Bill. I do not think any member has sought in the course of the discussion to defend the method of bringing in the Bill; and therefore I think we may take it that the House has very plainly expressed its disapproval of the small amount of information given to hon. members when we were asked to pass the second reading. I do not think there is any strong objection to the work itself, but simply to the method of bringing it before the House. There seems good reason why this short railway should be built; and in the ordinary course of events, I suppose the discussion would not have occupied half-an-hour, had we been in full possession of all the facts. Unfortunately, the method of introducing the measure and the circumstances which have been raked up have aroused much personal feeling. I must say I feel considerable sympathy with the member for the South-West Mining District in the position which he appears to occupy; and I think, whatever he may have done or left undone, we as members of this House should give him the earliest opportunity of as far as possible vindicating his *bona fides*. Therefore, to my mind, if there be no strong objection to the policy of constructing this railway, the shortest possible course is the best in dealing with the matters surrounding the question, which are responsible for the acrimony introduced in the debate. For what they have done, the Government certainly deserve that the Bill be thrown out; but if that were done I think it would be somewhat unjust to the hon. member (Mr. Ewing), in that he would be prevented from clearly placing his position before the House; for the circumstances could not then be investigated. I think it desirable, however much we may condemn the manner in which this Bill has been dealt with by the Government, not to allow our opinion on that subject to weigh with us in taking advantage of the speediest means of getting at the bottom of the question, and placing the House in full possession of all the details. However much it would be desirable in the ordinary course to negative the second reading, I think, if we take into consideration the hon.

member's position, we should agree to the second reading, with the object, not of accepting the Bill in its present form, but of getting the fullest information, and offering the hon. member the earliest opportunity of clearing himself from the aspersions under which he now rests. Therefore I shall vote for the second reading, not because I approve of the Bill, but for the reasons I have given.

MR. W. ATKINS (Murray): I should like to add a few words to the last speaker's statement. Agreements have been entered into with, or promises made to, the Collie-Boulder company; and whatever may have happened since the Bill came before the House, I do not think the company ought to be left in the cold by our throwing out the Bill; because it appears to me that their *bona fides*, at any rate, have been shown. I do not wish to help one company or one man more than another; but it certainly appears to me that the owners of the Collie-Boulder leases should not be put to any more inconvenience than can be avoided, in consequence of the extraordinary charges and statements which, I think, have been made because the Government did not give the House sufficient information as to why they wanted the £16,000. If we are to have a select committee, I shall certainly ask that it inquire as quickly as possible; and I think a select committee is needed.

MR. A. Y. HASSELL (Plantagenet): I shall vote for the second reading, on the understanding that this Bill be referred to a select committee.

MR. J. L. NANSON (Murchison): During the whole course of this debate, which has in parts been characterised by an acrimony which certainly I did not import into it by my speech—my speech was studiously moderate, as the newspaper reports will show—there is one simple question sticking out and demanding an answer. That is, why was the Collie-Boulder extension to be continued to the Collie-Cardiff leases? The Colonial Secretary has pointed out that the agreement between Mr. Ewing and the Collie Coal Trust Company did not absolutely provide for the railway being continued into the Collie-Cardiff leases; and he is perfectly correct, I take it, in his contention, which I believe was a somewhat suddenly discovered contention, that the

clause to which I refer is open to the construction that the line would have fulfilled all the purposes of the agreement if it had stopped short 10 chains on the Collie-Boulder side of the Collie-Cardiff boundary, instead of going 10 chains into the Collie-Cardiff leases. Let us, for the sake of argument, assume that the Colonial Secretary is correct in the interpretation which he puts on that clause in the agreement between Mr. Ewing and the Collie Coal Trust Company. But, if another construction had been put on that clause, it certainly would have seemed to provide, as I think it provided, one reason why the railway should be continued. However, let us admit at once that such a construction is swept out of the way, and we are immediately placed in this difficulty: it still remains a mystery why this Collie-Boulder railway was continued to the Collie-Cardiff leases. With that acumen that distinguishes him—I am always ready to give credit to an opponent for intellectual gifts—the Colonial Secretary strove to give reasons why the line should be continued into the Collie-Cardiff leases. Those reasons, whatever there may be in them, are not such as augur, on the part of the hon. member, a very high idea of the intelligence of members of this House. It would appear that no strenuous efforts were made by anybody whomsoever to get this line constructed to the Collie-Cardiff leases. We have been told that the member for the South-West Mining District never asked to have the line constructed to the Collie-Cardiff leases. We have it on the evidence of a minute written by the Minister for Mines that if the Collie-Cardiff Company did not immediately begin to put labour on the Collie-Cardiff leases the railway to Collie-Cardiff would be wasted, would be of no use. And yet the Government proposed to make this extension; and why did they propose to make it? Let the Colonial Secretary answer for himself. The hon. member led us to suppose that this extension was agreed to by the Government. I should hardly say “agreed to,” for we may judge by the remarks that it was forced by the Government against the wish of the member for the South-West Mining District. Certainly if not against the wish of the hon. member, against any expressed desire on his

part. But the line was extended for this reason, that unless the railway was taken to the Collie-Cardiff leases, it was possible that at some later stage the Collie-Boulder Company would refuse to extend the line farther; and when it was pointed out to the hon. member that precisely the same reason might hold good in regard to the Collie-Cardiff people, that they in turn might refuse to extend the line farther, the hon. member informed us of the existence of a granite bar, which apparently marks the utmost limit of the coal measures in that locality. Surely it must have struck members, and it must have struck the Colonial Secretary if he had given a little attention to this matter, that one simple clause in the agreement between the Government and the Collie-Boulder Company, requiring the Collie-Boulder Company to offer no opposition to the extension of the line to the Collie-Cardiff mine when that extension was demanded, would have answered all the circumstances of the case. But no. The Government or the Colonial Secretary, rather than insert a simple clause of that description in the agreement with the Collie-Boulder Company, insisted on the railway being extended to the Collie-Cardiff leases at a cost, I suppose at least, of £1,000, and probably at a cost of £2,000. Surely it was better at no expense at all to insert a clause in the agreement providing that when the extension was required, the Collie-Boulder Company should make no opposition to that extension, than to proceed immediately to extend the line to the Collie-Cardiff leases at a cost to the country, or at a probable cost to the country, supposing the Bill is carried, of something like—putting it at the lowest estimate, and I like to put matters at the lowest basis—£1,000.

THE COLONIAL SECRETARY: What distance do you make it?

MR. NANSON: I suppose at the hon. member's computation, not less than half-a-mile. Let us put it in another way and make the case as light for the Government as we can. Let us say it is not a matter of £1,000 but of £100 to extend the line. Rather than expend £100, would it not have been better to insert a simple clause in a simple agreement? I can hardly conceive an explanation of that kind as the real explanation which

members of the House are asked seriously to accept. The hon. member accused me of always looking out for the lowest motive. I regret very much that he should have that opinion of me; but we have to look at this matter like men of the world; we have to look at it as ordinary people look at it; not as members of Parliament, who believe every one of them are spotless angels without any of the frailties which possess human nature. We have to look at the matter as ordinary men of the world look at it. When we look at the ridiculous, trumpery, and hidden explanation of the description which has been given, and when we find a very valid interest in carrying the railway into the Collie-Cardiff leases, I do not know what members may consider a transaction of this kind, but I do know what the public outside will consider it. I unhesitatingly assert, whatever reasons there may be for extending the line, whatever hidden reasons there may be that members of the House know nothing of, it was not that absurd reason given by the Colonial Secretary. The hon. member for the South-West Mining District has told us in a personal explanation which he made in the House last night, that he had never asked the Collie-Boulder Company to make this extension, and the Collie-Boulder Company—I understood him to say—were not particularly anxious to make the extension; or do I understand the hon. member would lead us to suppose the Collie-Boulder Company wished to make the extension? If it were argued that the Collie-Boulder Company offered—no it certainly was said that the Collie-Boulder Company offered no opposition to bringing the line within the Collie-Cardiff leases. That is another point on which this debate, although of a prolonged description, has thrown no light at all. Does it not strike members as singular that the Collie-Boulder Company, that has to run the risk of having to pay for the construction of their own portion of the line, out of mere philanthropic or for some other motive were willing to construct a railway into leases belonging to another set of owners? Is there any member in the House who would be prepared to construct, not merely half-a-mile of railway at his own expense into somebody else's property, but even a chain

of railway? It does not appear that there are any friendly relations between the member who represents the Collie-Cardiff leases and the gentleman who represents the Collie-Boulder leases. From what the member for the South-West Mining District said the other night, I should imagine that the relations between these gentlemen were somewhat of a strained description; therefore I cannot imagine, on the information supplied to us, nor can we discover any reason, why the Collie-Boulder Company were so willingly prepared to make this line. Therefore I am driven back on the only reason that can hold good in any fashion whatever, that the Government forced them to make this extension. Then we go back to the position, why did the Government force them to make this explanation? and the Colonial Secretary has told members why. The reason was that at some future date the line might have to be extended and the Collie-Boulder Company might refuse to extend it. I appeal to the legal members of the House who sit on the Government crossbenches, whether it would not have been possible to put a clause in the agreement with the Collie-Boulder Company, providing that when the extension was required, when the Collie-Cardiff Company had shown their *bona fides* and had shown that they were prepared actually with the £10,000 of which so much has been made in the letters to the Government but which never materialised, and has not materialised yet so far as I know, because the hon. member is using them to fulfil their obligation, no objection should be raised to that extension. That point supplies one with a very strong reason why the House should demand the fullest investigation into the matter; why the investigation should be inquired into by a select committee upon which no member of the Government is directly represented.

MEMBER: All from the Opposition side.

MR. NANSON: Not from the Opposition side merely, but selected from the Government side of the House undoubtedly, and selected, I hope, from members who have not taken a leading part in the discussion. It may be said, owing to the position in which I am placed, an unpleasant position because it

involves that I am seeming to make charges against members of the Government, I should be on the committee; but I prefer not to be on the select committee at all: members should be placed on that committee who are absolutely unbiassed in the matter, so that when the report comes forward it will, I hope, be favourable to the Government and to the member for the S.W. Mining District. I have as much regard for the reputation of the Government of the country as any member; and though members of the Government may laugh and treat the matter as one to be laughed at and as of no importance, I consider it a matter of the highest importance, the reputation of the Government of the country, because the people living in the country are judged by the reputations of the people elected to rule over them, and as long as the Government have a majority, every member should do his best to see that the reputation of the Government is upheld, when it deserves to be upheld. Now in regard to the member for the South-West Mining District, it is suggested in the heated speeches made on the Government side that I have some animus against the hon. member. That is ridiculous. The hon. member and myself have always been on the most friendly terms. If it were necessary for me to have put any venom or animus in the matter, do members suppose I could not have discharged some of that venom and animus in speaking on the motion for the second reading.

**MR. MONGER:** You are doing it now.

**MR. NANSON:** Some member, I cannot catch who it is, interjects that I am putting some animus and venom into the debate now because I happen to speak with the conviction of earnestness. Because I do not happen to speak with solemnity and in drowsy tones, members with a limited intelligence imagine that I am acting with venom and animus. They are welcome to imagine it: it does no credit either to their heart or their head. There is another question that I asked when I was speaking on the motion for the second reading of the Bill: it was why did the Government, why did the Minister for Railways, why did the Minister for Mines mislead the House in regard to the Bill? The question has not been answered. Either it was studiously

avoided by the Colonial Secretary or it was studiously avoided by the Premier. The Premier could talk a good deal about corruption and about the bad taste of myself in bringing charges against a member; but with the skill of the trained advocate he slipped quietly over the thin ice of the case, and referred not at all to the gravest charge made against the Government of deliberately deceiving members of the House. I suppose the great gun of the Ministry on this occasion is reserved to the last. I suppose the Minister for Railways will come up when no one else can reply to him, and explain why it was he did not give the information he should have given in moving the second reading of the Bill.

**THE PREMIER:** Do you not think he should have the right to be heard in reply?

**MR. NANSON:** Undoubtedly someone must be last, and the hon. member will be placed in the pleasant position that no one will be able to reply to him. One explanation the hon. member will no doubt make I may perhaps be allowed to anticipate. The Minister, no doubt, will point out to members that there is a schedule attached to the Bill, and that schedule correctly describes the course the line is intended to take. I am quite with him there. I believe even the Government, the present Government in this State, would not dare to place in a Bill before the House a schedule that did not accurately describe the line for which this House is asked to sanction a Bill. I ask, how many members when considering the Bill are in a position to verify exactly what that schedule means. We know according to the schedule that the line is described from a point somewhere south to a point somewhere north, a distance of so many miles; but there is not a word in the schedule that tells us this: this line to which we are asked to give parliamentary sanction was constructed two years previously; not a word to tell us that this Bill, intended to authorise the construction of a line to Collie-Boulder, does not stop at Collie-Boulder but goes on to leases in which a member of this House has a very substantial interest. Not a word about these matters—absolute silence. Then the Minister for Railways may tell the House that he regarded the Bill as a little, unimportant, insignificant measure,

and that he did not consider it necessary to supply the information indicated, but that if members wanted information their opportunity would come later. At an early stage in the debate the information was demanded; for my friend the member for West Perth (Mr. Moran), when it seemed that the discussion was about to close and that the second reading was likely to pass without a dissentient voice, rose in his place and demanded information. Other members rose to demand information. The member for Beverley (Mr. Harper), the member for the Swan (Mr. Jacoby), and other members on this (Opposition) side of the House showed a very evident desire for information. The Opposition asked for bread, and members on the Ministerial benches gave them a stone. The Minister for Mines spoke on the question. He knew that we wanted information, and his own minutes on the departmental files, minutes from which I have given extracts, show that he was perfectly aware the railway was being extended to the Collie-Cardiff leases. Indeed the hon. gentleman had minuted the Under Secretary for Mines to the effect that if Mr. Ewing did not put labour on the leases in respect of which he was obtaining exemption, the railway about to be built would be of no use. By some unfortunate process, however, a cloud seems to have come over the memory of Ministers at that critical moment, when they were endeavouring to get the second reading through; and it is only after an adjournment of the debate had been secured and certain papers had been called for—papers which I had perused long before I ever saw Mr. Walkeden in connection with this matter, or indeed knew that such a person as Mr. Walkeden was concerned in it—only after time had been allowed for inquiry, for probing the matter through and through, only after I had built up my case not by means of information supplied to me from outside but by means of information contained in the minutes of Ministers themselves, that these wretchedly belated explanations, these poor, miserable, delayed explanations, are forthcoming. I doubt if there is a single member of the House who, if he could divest himself altogether of a feeling of loyalty to the Government, if he could look on this matter with the same impartiality which

is expected of a Judge on the Bench, would say there is anything convincing in the explanations, or that the explanations would ever have been made if they had not been forced from the Government by members on the Opposition side. A great deal has been said of my action in connection with the speech I delivered on the motion for the second reading. It has been said, or if it has not been said in express words it has been inferred, that I was guilty of the evil practice of imputing corrupt motives to members. But I ask the House to consider on whose head blame lies. If blame lies on anyone's head, does it lie on my head, or does it lie on the heads of hon. members opposite—on the heads of the Ministry, and of the member for the South-West Mining District himself, who when he might have made an open, candid, and straightforward explanation, knowing as he did all the facts, having the whole case at his fingers' ends, refrained from doing so, and made a personal explanation only when it had been drawn out of him by the painful necessity under which I laboured of quoting repeatedly from the departmental files and giving the whole history of the case to the House? From time to time it will happen that it is necessary for members of this House to take on themselves duties that are unpleasant. It may happen to be necessary, in the interests of the country, that a member should make a speech which may seem to imply corruption, which may seem to charge evil practices. I wish to emphasise, however, that in the whole course of my speech I never once used the word "corruption." If the cap was fitted, it was fitted by hon. members opposite, and not by anyone on this (Opposition) side of the House. I should like at this stage, however, to affirm my absolute disbelief in, my uncompromising hostility to, the contention advanced by the Premier and by the member for the South-West Mining District, that if a member of the House should think something has been done by another member which deserves the fullest investigation and inquiry, he should in the first place see that other member privately and endeavour to get an explanation. Whatever may be the opinion of the House on the point, I wish to record my utter disagreement from the

view that such is the proper course to pursue. I ask hon. members to think for just a moment what would have been the construction put on my conduct if I had gone to the member for the South-West Mining District, and privately heard his explanation in the terms in which it was delivered in this House, and then, not being satisfied with that explanation—and I am not satisfied with it; I say so openly, and I say also that the matter must be inquired into by a select committee, must be investigated in the interests of the hon. member himself; I do not consider it fair to expect the hon. member to make his explanation at the time; I think he would have acted more in his own interest if he had deferred his explanation to a later period, when he would have had the requisite coolness to deal with the matter—being dissatisfied with the explanation, I say, had said to him, after he had supplied me with his version of the facts, “I am not satisfied with what you have told me, and I feel it my duty to bring the matter before the House,” and then in due course had brought the matter before the House, what would the member for the South-West Mining District and other members on the opposite side, who are so fond of accusing me of venom and malicious motives, have retorted on me in such circumstances? Would it not have been said that I had gone privately to the member for the South-West Mining District and obtained an explanation from him, a convincing explanation, an explanation which would have satisfied any reasonable man, any honest man, any man not devoured with the spirit of party spite and party bias; that in getting the explanation I had simply been actuated by a desire to discover the weakest joint in the armour of the hon. member, and that I had never intended to be satisfied with a private explanation, but had always designed to bring the matter forward in the House, and had in fact privately approached the hon. member merely for the purpose of gathering additional material for attack? No; hon. members may depend upon it that if unpleasant duties have to be undertaken by a member of Parliament as a servant of the people—and all of us are servants of the people, and may occasionally have to perform unpleasant duties in the fulfil-

ment of our obligations—the only safe course, the only manly course, is to perform those unpleasant duties in the most open manner possible. If I have done wrong, the odium recoils on my own head; but at any rate I have in this matter the approval of my own conscience. Do hon. members suppose that this is a pleasant business for me? Do hon. members suppose that it is an agreeable matter for me to have to make statements which seem to reflect on the character of a member of this House? Can hon. members not recognise that it means something to me also; that I stand condemned if I speak too strongly; that I also stand condemned if I seem to force the case against the hon. member, if I seem to allow private feeling, private malice, private animus to enter into what should be a matter of public duty alone, undertaken by myself as a representative of the people in the interests of the State of Western Australia? When speaking the day before yesterday, I expressed the opinion that if the member for the South-West Mining District had availed himself of the opportunity which was offered him when he first spoke on the motion for the second reading, a discussion of the nature of this one probably would not have occurred, or, at any rate, that any discussion which might have arisen would have been free from so much bitterness. We should have heard what the hon. member had to say, and we should have considered then that even if the hon. member had made a mistake, we yet had the strongest evidence that the mistake had arisen not from any dishonest motive, and that the hon. member was acting with the most thorough honesty and the utmost candour. We should have reflected that the hon. member came before the House and, without having it dragged from him, offered a full explanation of his position in the matter of the Collie-Cardiff leases. If, however, an uneasy and uncomfortable impression has been created, then, as I have already indicated, the unfortunate circumstance is due very much to the hon. member himself, who made no explanation until it was dragged out of him by the speech I delivered in this House, whilst he had had the opportunity of making it before I spoke at all. However, he did not make it, although he knew that members

were demanding information with regard to this Bill. I now wish to refer to some farther extent to the so-called charges made against the member for the South-West Mining District; because I notice that whatever my endeavours to be moderate and discreet, and to avoid giving any pain by my language, hon. members on the Ministerial side of the House, instead of giving me credit, endeavour to lash me into indignation by accusing me of dishonourable conduct, of conduct unbecoming not only a member of Parliament but a gentleman. I also, as I said before, am somewhat on my defence in this matter. I wish the House to consider for a moment what were the exact charges brought against the member for the South-West Mining District. The hon. member himself accuses me of desiring to injure him, and of trying to show that there was corruption between the Government and the hon. member. I appeal to the House to decide whether in that speech of mine, from the first word of it to the last, the term "corruption" was ever used by me; whether there was ever a hint of corruption; whether there was ever the slightest reference—which reference I was indubitably entitled to make—to the fact that the hon. member is a Government supporter but had sat at one time on this side of the House. Why, do hon. members suppose that, had I been actuated by the venom which is laid to my charge, it would not have been possible, if I wished to make a strong case, for me to draw pointed attention to the fact that the hon. member has travelled from this (Opposition) side of the House to that (Ministerial), then again to this side, and thereupon once more from this side to the direct Government benches? Do hon. members suppose that I could not have shown how the chronological sequence of the hon. member's movements corresponded with the various phases of this railway business? But I have no wish to strain the case against the hon. member. There was very little of my own in what I said, but there was a very great deal of quotation from the files of the Government departments. Now, the Minister for Mines makes reference to the fact that I also crossed the floor of the House. He is perfectly at

liberty to make any reference he may choose to the fact. I have fought the question out before my own constituents; it has been decided by the highest tribunal a member of Parliament can expect, or can wish for. I have never yet known any member of this House to rise in his place and affirm that in crossing the floor of the House I was not actuated by conscientious principles — [MEMBERS: Hear, hear]—and that I did not on every occasion, even when I sat on the Ministerial side of the House, express my opinion on the actions of the Government as boldly as I express them from my seat on the direct Opposition bench.

THE PREMIER: We all admit that.

MR. NANSON: Knowing that fact, I was willing to give equal credit to the member for the South-West Mining District; and therefore, as I say, in dealing with the matter I studiously avoided all reference to the fact that the hon. member had changed his seat. Every member of the House has a right to change his seat. He takes the consequences of doing so. It is for a member's constituents, for the public, to decide whether his motives in renouncing allegiance are good and honest. For my part, I never fear the verdict of the public in matters of this kind; and I do not know that the member for the South-West Mining District fears the public verdict either. I have no reason whatever to suppose that the hon. member has any reason to fear the verdict of the public on his change of seat. The hon. member, however, accuses me of trying to ruin him personally in the eyes of the people. Surely that again was an unkind reference; but I can forgive the hon. member, who no doubt spoke in the heat of the moment, and with the feeling that his character had been impugned. I think, however, as I have already said, that it would have been better if the hon. member had restrained himself for the moment, if he had allowed himself time for reflection before making his personal explanation. It is easy for the hon. member to hurl charges against me, but the question is not to be decided by charging me with attempting to ruin the hon. member or with being actuated by malice. The country does not want replies of that nature: the country cares not about my motives one

jot. What the country does expect, and what I take it the country will demand, is an answer to the charges, an explanation of the confused web of this Collie-Proprietary railway, Collie-Boulder railway, Collie-Cardiff railway, and the hon. member's concern in the business. And that, really, is the question before the House; and not the matter of personal abuse, the invective which has been indulged in against myself from the Ministerial benches. The country may, perhaps, look for the display of a little sympathetic consideration from hon. members opposite towards a member who has had an unpleasant task to perform. Then we have the Premier getting up and trying to confirm the impression that I am a person who takes a delight in blasting other people's characters; that I have no idea of public duty; that I am simply actuated by personal or party feeling against members of this House. He refers to accusations of corruption levelled against the hon. member. I ask, who hurled any accusations of corruption? I certainly did not, and in a moment or two I shall proceed to show the House exactly what the charge was which I made against the hon. member. And I assert unhesitatingly that when that hon. member and his friends the members of the Government are ready to see an accusation of corruption in a simple statement, it is something like evidence of an uneasy conscience, and that there may be something hidden which we do not know, something that they wish to hide, something they do not desire to be brought out into the light of day. What was it I accused the hon. member of? I told him, and I told this House, that the charge I would bring against him was that he had taken too active a step, considering his position as a member of Parliament, in advancing private matters in which he was interested. That surely is not a very wild or very invidious charge to make. Surely it is couched in moderate language. Surely there is not very much evidence of malice in it. Surely the evidence in it is that of a desire to see that the reputation of every member of this House shall, before the public, be unstained and unspotted to the utmost degree. I know that public men inevitably must be made the target for all sorts of charges. The ordeal the hon. member is experiencing

to-day is an ordeal I have gone through. Members of this House will remember how towards the close of last session a member of the Labour bench accused me of an act of corruption, and actually used the word "corruption," and accused the Ministry with which I was associated of being corrupt. That hon. member, who is no longer in this House, accused me of having dirty hands in regard to a certain transaction. I ask members to recall, by way of illustrating what I think should be the conduct of a member under such circumstances, the action I took. When the accusation was first made, I made absolutely no statement beyond saying I would reserve my explanation until the papers dealing with the matter could be laid upon the table of the House, so that members could see them. Then it was proposed that a select committee should be appointed. I made my explanation and said also that no one in the House welcomed a select committee more than I did. I said: "What I want is a select committee. I want the clearest, closest, and the most searching examination into the charge made against me." I did not go into a heated passion. It is not my habit to go into a heated passion when charges are made against my personal character:

For I am arm'd so strong in honesty  
That they pass by me as the idle wind,  
Which I respect not.

But my feeling of conscious rectitude is not sufficient. The public have a right to the fullest inquiry when a charge is made. I urged, welcomed, and demanded that the charge should be inquired into by a select committee. It was inquired into, and I do not think any member in the House, any member who may be my bitterest political enemy if I have one, will say my character was not absolutely cleared beyond dispute by the investigation of that select committee. The measure meted out to me I now propose to mete out to the member for the South-West Mining District. I thought he would have welcomed such a suggestion. I said not once but on every occasion on which I spoke upon the subject, that in all probability the hon. member, although the circumstances may have looked adverse to him, would when they were inquired into have a convincing



and satisfactory explanation of the charges.

**THE MINISTER FOR MINES:** You have not moved for a select committee. That is another question altogether.

**MR. NANSON:** It is true I have not formally moved for a select committee, but I will be willing to move for it at a later stage, if I have not to act on it.

**THE MINISTER FOR MINES:** I mean when there was an attack on you.

**THE MINISTER FOR WORKS:** It was not a direct attack against you when that select committee was appointed.

**MR. NANSON:** There was a good deal of attack. I was accused of being corrupt and of having my hands dirty; a far stronger attack than any I have made against the member for the South-West Mining District. To come back to the point, conceive what was my surprise when I actually found the hon. member, instead of welcoming my suggestion for the appointment of a select committee, condemning me for ever dreaming that such conduct should be inquired into by a select committee. The hon. member told us he could forgive me almost everything; he could, he said, forgive me everything I had said previously if I had not suggested that a select committee be appointed in order that the charges against him might be salved over. Those were his words, "salved over." For what purpose is it usual to appoint a select committee? I have yet to learn that the idea in my mind was that the charges against the hon. member should be salved over. No salve about it at all. It was a case of probing these charges to the bottom, a case of giving the hon. member the fullest opportunity of clearing his character. But we have the hon. member telling us he could forgive almost anything, but there was one thing absolutely unforgivable, one thing he could not forget and could not excuse, and that was that it should be suggested a select committee be appointed to inquire into charges made against him. The hon. member accuses me of having my mind poisoned against him, he accuses me of straining the case against him; but the hon. member and those hon. members attempting to defend him are their own accusers, when a statement of that kind is made. If the hon. member objects

to a select committee, does not wish one appointed, can he blame the public, can he blame any member, who thinks the hon. member does not desire an investigation; that he desires to burk and not to court inquiry? I do hope for the sake of the hon. member that he will withdraw those words; that he will declare, as perhaps he would be entitled to declare, that he was taken at a disadvantage in speaking to the House yesterday; that he was speaking under considerable perturbation of mind; and that when he expressed a feeling of indignation against the appointment of a select committee he was saying what on sober reflection he does not believe. I am glad to say I have done with what is necessarily an unpleasant part of this debate—its personal aspect. I wish before I sit down to deal more particularly with the Bill itself. This Bill is a Bill to construct a railway at a cost, it is stated, of £16,000. The original proposal was to construct a railway 4 miles 75 chains—practically about 5 miles long—but by some occult process, or by a process of which no trace is to be found in the Bill itself, except a schedule which is unintelligible to ordinary individuals without consulting files, maps and documents, this Bill is suddenly spread out to authorise the construction of a railway 6½ miles. A bit has been added to the original Bill at either end. I had hoped that when a Bill was added to in this fashion the members of the Government, the Premier himself, would explain why in introducing the Bill the Government had departed from the original proposal of the Collie-Boulder Company to build a line about five miles and now proposed to build a line 6½ miles. It seems that the line, or a portion of it, has been already built, and it has been built under agreement with the Collie-Boulder Company under which that company is to be paid on schedule rates for building the line. One portion of the line, the Collie Proprietary portion of it, was built some two years ago as I understand, and it is perfectly obvious the Collie-Boulder Company cannot be made to pay for that, even if they can be made to pay for the shorter extension to the Collie-Cardiff leases. The proportion of the money to be paid by the Collie-Boulder Company does not amount to more than £10,000.

Should this Bill be thrown out by the House, where are the Government to get the additional £6,000 provided for in the Bill? That one instance shows what a tangled web the Government weave when they set out to deceive the House on a matter of that kind. The aim is to pass a Bill to repay the Collie-Boulder Company for building a line which will cost I suppose something like ten or twelve thousand pounds. Yet they have sandwiched into that a sum for building a line to the Collie Proprietary Company's property which was built some years ago, and they offer no explanation how, if the Bill be thrown out, they propose to meet that expenditure. I take it they will have to bring in another Bill, and I hope that Bill will be drafted in such a form that it will be impossible to say the Government are deceiving or misleading the House in any way whatever. The member for Kanowna (Mr. Hastie), who when he rises to address the House on a question of this kind always seems to be mainly occupied in making a soft place for the Government to fall upon, has suggested that this Bill should pass the second reading, and that then a select committee should be appointed, and the member for Beverley (Mr. Harper) I regret to say has fallen in with that suggestion and urged the House to adopt it.

THE PREMIER: I also suggested it.

MR. NANSON: The Premier reminds me he has seen the mistake of condemning the appointment of a select committee. If I had a minute in which to refresh my memory I might show he did object to a select committee.

THE PREMIER: Not after passing the second reading.

MR. NANSON: At any rate the Premier objected to a select committee to inquire into some of the charges against the member for the South-West Mining District. I take it that if that select committee be appointed it is not the desire of the House that its purview shall be in any way limited. I take it the hon. member himself really believes in it. I think he must have spoken in the heat of the moment, and that he wishes his conduct to be inquired into in the fullest possible way. I may add an expression of my hope, and to a certain extent my belief, that although there are somewhat sinister circumstances on

the face, when explanation and investigation take place it will be seen the hon. member emerges from that inquiry as we all wish him to emerge. At any rate, the Premier is nailed down to this position, that he did oppose the appointment of a select committee to inquire into the charges against the member for the South-West Mining District. To come back to the point, I was expressing regret that the member for Beverley, who acted from the best of motives, backed up the leader of the Labour party in urging that this Bill should be allowed to pass the second reading and that a select committee should then be formed to inquire into the matter. The member for Kanowna, in urging that course, quoted a precedent from last session; but I would point out that the precedent has really no relation to the present case. Because, I take it—and I am open to correction if I am wrong—it is absolutely without parallel in parliamentary history that a Bill should be introduced to any House of Parliament in the form in which this Railway Bill was introduced. I have never yet heard of a Railway Bill for a line which was described as a railway to a certain place—the Collie-Boulder—and which was really a railway to another place—the Collie-Cardiff. And although the point in itself may not be vastly important—although it is a question, perhaps, of half a mile or so—there is involved a matter of the very highest principle; a question whether it is legitimate, whether it is wise on the part of this House, to seem to condone the actions of Ministers by passing this Bill without protesting against it in the most emphatic way possible; and that is by rejecting the motion for the second reading, and compelling the Government to bring in the Bill in proper form. Let us look for a moment to the reasons of the member for Beverley (Mr. Harper) for suggesting that the second reading be allowed to pass. I appreciate the hon. member's motive. It was a motive of generosity, a motive of kindness, suggested by consideration for the member for the South-West Mining District. The member for Beverley pointed out that if we did not pass the second reading there would be a certain delay in appointing this select committee, during which time the hon. member opposite (Mr. Ewing)

would be, so to speak, under some sort of cloud. Well, to-day is Thursday. Even if this Bill be rejected, I think the Government will not offer any opposition next Wednesday to a private member's having the first place in bringing forward a motion for the appointment of a select committee, and that the only delay which can possibly take place in appointing that select committee is a delay till next Wednesday. Can it be said that it is any particular hardship to the hon. member to have to wait until Wednesday next? And we might do it to-night, if the Government would permit us. The Standing Orders, if in the way, can easily be suspended by consent of the House; and there is no reason whatever why this Bill should not be thrown out on the second reading, and a select committee immediately appointed to inquire into the whole subject. If it is important, out of consideration for the hon. member, that he should not be left under the cloud which it is said rests on him, then the course which I suggest should be adopted. But supposing it were impossible to appoint a select committee until Wednesday next, and that a certain amount of hardship were thereby inflicted on that hon. member, which is to prevail—the private interests, private anxiety, private reputation of that hon. member, or the public interests of this country? Why, I say, there is a great principle at stake in this question whether we reject or whether we pass the second reading of this Bill. It is very well for the member for West Perth, and myself or other hon. members, to oppose the passing of this Bill; but whatever we may say is to some extent unfortunately discounted by the fact that we occupy prominent places on the front Opposition bench. Therefore, I wish to get a vote on this question, to get this Bill thrown out by a majority vote of the entire House, so that the fact may stand in the journals of the House as a warning for all time to future Ministers, not only to the James Ministry but to any Ministry formed from this (Opposition) side of the House, as I suppose one will be formed some day; so that if we or any of our successors make the same mistake, we may know the penalty that awaits us. I admit the course suggested would be a severe castigation of the Government, only short of a vote of no-confidence. It would

inflict on Ministers the severest punishment of which Parliament is capable, short of driving them out of office; but it would inflict a penalty no greater than the offence demands, because the whole purity of our forms of Government, the whole purity of our administration, is bound up in this question. If it be open for Ministers to deceive this House and the country in one instance, does any hon. member mean to tell me that it is not open to them to do it again? Does anyone mean to tell me that a House which will condone an offence in one instance may not be ready to condone it in another? Will anyone say that living as we do under a Constitution in which precedent counts for so much, this evil precedent set to-night in this House will not be made a rule on other and perhaps even more important occasions? No. I appeal to members, without reference to party, and with reference only to the fair name of this House before the country, to the reputation of the House and the reputation of our institutions, and the absolutely sacred necessity in this country of honest and pure government, of government in which it will be impossible for the people to declare that there is an element of deception or any element that may seem to cast suspicion on the *bona fides* of hon. members filling the high and responsible positions of Ministers of the Crown. On all these grounds—not on party grounds, but for these high, these effective, and these unanswerable reasons—I appeal to hon. members of this House, when this motion is put for the second reading, to declare emphatically, and to follow up the declaration by going into the division lobby if need be, that this Bill shall not be allowed to pass the second reading, but shall be treated with the contumely it deserves; that it shall be thrown out, and the Government forced to bring in a Bill honest on the face of it, which will not pretend to mean one thing when it means another, and which will not put all our proceedings and all our institutions under a shroud of black and awful suspicion.

MR. BUTCHER: If the House will permit, I shall withdraw my amendment (six months).

Amendment by leave withdrawn.

THE PREMIER (Hon. Walter James): On the question of the second reading I

wish to say a few words. When speaking previously in this debate, I said most emphatically that I hoped the House would not agree to the amendment, and would not adopt the suggestion of the leader of the Opposition and consent to a select committee before the second reading. I said I hoped the select committee would be appointed when the second reading was passed. That is still the position I maintain. I will say nothing beyond that, except that I know of no instance in the annals of this House where a select committee has been appointed to inquire into charges made against a member, except that instance of the Robson case. And even in the instance cited by the leader of the Opposition, who has indulged so much in mock heroics, the select committee was not appointed to consider the charge made against the hon. member (Mr. Nanson), but to consider the various transactions from which the charge arose, the circumstances of the granting of a lease to Clemenger and Co., at Boulder. And I say, if this Bill be referred to a select committee, there will be ample opportunity for the select committee, and for the House when considering the report of the committee, to deal with this case.

MR. ILLINGWORTH: The House deals with charges against members.

THE PREMIER: Before we appoint select committees to deal with such charges, they should be specific charges.

HON. F. H. PIESSE (Kataanning): I regret I was not present during the whole of this debate. At the same time, I have been able fairly well to follow the trend of the discussion, and also to take notes of various points which have transpired. If no other good results from this debate, some good must follow, for the reason that it will be a warning to those who come after us not to introduce such important Bills with so few remarks. It is necessary, I take it, when introducing almost any railway Bill, to give very full particulars as to the necessity for the construction of the line; and it appears that in this instance there was not sufficient information given to enable members to judge of the necessity for the railway. Therefore we may say, on the face of it, that the Bill shows the railway is to be constructed from the Collie to the Collie-

Boulder; and in the schedule we get the direction of the railway, with its terminal point in the south-east corner of Lease 233. Now I take it that is the Collie-Boulder lease; and if it be, then the title of the Bill is of course correct, and the line is properly described; but if the railway is to terminate in the Collie-Cardiff leases, then I say the Minister for Railways misled the House. But I understand that, as described in the plan, the line passes through the Collie-Boulder lease, then through a portion of the Collie-Cardiff leases and back to the Collie-Boulder lease, thus enabling the Government to describe it as the Collie-Boulder railway; and therefore the Government are perfectly right in their description. Of course we are ready to listen, later on, to the account of the Minister; but there is no doubt that had it not been for the courageous action of the leader of the Opposition in bringing forward this matter, we should not have heard so much about the line; the consideration of this Bill would have proceeded as is usual; and the country would not have had brought under its notice this very important principle. The necessity for constructing such a railway is an important question, and one which the House should seriously consider. Of course, I think that in the past every legitimate assistance has been given to develop the Collie coal-fields; and, in the circumstances, I think the Government of the day were fully justified in offering every encouragement to those prepared to develop the mines. But I take it the proper and constitutional course was to obtain the consent of Parliament to the construction of such a railway; and it seems the previous Governments were cognisant of this fact, for I think they made it one of the conditions that Parliament should consent to the construction. But we find that the present Government have not obtained the consent of Parliament, have permitted the construction to go on, and have then brought down this Bill to ask Parliament to give its consent, when the railway has already been commenced, and some agreement entered into between the Collie-Boulder Company and the Government in regard to this very railway. In the circumstances, I think the Government should certainly have given much more information to the House

through the Minister who introduced the Bill; and the debate should be a warning to those who have important measures of this kind to introduce, that more information should be given. It is preferable that more time should be taken up in giving such information than that important matters should be dealt with in so few words, and that such a lengthy debate should subsequently result. It has been mentioned that a portion of this railway was constructed from the terminus of this line to the Collie Proprietary Company's block, and that such portion has been included in the Bill. There is no doubt a Bill should have been brought in by a previous Government, authorising the construction of this portion of the railway. It has evidently been overlooked, and the present Government are not to blame for the omission. Three-quarters of a mile of railway was constructed under conditions mentioned in a certain agreement which was entered into. The reasons why these conditions were not carried out are that at the time this line was built there was an understanding that it should be paid for by coal at a fixed price per ton. Subsequently, the Government took into consideration the extension of the railway in the direction which this railway took beyond the Proprietary Company's leases, and with the object of enabling farther extensions to be made, it was thought at the time preferable to take possession of this piece of line rather than that it should get into the hands of a company who might prevent the Government running over their line, or force the Government in future to pay a higher price for the line than was its actual value. That was why it was agreed that that portion of of the line should be constructed and paid for out of Government funds. Now we are asked to approve of that line by a Bill. That does not justify the Government in bringing forward a measure with the intention of misleading the House in regard to the terminus of the line. It is distinctly stated that the terminus of the line is the Collie-Boulder lease. We find instead of that, it is serving another lease which seems to have not been alluded to by the member for the South-West Mining District when speaking. That hon. member supported the second reading

and—perhaps not intentionally, I would not like to say so—he avoided mentioning in any way the Cardiff leases, and drew attention to the necessity for the construction of a line to the Collie-Boulder Company's property, setting forth the fact that it was to the interest of the country to do so, avoiding any reference to the Cardiff property that will be served by this line. Under these circumstances there was good reason for the leader of the Opposition to have drawn the attention of the House to the fact, and perhaps severely criticised the action of the Government in this matter. Taking all these facts into consideration, it is no doubt a very serious matter, and unless the explanation which the Minister will give to-night is sufficient to cause me to alter my opinion, I shall certainly be in favour of voting against the measure.

MR. DOHERTY (North Fremantle): It is to be somewhat regretted that this debate should have taken place on a very important question. All the members of the Opposition are of the opinion that a line of this sort is absolutely necessary. And the arguments placed before the House by Ministers are absolutely justified, because it would be a very serious thing for West Australia and particularly for the coal supply if we were bound to obtain from one company the total supply of coal for this country. Of necessity this line would be a great advantage to the country, and a great advantage to those who consume coal, because the advantage of working these lines would be to place the article to the consumer at a more reasonable rate than at present, consequently the House would be only too pleased to have voted the necessary funds for the construction of the line. But it appears to the Opposition the Government have followed on their initial policy of spending money without authority, cloaked with the term of secret purchase. The Government thought they could do this at Collie, that they could do the work first, complete it, and then ask for the authority of Parliament. The members who are responsible for this state of affairs more than anyone else are the members of the Labour party, who have been selected from the people, and who are the members of the House above all others who

should look after the interests of the people. To this party alone may be put down this second constitutional sin of the Ministry. The Government thought to face the House with their brutal majority. I used the expression at an earlier part of the session—the purchased majority—and the facts of this case point clearly to the fact that some of the majority of to-day have been procured under most peculiar and not altogether constitutional ways. We do not want to make direct charges, but the people of the State do not hesitate for a moment to place the member who occupies the position of the representative of the South-West Mining District in a peculiar position. The people of the State know he was an ardent Oppositionist, and in time he became an ardent supporter of the Government. An explanation was asked for, but the hon. member gave no political reason for his change of front. He did not offer to the House any explanation whatever. I do not wish to bring a charge against the member, I am only placing before the House what people outside think. It is not the first instance in an Australian State that majorities have been procured, and the duty of the Opposition is to see that we have clean, stable, and honest government, and the position to-day does not read in those letters. It reads very differently with the unconstitutional action of the Government. The hon. member for the South-West Mining District may not be the only member who has got some concession; and perhaps that accounts for the occupants of the benches behind the Government, because by accident we have discovered at least some evidence why one member sits there. There may be some evidence forthcoming why other members sit behind the Government, and why the Government flout the constitutional authorities of the State and spend money without the sanction of Parliament. It becomes a very serious matter when the authority of Parliament is overthrown, and when the power to spend money is taken out of the hands of Parliament and placed in the hands of five or six persons. If we vote for the second reading of the Bill, we vote for Government by the Cabinet; we vote for Government by the heads of departments and not by Parliament. Our position here to-day is

not necessary if we allow Ministers now occupying the Government benches to continue in their unconstitutional and questionable way.

MR. HOLMES: Did you not sit behind the Forrest Government?

MEMBER: Yes; tick.

MR. DOHERTY: I ask the gentleman who interjected, did the question of the Collie-Cardiff mine come before him as Minister, and did he not say that he would not construct it. His minute says, "This line shall only be constructed by the authority of Parliament." The hon. member when Minister for Railways distinctly objected to this line of railway being built until Parliament voted the money.

THE PREMIER: There is no record of that.

MR. DOHERTY: There is a record. The papers went before the hon. member when he occupied the position of Minister for Railways, and the hon. member distinctly wrote on the papers that he would not indorse the construction of the railway until the money was voted by Parliament; and now that hon. member asks a question which indicates to the House that he is going to blindly follow the gentlemen who occupy the Government seats to-day. It is not a question of the ins and the outs, but a question of good government; a question greater still than that: who shall control the purse-strings of the State? The amount of £16,000 may not appear large to members of the House, but the Government have already spent £120,000 without the authority of Parliament. It may be only a short time when again other works will be constructed without the authority of Parliament. I have no hesitation in saying that I shall vote against the Bill, not that I believe it is not required, because such railways are required, but I shall vote to show that the Government should conduct the business of the country, if not well, at least honestly.

THE MINISTER FOR WORKS AND RAILWAYS: In replying to the various points raised in the course of the debate, I shall have to ask the leniency of the House. I shall have to ask that members will listen in patience to me and not interrupt more than is absolutely necessary in their opinion, because al-

though my remarks will be in the nature of a reply, they must also, I regret to say, be in the nature of an explanation. An explanation is certainly due to the House for the manner in which I introduced the second reading of the Bill. An explanation is certainly due to my chief and to my colleagues, and may I add, an explanation is due to myself also. No one can be more aware and more ashamed of my shortcomings in introducing this Bill. I needed no reminder from members opposite, I needed no reminder from anyone in the House, to know that I had failed in my duty when bringing in this measure. But I would like to say this in my defence, for I am on my defence in a great measure in this matter, that I have a very hard office to administer, and I have adopted methods of administration in that office different from what had been the custom in the past. I mean that I have to a great extent tried to do away with the red-tape in which the office was swathed, and to deal directly, and I hope in a more business-like manner, with the public and with members of the House. Members of the House are not slow to take advantage of the fact, and there is not a minute of the day scarcely when I am not approached, even by members of Parliament or members of the public upon matters, not as they did before in writing but personally; and I hope and believe they prefer that course, and I believe they are satisfied that the procedure has been hastened by that course. But the result to me, whatever is the result to the public and members of the House, is that I have hardly a moment of the day to myself. I give up the whole of my time, and even the little while that I allow myself for luncheon at this House, even that time is taken advantage of by members to discuss with me every conceivable subject from Wyndham to Eucla. So exacting have members become that I may be accused by the leader of the Opposition of being a shocking example of a Minister, if I was not for one moment able to give an answer to his thousand and one questions. On the particular day when I had to move the second reading of the measure, I had been exceptionally busy, and I came to the House tired and weary, if ever a man was. This may seem weak, but it is

the absolute truth; and I know the majority of members of this House, at all events, will believe me. This is the absolute truth. I complained to my colleague, the Minister for Mines, of having a splitting headache. I, unfortunately, took too much for granted. I thought, I believed, that many members of this House knew all about this measure. I believed also that, although I myself did not know a great deal of it, I yet knew sufficient to do justice to the second reading, and that explanation, if explanation was found necessary, would be forthcoming from my colleague the present Colonial Secretary, who had had more to do than I with the preliminaries of the matter. I believe that explanation would have been forthcoming without any of the comments which have been passed, without all this trouble, had time been given or had my colleague been present when the motion for the second reading was made. But unfortunately, perhaps through over-confidence as well as through taking too much for granted, I failed miserably. And does any member think for a moment that I am not ashamed of my failure, that I have not suffered sufficiently already in my own estimation, without every member of the House, one after the other, rising to point out that the blame for all this trouble rests on my shoulders? I was keenly alive to the fact from the very first moment. The Minister for Mines came to my rescue, and offered to state from memory what little he knew of the transaction. For that I sincerely thank him. I regret indeed that his kindness should have brought so much trouble on his head. If, however, the matter had been allowed to rest with the remarks of the member for West Perth (Mr. Moran), who said that more information was required, quite sufficient would have been said. The information would have been forthcoming, would have been duly supplied; it would in any case have been supplied by me on rising to reply. However, even at that point I was stopped by someone moving, as an amendment, that the Bill be read this day six months. I have not till this moment had an opportunity of supplying the shortcomings of my moving the second reading. I am bound, however, to say this, and I say it advisedly, that had I given the fullest information

in my power on moving the second reading, had all information in the hands of the Government been supplied, the result would have been but little different so far as the leader of the Opposition is concerned; for I have reason to know that, to quote an old saying, the miner and sapper had been at work, that the train was laid. The train had not been fired, it is true, but it had been laid, notwithstanding. No amount of information that I could give would have altered things one iota. Here I may be allowed to refer to a remark the leader of the Opposition made to-night. He said the action he took in calling for the papers to be laid on the table of the House was dictated by a desire to do his duty to the State, and was not the outcome of anything communicated to him from outside. The hon. member said he moved for those papers to be laid on the table of the House before he had been approached by any outsider. Now the hon. member moved for the papers—

MR. NANSON : I called for them. The motion I made was subsequent.

THE MINISTER FOR WORKS: The hon. member gave notice of motion—I think that is the way one calls for papers. The hon. member gave notice of motion: does the hon. member take any exception to that statement?

MR. NANSON : Yes. I demanded the papers at the time I moved the adjournment of the debate.

THE MINISTER FOR WORKS: The hon. member, at all events, gave notice of his motion on Wednesday, the 3rd September.

MR. NANSON : I could not give notice sooner.

THE MINISTER FOR WORKS: Then I shall couple that remark with another. In the course of his speech the hon. member said he spoke as he did, that he called attention to the matters to which he did call attention, from the files which had been laid on the table, and not from information received by him from outside sources. The hon. member declined—and I think his refusal was perhaps perfectly justifiable—to state the source of his information. I wish to say now that there appears in to-day's issue of the newspaper of which the leader of the Opposition is still, I believe, the business manager, a letter from Mr. Walkeden,

whose name has been mentioned so frequently in the course of this debate. Mr. Walkeden writes:—

I deny absolutely that I have at any time brought under the notice of any member of Parliament until Monday, the 1st inst. . . . That is Monday the 1st September. The hon. member gave notice of his motion on Wednesday the 3rd September, asking that the papers be laid on the table of the House. Strangely enough, Mr. Walkeden proceeds to say:

I learnt from Mr. Nanson at my first interview . . .

Now, at all events, we know from Mr. Walkeden himself that he has been in communication with the leader of the Opposition, as some of us indeed knew all the time.

MR. DOHERTY: That doesn't alter the case.

THE PREMIER: Oh, doesn't it?

MR. MORAN: It's a good job there was a Mr. Walkeden about.

MR. GORDON: Mr. Walkeden wanted the Collie-Cardiff leases.

THE MINISTER FOR WORKS: I regret that in my experience of the leader of the Opposition I have found him ready at all times to lend a willing ear to anyone who will suggest to him something that he thinks can be used against the Government of the day. Anything of that nature is welcome to the hon. member at all times. He is glad of anything which he thinks will put in his power an instrument to do mischief to this Administration; but the instrument is doubly welcome to the hon. member if he thinks it will serve to do some mischief to myself individually. For I can say this—I regret to have it to say—that the hon. member has pursued me with relentless cruelty, that he has never lost an opportunity to belittle me if possible. I do not appeal to the hon. member for generosity, but I do appeal to him for justice. It ill becomes him to sneer at me as "the big gun of the Ministry"—[MR. NANSON: A compliment]—the man who is to be put up to do all sorts of things. The hon. member is a past-master in the art of insinuation. It is true he comes before the House to-night with "I never said so-and-so; I never made this charge; I never made the other charge." It is true the hon. mem-



ber's methods are not those. He makes insinuations—insinuations, after all, of which he who runs may read the real meaning, but nevertheless insinuations which cover up the hon. member's tracks, so that, if pressed, he can reply, "I made no direct charge." The hon. member appeals to the House as a man actuated by the highest motives, as a man feeling the deepest sympathy for the member for the South-West Mining District. Heaven preserve me from such sympathy as the hon. member's! It is the sympathy shown in such remarks as the hon. member's that ruins men's reputations, that leads men to think it idle to attempt to do their duty because, honesty of purpose notwithstanding, they will at all times be the subject of misrepresentation and insinuation at the hands of members such as the leader of the Opposition. I propose now to deal as briefly as possible with the whole history of this matter. The subject was first mooted in a letter from Mr. Hamilton, of the Great Boulder mine. I shall travel over that briefly, because it has been largely referred to already. A deputation waited on Sir John Forrest on the 1st February, 1901, and as a result of that deputation, Sir John Forrest, on the 6th February, wrote a minute to his Ministers setting out the conditions which he thought should apply, and stating: "Subject to these conditions, I think the request should be granted." The request was that this line should be constructed. On the 21st February Mr. Throssell, who was then Premier, minuted "I advise that the request be conceded on the terms named." On the 19th March there appears a minute: "Ministers are of the opinion that the best interests of the country will be served by acceding to the request as stated by the late Premier and on the conditions named." That minute is by Mr. Throssell, and Mr. Throssell makes this addition: "The matter is one that Parliament is sure to approve."

MR. DOHERTY: That means submitting the matter to Parliament.

THE MINISTER FOR WORKS: I shall deal with the submission to Parliament. Two previous Governments thus have said that this line in their opinion was justified, and that, subject to the approval of Parliament, it should be built. I propose now to trace what

actually has been done in connection with this line by myself.

MR. DOHERTY: That is very little.

THE MINISTER FOR WORKS: Very little indeed, up to a certain point. I have been accused, however, of deceit; I have been accused of all manner of bad intentions. Surely, it is my duty to show, if I can, that in every instance when I have dealt with the subject, I have had the interests of the State at heart, and have done my best to protect the interests of the State. It was decided that, as previous Ministries had held that the Collie-Boulder Company ought to give proof of their *bona fides* before anything was done, when that company said, "A sufficient proof of our *bona fides* is that we have developed our property sufficiently; we are prepared to work the coal"—and that was absolutely true—"we have some of our machinery here while the rest is on the way; we want to go to work, and we are in a position to go to work; all we need is railway communication; and the very best proof we can give you of our *bona fides* is our readiness to accept the risk of building the line if you will, on your part, undertake to do your best to obtain the approval of Parliament; we will take the risk of constructing the line so long as you, on your part, will undertake to obtain for us, if you can, the approval of Parliament."

MR. DOHERTY: Are you speaking now of the Collie Proprietary Company?

THE MINISTER FOR WORKS: No: of the Collie-Boulder Company. In the first agreement which was submitted—let me be just and say it was submitted to me only because my colleague the present Colonial Secretary, then Minister for Railways, happened to be away at the time. I have no doubt that had he had to deal with the first agreement, he would have dealt with it in precisely the same way as I did. I do not wish to detract from the hon. gentleman, or even insinuate that he would not have dealt with it in the same manner, for I believe he would, because he has just as much the interest of the State at heart as I have. In the first agreement it was provided:—

In case the purchase money be not paid within three months after completion of the works, then the Government shall pay interest

on the purchase money at the rate of 5 per cent., computed from the expiration of such three months after completion, up to the time of the actual payment of the purchase money.

So that had Parliament agreed to the purchase, and had this agreement been signed, interest on the money would have had to be found somewhere by somebody.

MR. MORAN: By the Government, without consulting Parliament.

MR. DOHERTY: At 5 per cent., too.

THE MINISTER FOR WORKS:

And the line would have remained to all intents and purposes a private line. Let us see what the agreement that was actually signed amounts to, and if the interests of the State have not been protected. Let us see what it is that this iniquitous Government has committed the State to. Paragraph 3 says:—

All work in connection with the said extension and the laying and construction thereof shall be constructed and executed according to the plans, specifications, and estimates prepared by the company and approved by the commissioner, and shall be carried out and completed in all respects under the inspection of the commissioner or his officers appointed in that behalf, and to the approval of the Government.

MR. MORAN: Was that done?

THE MINISTER FOR WORKS: I intend to deal fully with that.

MR. MORAN: Inspection, I mean.

THE MINISTER FOR WORKS: I know what you mean and I intend to deal with it. Paragraph 6 says:—

On completion of the extension to the satisfaction of the Commissioner as aforesaid the same shall be taken over and purchased by the Government at the scheduled rates as shown on the said Estimates approved by the Commissioner, provided such purchase be sanctioned by Parliament.

Paragraph 7 says:—

The Commissioner will introduce a Government Bill at the next session of Parliament, authorising the purchase by the Government of the said line in terms of paragraph number 6 of this agreement, and use his best endeavours to have the said Bill passed.

Paragraph 8 says:—

The company, until the Government shall have taken over and paid for the works as aforesaid, shall be at liberty to work the said extension as the company may think fit for their own purpose only: Provided that from and after the expiration of one month from the service of a notice in writing, signed by the Commissioner, and delivered to the attorney of the company in Western Australia, requiring the company to open the said line for the

public traffic of goods and passengers, and upon the Commissioner undertaking to provide the rolling-stock necessary for such traffic upon terms to be mutually agreed upon, then the company shall and will carry and convey upon the said line all passengers and goods as required and subject to such rates, conditions, and regulations as may be agreed upon between the Commissioner and the attorney of the company in Western Australia. But neither party shall arbitrarily withhold their consent to any such agreement. And any dispute shall be settled by arbitration.

The last clause is this:—

Nothing herein contained shall be deemed to bind the Commissioner to purchase the said works without the sanction of Parliament.

MR. MORAN: He could not, anyhow. He had not the money to do it himself.

THE MINISTER FOR WORKS:

The plain position is that if this Bill is not agreed to, the State has not been pledged to a penny-piece of expenditure.

[MR. DOHERTY: What about interest?]

That is the agreement which was submitted to me and which I rejected, and the agreement that I have now read is the agreement that is signed, and there is no provision for interest. There is absolutely nothing which binds this State in any way until the approval of Parliament is obtained; and the company is bound, on notice from the Minister, whoever he may be, to carry goods not only for themselves but for the general public, so that if it remains a private line, the interests of the State and the interests of the public are duly protected.

MR. DOHERTY: Can you construct a private line without the authority of Parliament?

MEMBER: Yes.

THE MINISTER FOR WORKS: A strong point was made by the leader of the Opposition in this statement, that the extension of this line to the Collie-Cardiff lease was directly against the wish of the Collie-Boulder Company. I have had several interviews with Mr. Walkeden, the manager of the Collie-Boulder Company, and I regret that I have not, following out the custom which I have adopted of trying to deal as quickly as possible, kept records of those interviews, for I certainly shall have to do so with Mr. Walkeden; and I begin to be afraid that, for my own protection, I shall have to ask members even to go

back to the old style and reduce all their requests into writing. To use a historical question, "Where do I come in" amongst all this arrangement?

MR. DOHERTY: A thousand a year.

THE MINISTER FOR WORKS: Would a thousand a year compensate any man, however poor he may be, for the insinuations which have been cast against me in the course of this debate? If I were absolutely starving and did not know where to turn for the next crust of bread, I would refuse a thousand a year rather than be subjected to the taunts and jeers which I have had to undergo during the course of this debate. Here is the absolute fact, that in all these interviews, until the very last interview I had with Mr. Walkeden, there was never the slightest hint that he was not perfectly satisfied with the arrangement that had been made. When I knew that the construction of this line was to be commenced—and I was somewhat in the position of a contractor; for when things have to be done, my department has to do them or see that they are done, and I had to see that this was done—the engineering surveyor went down to Collie with the plans originally submitted by Mr. Walkeden, discussed the position there with him, and came back with a survey and plans—the same surveys and plans as submitted to the House now—which were agreed to by Mr. Walkeden, and which had never been objected to by Mr. Walkeden until I got a hint of an objection at the last interview; not an objection even then to the carrying of the line into the Collie-Cardiff property, but an intimation that it could be carried into that property, so he thought, in a somewhat better manner. I said then, and I should say again, did the circumstances arise, that if he wanted to introduce any fresh proposal, he must begin afresh; that the only way I could deal with him was to deal with him on the survey and the plans which had been approved of by my engineering surveyor, and that I could not deal with him on any other lines. Mr. Walkeden went away apparently perfectly satisfied, and I never heard to the contrary until this debate commenced. But I did know that Mr. Walkeden had been endeavouring to jump the property in which the member for the South-West Mining District is concerned.

MR. MORAN: How do you know that?

THE MINISTER FOR WORKS: It was in the papers. Everyone knew. At least most members in the House knew. I knew. I think any man of ordinary intelligence can put two and two together and see that all this bother is the outcome of a quarrel or a misunderstanding between Mr. Walkeden and the member for the South-West Mining District. However, with that I have nothing to do.

MR. MORAN: Nor the House either.

THE MINISTER FOR WORKS: Nor the House either. The House unfortunately has been compelled to have a lot to do with it—we have heard a lot from the other side of the House, anyway, about Mr. Walkeden and his connection with the member for the South-West Mining District in this matter, and what Mr. Walkeden had been compelled to do in order to oblige the member for the South-West Mining District. However, I submit that if the House has anything to do with it, I, in my Ministerial capacity, have nothing to do with it, neither would I have. In submitting this Bill to the House, faultily as I did, I knew neither Mr. Ewing nor Mr. Walkeden in the matter; and in the few reasons I did give to the House, I gave actually and truthfully the only reasons which prompted me, the only reasons which I believe honestly prompted other members of the Government, and the only reasons in fact which would justify the Government. The reasons I gave were that in my opinion it would develop other collieries at the Collie, and it was highly desirable to do away, if possible, with a monopoly that already existed there. Those were the reasons I gave, brief reasons I admit, all too brief, but they were none the less true. I also at the time laid upon the table of the House a plan showing exactly where this line started and exactly where it terminated. There is a schedule to the Bill which gives a full and accurate description of the line. Here let me say I do not prepare Bills of this nature. Railway Bills of this technical nature are prepared by the Engineer-in-Chief. They were prepared by his instructions in this instance, and they are absolutely correct. But I am told that the title of the Bill is wrong, that this is not a Collie-Boulder railway, and that it ought to be called the Collie-Cardiff

railway. I am aware that the member for West Perth (Mr. Moran), late perhaps in the course of this debate, found out what I am going to point out to the House now, and probably regretted it, because I overheard him advising his worthy leader not to make much of the point that it was not a Collie-Boulder railway. The member for West Perth is undoubtedly keen, and I give him credit for this, that he is undoubtedly straightforward, and when he has anything to say, he says it straight out. He does not indulge in innuendo, and I admire him all the more for it. I wish other members of the House would emulate him in that respect, at all events. In the plan that is laid on the table with the Bill the terminal point of this railway is clearly shown, and it is shown as passing through lease 126, which is the Collie-Boulder; through one corner of lease 199, which is the Collie-Cardiff; into lease 233, which is the Collie-Boulder, and where their workings are; and the terminal point of this railway is in the Collie-Boulder property.

MR. MORAN: Did you say the end was near the Collie-Boulder workings? I deny that.

THE MINISTER FOR WORKS: Not their main workings. I am not attempting to mislead the House. I never wish to mislead the House. What I am saying now is the absolute truth, and I defy anyone to prove to the contrary. [Interjection by the Hon. F. H. Presse.] I will give every information in my possession. I am trying to prove that the Bill is correctly described. The railway is a Collie-Boulder railway. And it could not be called a Collie-Cardiff railway, inasmuch as the terminal point is not within the boundary of the Collie-Cardiff lease. That disposes of the inaccuracy of the title, at all events. Even if the title had been inaccurate—but it is not—although I might have been held responsible, as a fact I should not have been. Hardly anyone could accuse me of having some evil intent in respect of a slip made by one of my officers.

MR. MORAN: Will you deal with the reason why it was extended from its first point through the Collie Cardiff and back again to the Collie-Boulder?

THE MINISTER FOR WORKS: It is not back at all; it is onward.

MR. MORAN: Onward, as it were, in a circle

THE MINISTER FOR WORKS: The original length of the line which Mr. Walkeden proposed to construct was 4 miles 75 chains. This 4 miles 75 chains would have brought the railway, as originally proposed by Mr. Walkeden, to a point within 10 chains of the boundary of the Collie-Cardiff lease. It is nonsensical for the hon. member (Mr. Moran) to shake his head. Now to all intents and purposes, that was sufficient for the purpose of the member for the South-West Mining District, if his purpose were only to effect a sale. In his agreement with Mr. Parker, it is clearly set out that one of the necessary features of a sale is that a line shall be built, or shall be commenced, with its terminal point about 10 chains from the boundary of the Collie-Cardiff lease. The line, as originally proposed, would have gone to that point; therefore it is idle to say that it has been taken farther with a desire to assist or promote the interests of the member for the South-West Mining District; because every advantage that he could secure for the purpose of a sale—and that is what has been insinuated, that it has been for the purpose of effecting a sale—every point to assist him in that direction would have been gained by carrying the line no farther than the point originally intended, and leaving it there. But it was thought better, instead of constructing a line to benefit only one colliery, to construct a line, while we were at it, to benefit three; and Mr. Walkeden agreed to that proposal.

MR. MORAN: Mr. Ewing first asked for that; did he not?

THE MINISTER FOR WORKS: That I do not know. I am speaking only of that which I do know.

MR. MORAN: I quote from the file.

THE MINISTER FOR WORKS: Mr. Walkeden agreed to that proposal; therefore, surely no one can urge that Mr. Walkeden's interests were in anyway damaged. This original length of line, 4 miles 75 chains, commenced at the terminal point of the Collie Proprietary Company's siding; but as this line would have entailed the trains

from the Collie railway station running too near the Collie Proprietary Company's workings, the take-off was made at a point nearer the Collie railway station than Mr. Walkeden originally proposed. In order to be absolutely correct in what I am saying as to these technical points, I shall have to a very great extent to read, if the House will permit. In addition to this, a deviation to ease curves, and at the same time to somewhat shorten the line was made; and the line was extended by 44 chains 59 links at its farther end, and made to pass diagonally through one of the Collie-Cardiff blocks, and to terminate in block 233 of the Collie-Boulder Company. My object is to trace and to explain to the House what has lead up to the increase in the length of the line, and what leads up to the estimate which I gave the House of £16,000 as the ultimate cost of construction. It was found necessary also to add to the height of the embankments, waterways and bridges, on engineering grounds, beyond that shown on Mr. Walkeden's original plans. The length, therefore, now stands as follows: length proposed to be constructed, according to Mr. Walkeden's original plans, 4 miles 75 chains. Add for deviation at the commencement 24 chains 71 links, and for extension at the end, 44 chains 59 links. [Mr. MORAN: What end?] At the terminus, through the Collie-Cardiff into the Collie-Boulder.

MR. DOHERTY: The Opposition agree with all that.

THE MINISTER FOR WORKS: The Opposition have all the time disagreed with all this. My task is difficult at the best of times, and I have to ask that hon. members will not interrupt me if they can avoid it. If the interruptions are to some end, then of course they are permissible. Deduct for deviation in course of line 97 links; total length, according to the present plan, 5 miles 63 chains 33 links. Now we come to Mr. Walkeden's estimate. His estimate, exclusive of supervision and contingencies, for 4 miles 75 chains was £9,532, which on being checked in the department was reduced to £8,758, owing to Mr. Walkeden's price for rails and fastenings being considered too high. The estimate for 5 miles 63 chains 33 links—that is the final line—based on Mr. Walkeden's schedule rates for the same items of work,

except in the case of rails and fastenings, which were taken lower, was £10,794; and the increase of £2,046 over the £8,758 above mentioned has been subdivided into £956 for the two deviations introduced for engineering reasons, £690 for the extension at the end, and £400 for the terminal siding, which may possibly serve both properties. One half of the sum of £690, namely £345, would be required only if the line had been taken about the same distance into the Collie-Cardiff leases as provided in the agreement, instead of being carried on again into the Collie-Boulder Lease No. 233. So that all this extension into the Collie-Cardiff Company's property, which we were told to-night by the leader of the Opposition must have cost at least £1,000 or £2,000, amounts to £345! That is the molehill out of which this great mountain has been made.

MR. MORAN: Three hundred pounds for half-a-mile of railway? Very cheap.

THE MINISTER FOR WORKS: I left off with a total of £10,794; and it is due to the House that I should explain the difference between that amount and the £16,000 which I gave as the estimate for the line. But I wish the House distinctly to understand that I expect the expenditure to which Mr. Walkeden is committed will amount to £10,794. Over and above this sum there has been allowed by the Engineer for Railway Construction a sum of £5,200, which includes extra sidings, fettlers' and other cottages, water supply, maintenance and contingencies, all these being items not included in Mr. Walkeden's estimate and schedule, which are for the bare line, and the bare line only. Still, there is a difference in the length to be accounted for. That is the difference which has been alluded to for part of the line which has already been built for the Collie Proprietary Company. The difference between the 5 miles 63 chains 33 links, which, as before explained, is the length to be constructed, and the 6 miles 39 chains 27 links quoted in the Bill is for the portion already constructed by the Collie Proprietary Company, between the Collie railway station and the take-off on the Collie-Boulder line. Hon. members have said, why include that line in this Bill? And it has been suggested—in fact, I am afraid it is almost believed—

that the expenditure is asked for on account of this portion of the line also. The position is: that line was built to the Collic Proprietary Company's works some years ago. It has never been authorised; and seeing that it is proposed, if the line be taken over and acquired by the Government—that remains with Parliament to say—that passengers must be carried over the line, it is absolutely necessary, unless if an accident happen someone is to stand his trial for manslaughter, that the construction of that line should be authorised.

MR. HOLMES: Who built that line?

THE MINISTER FOR WORKS: Not this Government, at all events.

THE PREMIER: Doherty's Government.

THE MINISTER FOR WORKS: That line was built, and it was not authorised; and it has been pointed out that it was to be paid for in coal, and that it has never been paid for. And when someone asked whose fault that was, it was said it was the fault of this Government, and indirectly my fault. [MR. MORAN: Who said that?] It was said. [MR. DOHERTY: No.] The hon. member was not in the House at the time, so what is the use of his saying no? Now if I were actuated by the same feelings as seem to prompt some members opposite, I submit I have a splendid case in the facts connected with the Collic Proprietary Company transaction. I am blamed because I did not call special attention to the fact that this Bill was to authorise a certain portion of a line, the construction of which had never been previously authorised. Do I go out of my way to try to find points for a case against members because they sit on the opposite side of the House? It would be an interesting file; and if I sought to make capital I could make a great deal more capital out of the Collic Proprietary Company's file than any member of this House could, with even the worst intentions, make out of the file connected with this Collic-Boulder line. And I, on the face of it, should have a better case. But I try to gauge for myself, if I can, the feelings which prompted the Ministry of that day; and I am content to believe that they were actuated by the best motives. I am more than content to believe—I do be-

lieve they were: and, therefore, I leave it there: I do not go out of my way to try to rake up something on which I can base insinuations against an opponent.

MR. MORAN: You were supporting that very Government.

THE MINISTER FOR WORKS: True.

MR. DOHERTY: And that Government opened up a good coal mine.

THE MINISTER FOR WORKS: And no doubt they were actuated by the very best motives. But I will leave hon. members opposite to imagine how much capital they could make out of a case if they had the opportunity of showing that I had built a line without any authorisation, that I had stipulated that it should be paid for in coal, and that, though it had cost very many thousands of pounds, the State had never been paid one penny for it. I should be sorry to be left to the tender mercies of the hon. member opposite with a case of that kind in his hands.

MEMBER: Did you say "involved thousands of pounds?"

HON. F. H. PIESSE: Will the member state all the facts. It was not paid for, for the reason I gave just now.

THE MINISTER FOR WORKS: I gave the reason, and I believed, and do believe, it was done in the best interests of the State. But with the bare facts of the Collic Proprietary, a good deal more capital could be made to disadvantage than is being made out of this case. As to the question of supervision, I am blamed because I did not, if you please, see that the supervision was being carried out as promptly as it might have been. The leader of the Opposition would lead us to understand, in fact he said so, that the line was nearly finished—it had been in course of construction for months and was nearly finished.

MR. NANSON: Your Engineer-in-Chief said so.

THE MINISTER FOR WORKS: The Engineer-in-Chief says nothing of the sort. The hon. member himself—and now I pin him to this—knew, or if he did not know, if he had taken the least trouble to inquire he would have found out, and not left members to find out, that so far from it being completed I was asked in the House how much had been done, and I gave the official answer. I

was asked on the 2nd September, and I gave the answer: "About one-fifth of the earthworks are finished, and the bridge work has just been commenced."

MR. MORAN: About £5,000 had been spent.

THE MINISTER FOR WORKS: The correct answer is that which I gave to the House, and the hon. member was present when I gave it.

MR. MORAN: And the rails are all purchased.

THE MINISTER FOR WORKS: The leader of the Opposition said the line was nearly finished, when he knew the construction work had only just been commenced.

MR. MORAN: About £5,000 had been spent; nearly one-half.

THE MINISTER FOR WORKS: A mere quibble. Instead of "nearly completed," the actual position is: one-fifth of the earthworks are completed, and the bridge work has only just been commenced. As a matter of fact, whatever has been done to this day, has been done at Mr. Walkeden's entire risk, and his risk only. The hon. member applied himself most diligently to these files—but I cannot refrain from saying his diligence was only applied to find that which he wished to find out; he carefully omitted to make any record of that which did not precisely suit his case, because in a prominent position on the files is a receipt which was taken in my office for the plans which were handed to Mr. Walkeden.

MR. MORAN: And to Mr. Ewing.

THE MINISTER FOR WORKS: I think any contractor, or anyone in the House who has a knowledge of railway work or construction, will admit that if one begins to construct a railway or anything indeed until the plans are handed to him, he must do so at his own risk, and indeed is a foolish person. The date the plans were handed to Mr. Walkeden was the 29th July, and the receipt was taken in this form: "Received from the acting Under Secretary for Public Works plan P.W.D., W.A., 9274-6." Clearly these are the plans upon which the line was to be constructed, the plans to which Mr. Walkeden has agreed.

MR. NANSON: That is the second plan.

THE MINISTER FOR WORKS: Surely there cannot be two plans for one

railway, the subject of one agreement. These are the plans agreed to by Mr. Walkeden, plans which are the subject of the agreement. The receipt goes on: "It being clearly understood and agreed that the handing over of this plan does not in any way warrant Mr. Walkeden and his employees to enter on any lands unless he has already received authority to do so." There is no permission to commence the construction of this railway, and although the permission may be construed and possibly implied, as a matter of fact no official promise has been given to this day. I do not know that I have much more to add. If I were prompted by feelings of revenge, I should say it would serve Mr. Walkeden richly right were this House to refuse to pass this Bill. I should say that it is a poor return for Mr. Walkeden to make to the Minister who has acted strictly to the agreement, or was acting strictly to what is his duty to the State; who has nevertheless taken especial care to do everything possible to assist Mr. Walkeden in his project; who has been thanked repeatedly for having removed difficulties in Mr. Walkeden's path; who has been thanked repeatedly for putting no official obstacles in the way, and that is so very easy to do; it is a poor return for anyone to make to turn traitor, as Mr. Walkeden has turned traitor, to seek, because he has had some dispute with an adjoining colliery owner, to gain his ends in regard to that individual by damaging not only the reputation of a Minister, but of the whole Ministry. I say it is a poor return to make, and were I actuated by feelings of revenge, I could well ask, and I could well seek to induce the House to refuse to pass the Bill. But I am not actuated by feelings of revenge. Over and above Mr. Walkeden, over and above the member for the South-West Mining District, over and above the leader of the Opposition for that matter, remains my duty to the State. I am assured that in the best interest of the State it is desirable that this line should be constructed. It is desirable it should be constructed not only to the Collie-Boulder Company's first lease, but on through the Collie-Cardiff lease, and on again into another lease of the Collie-Boulder Company. The present Colonial Secretary has

pointed out the immense saving we can reasonably anticipate will be effected to the State by doing away with the monopoly that exists. The member for Beverley said very shrewdly, what guarantee had we that the monopoly will not be continued. It is impossible, of course, for the Government to obtain a guarantee, but it is plain on the face of it that the interests of these different collieries will be so opposed to each other that they must compete, and the consequence will be not a reduction in the wages of the men employed in the collieries but a reduction in the cost of the output. It will well bear that reduction without any consequent reduction in wages. Again I express to this House my regret for the shortcomings on my part in moving the second reading of the Bill. I have endeavoured to explain that as well as I can. I have endeavoured to make good the defence to the best of my power; but it is idle for the Opposition to seek to make out that this information would not be forthcoming but for the action they have taken in the matter. The information would have been forthcoming and would have been supplied at the earliest opportunity. Does anyone think I have so little knowledge of Parliament and its ways that I could have thought for a moment, had my motives been to deceive—and before I go on can I say this; what possible motive could I have in wishing to deceive the House? It is apparent I could not have any; but even if I had, and assuming that I had for a moment wished to mislead the House, I should have been little short of a madman to have taken the course I did take. Surely to move the Bill with a short speech such as I did was to court attention to the Bill. The result proves that is what I did do. I admit I did not do it purposely, but what I did had the effect of drawing the attention of every member of the House to the Bill. Then how could I have been actuated by a desire to deceive. Surely it will be admitted that with my knowledge of Parliamentary usage if I had a desire to deceive I should have given such a statement of the intention of the Government, such a statement of the line, as would in my opinion have satisfied members of the House without any farther inquiry. Had I done that, and the information I had given

had been wrong then I might well have been accused of misleading, and might well have been accused of trying to mislead the House. I submit farther that the Opposition in their impetuosity have done away with the case they might have had. Instead of waiting to see if the Government would be content to try and get the second reading through without supplying the information, if they had only been content to wait and let the second reading be passed without this information, they would not have been committed to the Bill, they could still have taken the action they have taken with a double force, that we had neglected to supply the information right to the last moment instead of supplying it at the earliest opportunity we had.

MR. DOHERTY: The Opposition are too generous.

THE MINISTER FOR WORKS: I have had ample opportunities of judging of the generosity of the members of the Opposition. If my experience has been the experience of their generosity—I beg the pardon of the Opposition as a party, because from a majority of the present Opposition I have received kindness, courtesy, and consideration; but if what I have received from some members of the Opposition is to be classified as generosity, then I say, give me no more generosity, but give me the utmost hatred, give me the utmost rancour you can supply. Bad as that might be, it would be infinitely superior to the specious generosity I have experienced.

MR. EWING: Before the question is put, I desire—

THE SPEAKER: The hon. member cannot speak now.

THE MINISTER FOR WORKS: May I be allowed to add that it is my intention to move for the appointment of a select committee, after the second reading has been passed?

MR. MORAN: We propose to do that.

MR. NANSON: I asked for a select committee.

THE MINISTER FOR WORKS: I propose to move, immediately afterwards, that I may be discharged from the committee, in order that it may not be said I have exercised any sway whatever over its deliberations.



Question (second reading) put, and a division taken with the following result:—

Ayes	...	...	...	24
Noes	...	...	...	9

Majority for ... 15

AYES.

Mr. Diamond  
Mr. Foulkes  
Mr. Gardiner  
Mr. Gordon  
Mr. Gregory  
Mr. Hassell  
Mr. Hastie  
Mr. Hayward  
Mr. Hicks  
Mr. Holman  
Mr. Holmes  
Mr. Hutchison  
Mr. Illingworth  
Mr. James  
Mr. Kingsmill  
Mr. McDonald  
Mr. Monger  
Mr. Piessie  
Mr. Rason  
Mr. Reid  
Mr. Reside  
Mr. Throssell  
Mr. Yelverton  
Mr. Hingham (Teller).

NOES.

Mr. Butcher  
Mr. Doherty  
Mr. Moran  
Mr. Nanson  
Mr. Pigott  
Mr. Stone  
Mr. Taylor  
Mr. Thomas  
Mr. Jacoby (Teller).

Question thus passed.

Bill read a second time.

SELECT COMMITTEE.

**THE MINISTER FOR WORKS:** I move that the Bill be referred to a select committee, with power to call for persons and papers, to sit on days when the House stands adjourned, and to report—

**THE SPEAKER:** The hon. member had better move for powers after the committee has been appointed.

**MR. MORAN:** I shall be glad to know the reason for this undue haste on the part of the Minister for Railways, who has not even waited to move the appointment of a select committee until the House may have resumed its wonted aspect. [MR. GORDON interjected.] I suggest to the member for South Perth that he should betake himself to some place for which he is better suited than for a Legislative Assembly. I do like some point in interjections. It is a most extraordinary thing to find a member of a party, and a Minister to boot, so anxious to rise and move a motion which heaps contumely on the head of his own party and his own Government. Here we have a Minister of the Crown moving that a select committee be appointed to inquire into a Bill after he has given the House an explanation sufficient to insure the passing of the second reading. What will be the use of a select committee? I

wish to deal with the matter briefly. What can a select committee do? It cannot inquire into the length of the proposed line, because we know the length exactly. Its members cannot wish to inquire into the commencing or finishing point of that line, because both points are already fixed. I challenge the Premier to deny that the proposal to appoint a select committee was used as a means of avoiding defeat on a policy Bill in this House. Had the Government not undertaken to move for a select committee to inquire into their connection with this railway, and also their connection with the member for the South-West Mining District (Mr. Ewing), they would have been defeated in this House on their own policy Bill. There is no Ministry in Australia to-day, and there never has been a Ministry, which would allow the House to refer one of its policy Bills to a select committee to inquire into the motives actuating the Government in their introduction of the Bill and in their dealings with one of their supporters. Will the members of the select committee inquire into the conduct of the Government? Most decidedly they will; and for that reason the gentleman who, having moved the second reading of the measure, has just moved for the appointment of a select committee, says that immediately on its appointment he will ask to be discharged from the committee. Is it not childish on the part of the Minister to move for a select committee in such circumstances? No Government worthy of the name would allow a select committee to be forced on them by the Opposition.

**MR. ILLINGWORTH:** The member for Kanowna (Mr. Hastie) first suggested a select committee.

**MR. MORAN:** I disagree with the member for Cue (Mr. Illingworth). The leader of the Opposition, I say, was the first to suggest the appointment of a select committee. A reference to *Hansard* will prove the correctness of my assertion. If I maintained that the leader of this (Opposition) side of the House was the first to suggest the appointment of a select committee—

**MR. GORDON:** No one would believe you.

**MR. MORAN:** And if such were not the fact, surely I could be contradicted from the pages of *Hansard*. Is it not a

fact that from the Opposition side of the House there has come upon the Government what should never come upon any Government with any sense of decency or dignity? No Government worthy of the name would allow one of its policy Bills to be forced back into a select committee for the purpose of inquiry as to whether the Government acted from honest and right motives. I wish to come to this point. Every member knows that the Bill as introduced deceived the House. Let me say that the deception was unintentional on the part of the Minister who introduced the Bill. I must accept that hon. member's explanation, given in heart-felt tones. The special reason given for the extraordinary conduct of the hon. gentleman is that when moving the second reading he was suffering from a headache. In the interests of good government in Western Australia, let us hope and trust that no Minister will in future suffer from a splitting headache when moving the second reading of a Bill authorising the construction of a public work. Everybody knows this Bill was wrongly named. In the agreement with Mr. Walkeden, by which, and not by the plan, that gentleman was bound—the Minister carefully omitted to mention this—the terminal point of the line is directed to be 10 chains inside the Collie-Cardiff lease.

**THE MINISTER FOR WORKS:** No; it is not; "at least ten chains."

**MR. MORAN:** I am glad of the correction. The Minister for Works reminds me that the terminal point is to be at least 10 chains within the Collie-Cardiff lease. Is not the terminal point of the line now at least four or five chains outside the Collie-Cardiff leases?

**THE PREMIER:** Then it must be at least 10 chains.

**MR. MORAN:** The terminal point cannot be inside two different leases.

**THE PREMIER:** What if it were on the boundary of two leases?

**MR. MORAN:** If the terminal point were on the boundary of the two leases, the Minister would say so; but he knows it is not so.

**THE SPEAKER:** Will the hon. member address himself to the question of the appointment of a select committee? We are not going to have a second-reading speech on the Bill.

**MR. MORAN:** I am objecting strongly to the appointment of a select committee.

**THE SPEAKER:** I have not heard the hon. member say so.

**MR. MORAN:** I most emphatically and formally say now that I am giving my reasons for objecting to the appointment of a select committee. Every member knows that the Bill was intended to deceive the House; therefore no select committee is required to investigate that point. Every member knows that the Bill is wrongly named; therefore no select committee is required to settle that matter. Every member knows that the original intention was to construct a Collie to Collie-Boulder railway, and that now the intention is to construct a Collie to Collie-Cardiff railway; therefore inquiry by a select committee is not needed on that score. These are matters of policy. We have discussed the matter in the House in pursuance, as I maintain, of good parliamentary practice. After the explanation of the Minister for Works, the second reading has been carried; and with the member for the South-West Mining District (Mr. Ewing) we have nothing more to do. Every one knows that the Collie-Cardiff extension has been surreptitiously included in the Bill; therefore we do not want a select committee to settle that point. Every member knows that the Collie-Cardiff Company was let off its obligations *in toto*; therefore we do not want a select committee to inquire into that feature of the case, which the files of the Government departments make sufficiently plain. Every member now has done his duty with regard to the Bill, has discussed it at length, and has voted on the second reading. In the result, the action of the Government has been vindicated. That, I say, finishes the matter so far as the Government are concerned. They have gained their victory, no matter how uncomfortable they may feel about the business. I do not desire that the Government should inflict farther indignity on themselves by moving for the appointment of a select committee.

**MR. ILLINGWORTH:** Since when have you ceased to desire that?

**MR. MORAN:** The member for Cue knows that I never was in favour of the appointment of a select committee. The first time I spoke on the Bill I suggested—

MR. FOULKES: You forget that many members voted for the second reading on the understanding that the Bill would be referred to a select committee.

MR. MORAN: I am pleased to get that explanation from the member for Claremont. The hon. member says that if the Government had not given him to understand that a select committee would be appointed to inquire into the Bill he would have voted against the second reading. I doubt whether such a "slap in the face" has ever been administered to a responsible Ministry before. Here we have a Government supporter telling Ministers that if they had not promised to move for the appointment of a select committee to inquire into their conduct he would have voted against a Government policy Bill. What Ministry can rule a country in the face of such support? A Victorian Ministry went out of office yesterday because of defeat on a minor point. This Ministry of ours, however, cannot be induced by any means whatever to look on matters in a proper parliamentary light. Having succeeded in passing one of their policy Bills, Ministers now ask for the appointment of a select committee to go at length over the whole ground to ascertain the motives by which they were actuated. What the committee, however, cannot find out, what will never be found out, is how this Bill came to be introduced in its present form. We must accept the Minister's word that no undue influence was brought to bear by the member for the South-West Mining District to get the Collie-Cardiff extension built. The work of the select committee will be absolutely farcical. I shall conclude very shortly, because I do not want to be again accused of stonewalling. I want to be extra careful on that point. Now I wish to say that I believe any select committee which may be appointed will be so chosen as not to include members of the direct Opposition. I believe that neither the leader of the Opposition nor myself, who certainly have taken a leading part in the matter, will have a chance of appointment to the committee.

THE PREMIER: The leader of the Opposition himself has said that he would not sit on the select committee, and he has also said that no member who has

taken a prominent part in the discussion should be appointed to the committee.

MR. NANSON: No. I said, no member who had made charges. The member for West Perth (Mr. Moran) has made no charges.

MR. MORAN: I express the belief that the proposed select committee will not include myself. I was the first to take action in the matter, purely on political grounds, when the Minister moved the second reading. All along the line I went on constitutional and parliamentary procedure; and I say now that in accordance with constitutional and parliamentary procedure the matter should drop here. I do not for a moment believe that a select committee will throw any more light on the subject. I predict that the efforts of the select committee will be null and void. The committee will merely bring up a report whitewashing somebody, probably whitewashing the Government, and the matter will then be just where it was before.

THE PREMIER: The leader of the Opposition will be glad if it is as it was before.

MR. MORAN: My point is that I do not want this select committee, because it cannot whitewash the fault of the Government in the wrong procedure in bringing in this Bill. It cannot remove the fact that the House ought as a protest against this interference with the rights of the House to have sent the Bill back on the second reading, and have taught the Government not to come down to the House and introduce in 24 lines a Bill about which so much mystery evidently hung, since it requires a select committee. I want to impress upon the country that the Government are having a select committee to inquire into their own policy; not as to the route and the payability of the railway. You very often have select committees to decide the question of route or that of payability, but I never heard of a case of a select committee being appointed to inquire into what actuated the Government; whether they were honest or whether they were not honest. I submit this is the proper stand to take up in the matter.

MR. NANSON: I will not keep the House more than a minute or two. There is an old saying, "I fear the

Greeks when they come bearing gifts." I must confess that to some extent I fear the Government when they come to this House and ask for a select committee to inquire into their own scheme. It is an extraordinary position that when I had announced my own intention to move for the appointment of a select committee the Minister for Railways, knowing that fact perfectly well—it was said while he was in the House—with indecent haste, I do not hesitate to say, before members passed from this side to that side of the House, on voting on the division, should have risen in his place, and I very much believe he was out of order in doing so, and have moved for a select committee. At any rate, if he was not out of order he was straining the usages of the House to the utmost in moving for a select committee when I had already announced that it was my intention to move for such committee. I had at the very outset, when I first addressed myself to this subject, urged that a select committee should be appointed, and I said that at a later stage I was going to move for a select committee. Then, again, the action of the Government in moving for a select committee from their own side and by one of their own number, is of a piece with their conduct throughout the whole of this debate. They have attempted on every possible occasion to burk this question. They started off on the second reading-debate to do that, to give as little information as possible, and now they move for the selection of a select committee with the intention of keeping the appointment of that committee in their own hands. I cannot say I contemplate that select committee with perfect peace of mind. I know it was the intention originally to constitute that committee in such a manner that there should be no member of the direct Opposition upon it; and I believe at the present time it is the intention of the Government to keep off that committee every member who voted with the minority on the division to throw out the second reading. If the Government want a select committee of this kind to carry the fullest possible weight, it is essential there should be chosen on it at least one member who voted with the minority on this question. I do not care who that

member may be. As I have already stated, I do not wish to serve on the committee myself; and I do not think it advisable that any member who has been identified or who has been believed to have been identified in making charges against the member for the South-West Mining District should be on the committee—because I want it in that respect at any rate to be as judicial as possible—but if I am in order I should at least like to suggest to the Premier that with the majority he has behind him, he should allow one member who voted with the minority on this question to be on the select committee. The member I should like to indicate, if he is willing to serve on that committee, is my friend the member for West Perth (Mr. Moran). He has taken a prominent part in this debate, in no sense on personal grounds, but on high constitutional ground. I make this appeal to the Government not to flout public opinion farther in this matter; not to go farther in the indecent direction they have gone in moving for a select committee. If they are determined to have a select committee they should at least respect the minority to the extent of having one member of the minority who voted against the second reading.

THE PREMIER (Hon. Walter James): Outside this House I have said that I do not hold the leader of the Opposition responsible for all his political utterances. He suffers a good deal from political epilepsy, and I do not hold him responsible for his utterances to-night. I appeal to members of the House whether I have not, as leader of the House, endeavoured to be fair. I have never on any occasion asked members on this side of the House to vote solidly, and time after time members have criticised the members of the Government, and my conduct. I do not mind that at all; but the hon. member has the impudence, the canting impudence, to appeal to the Government—

MR. MORAN: Mr. Speaker, I rise to a point of order. I will ask your ruling as to whether it is parliamentary to use the words "canting impudence?"

THE SPEAKER: It is an improper observation to make, no doubt.

THE PREMIER: The hon. member, using not canting impudence, appeals to

us to appoint one out of the minority. The hon. member makes an appeal to try to mislead the public of this country; appealing to the lowest class of it. Before we came to a division on the second reading I went to the Opposition Whip and said, "Which two do you want on the committee?" and I suggested the member for West Perth myself. I will appeal to the member for the Swan (Mr. Jacoby). They did not want him, they said.

MR. NANSON: I was informed you objected to the hon. member.

THE PREMIER: I appeal to the member for the Swan. That was the position. Then the names of two other members came over here. After those two names a suggestion came over, "Will you consent to have the member for West Perth?" I at once replied that the leader of the Opposition himself had during the course of his remarks urged very strongly on the Government and that side of the House that on this committee there should not be any member who had taken an active part in this discussion. Will members remember that far the speech of the leader of the Opposition? Directly the leader of the Opposition said that, I at once said to the Minister for Works that although he moved for this, as I intimated some time ago, on the last day the discussion was on, he must not take a seat on the committee; that he must adopt the suggestion of the leader of the Opposition to keep off the committee any person who took an active part in the discussion, so that the committee should be formed of men not prominent in the discussion. I appeal to you, Mr. Speaker, in view of the knowledge of those facts which the hon. member had, has he the right to appeal to me as if I were using my majority in this House, the majority of the members who support me, for the purpose of crushing discussion? Has he the right to appeal to me—I won't say in a canting manner, because that is improper—but has he the right to appeal to me and say, "Please give us two members."

MR. NANSON: One member.

THE PREMIER: One member; when he knows we offered him two; when he knows we offered him a free choice.

MR. NANSON: I did not know anything of the kind.

THE PREMIER: You did know.

MR. NANSON: I rise to a point of order. The hon. member gives me the lie direct. I understood from the Opposition Whip that they objected to the member for West Perth being on the committee. I only asked for one member. There evidently is an unfortunate misunderstanding in this.

MR. MORAN: It is not my wish.

THE PREMIER: I have already stated the facts. May I read out the suggestion I made to that side of the House? "Mr. Moran and Mr. Piesse." Those are the two names I suggested to the leader of the Opposition; not now, but an hour ago.

MR. NANSON: Certainly not to me. This is the first I have heard of it.

THE PREMIER: I am not responsible for that. What I want to know is this. What right has the hon. member to get up in this House and base the whole of his remarks on the assumption that we (the Government) are going to tie the hands of the minority, and try to force unpopular men or undesirable men on this committee without asking a question?

MR. NANSON: I unhesitatingly withdraw those remarks. I was misinformed. I was given to understand that the hon. gentleman objected to the member for West Perth being on the committee. It seems I acted under a misapprehension, and therefore the proper course is to withdraw.

THE PREMIER: I am very sorry I should have got so warm in the matter, as there was a misapprehension.

MR. JACOBY: Perhaps I am somewhat to blame in this matter, owing to the hurry in which I have had to act without the knowledge of my leader in fixing this up. He was certainly right in the position he took up. He probably was not aware of every step negotiated with regard to the select committee. I have to say that the Premier did suggest that Mr. Moran should act. I understood that when he was withdrawing Mr. Moran's name he withdrew him under the wish of the leader of the Opposition, who had stated that he did not wish anybody who had taken a prominent part in the discussion to act upon the committee;

and that was the reason I believe why the Premier withdrew Mr. Moran's name. It was perhaps through my not conveying this fully to my hon. leader that the unfortunate misunderstanding has arisen.

THE PREMIER: I did not withdraw Mr. Moran's name.

MR. MORAN: No; it was a misunderstanding.

Question (that a select committee be appointed) put and passed.

Ballot taken, and a committee appointed comprising Mr. Foulkes, Mr. Harper, Mr. Hastie, Mr. Moran, also Mr. Rason as mover; with power to call for persons and papers, and to sit on days over which the House stands adjourned; to report this day fortnight.

[MR. ILLINGWORTH, as a deputy-Speaker, took the Chair a few minutes before the close of the sitting.]

#### ADJOURNMENT.

The House adjourned at 10.42 o'clock, until the next Tuesday.

### Legislative Assembly,

Tuesday, 16th September, 1902.

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

#### PRAYERS.

#### PAPER PRESENTED.

By the MINISTER FOR MINES: Residential areas (Williamstown) near Kalgoorlie, Return ordered on motion by Mr. Reside.

Ordered: To lie on the table.

#### LEAVE OF ABSENCE.

On motion by the PREMIER (in absence of Mr. Jacoby), leave of absence for one fortnight granted to the member for East Kimberley (Mr. Connor), on the ground of urgent private business.

#### RETURN—ATLAS BOILER FLUID, DIXON'S FLAKE GRAPHITE.

On motion by MR. RESIDE (Hannans), ordered: That there be laid upon the table a return, showing—1, The cost for the Atlas Boiler Fluid supplied for the 12 months ending 30th June, 1902, and the corresponding reduction in boiler repairs. 2, The composition of the Atlas Boiler Fluid. 3, The advantage that has followed from the introduction of Dixon's Flake Graphite into the Locomotive Branch, and the saving in oil effected.

#### PAPERS—RAILWAY CARS EXCHANGED (MIDLAND).

On motion by MR. ILLINGWORTH (in absence of Mr. Wallace), ordered: That all papers and correspondence relating to the sale or exchange of composite and lavatory cars between the Midland Railway Co. and the Government be laid on the table.

#### RETURN—TUART TIMBER.

On motion by MR. HAYWARD, ordered: That a return be laid upon the table, showing—1, The total quantity of tuart timber used by the Works and Railway Departments during the past two years. 2, The approximate quantity of available tuart timber now growing upon the Stirling Estate or other Government property.

#### FREMANTLE HARBOUR TRUST BILL. SECOND READING.

Debate resumed from the 2nd September.

MR. F. ILLINGWORTH (Cue): I am sorry to say this Bill is like some others that have been brought into the