

hardy horse on rich country. The animal must be hard-fed in rough country; and of such country this colony possessed immense areas. The motion did not refer to rich lands, but to poison lands and forests.

THE PREMIER: The poison would kill the horses.

MR. HARPER: That could easily be prevented; for it was only when reduced to great straits that horses ate the poison plants; and all this country could be profitably utilised if the military authorities concerned could be convinced that the required type of horse could be produced in the colony. In India and elsewhere, army officers were inquiring into the question; and if suitable lands were paddocked, and provision made for feeding stock at times when natural pasture was scarce, we could produce some of the best horses in the world, and could even utilise our wild breed, were the Imperial Government to supply the sires.

MR. WILSON: As the hon. member did not ask the Government to establish a grazing farm for breeding purposes, there could be no harm in passing the motion, with the amendment indicated by the Premier. He moved that the words "unsurpassed character of a large portion," in line 6, be struck out, and "suitable" inserted; that all the words after "endurance," in line 6, down to and inclusive of "colony," in line 9, be struck out; and that the words "with the view of furthering this object," in line 9, be also struck out.

MR. HARPER: Though agreeing to the amendments, he did not agree that the colony was not unsurpassed for this purpose, for all the evidence supported his view, and further confirmation was provided by the work done by our horses in the Transvaal war. The writer he had previously quoted stated:

The studs should be located, not on rich grass lands, but on rough, natural pastures; for horses to be hardy must be accustomed to poor living, and their digestions to a variety of rubbish, with corn only as a supplement. In most countries of the temperate zones such pastures are not difficult to find, and even sometimes in the tropics; but it is a good general rule that only such regions should be chosen for horse-breeding on any large scale, in which at some season of the year it is cold enough to make horses out of doors put on a strong winter coat.

This colony possessed all those conditions, together with breeders having the necessary experience.

Amendments (Mr. Wilson's) put and passed, and the motion as amended agreed to.

ADJOURNMENT.

The House adjourned at 7:16 o'clock, until the next day.

Legislative Council,

Thursday, 29th November, 1900.

Motion: Drunkards and Juvenile Criminals, Supervision—Motion: Timber Leasing, to Check (negated)—Railways Act Amendment Bill, first reading—Criminal Law Amendment Bill, first reading—Boulder Health Rate Validation Bill, first reading—Remedies of Creditors Amendment Bill, Recommendation, reported—Hampton Plains Railways Bill (private), second reading, division—Privilege (arising on previous Bill): Pecuniary Interest of a Member, to disallow vote; points of order—Industrial Conciliation and Arbitration Bill, Assembly's Message re Council's Amendments—Adjournment.

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

PRAYERS.

MOTION—DRUNKARDS AND JUVENILE CRIMINALS, SUPERVISION.

HON. J. M. SPEED (Metropolitan-Suburban) moved:

That, in the opinion of this House, the Government should initiate a measure dealing with the proper care and supervision of drunkards and juvenile criminals.

He said: I think this is a motion which will commend itself to all the members of this House. There is no doubt that in the past the Government of this country have been taking care of the country so far as concerns the making of railways and the spending of money on other public works, but I think there has been very little legislation of a social character. It is the duty of a country to see that the

men, women, and children are brought up and educated as far as possible in a respectable manner, so that they shall have self-respect and shall conduct themselves as reputable citizens. Under our present system the chief object of the Government of this country apparently has been to, if possible, form in the colony a criminal class. We all know that a certain percentage of men and women everywhere have criminal tendencies, and when we find no effort made by the Government to check such tendencies in any way, it is about time this House let the Government know its opinion on the subject. Anyone who goes into the Police Court in Perth as I have done on many occasions—and any lawyer in this Chamber will make the same statement—will feel disgusted to see the way in which men are brought up from time to time accused of drunkenness. The State itself in many instances is responsible for that drunkenness. I asked the Colonial Secretary several questions in connection with this matter, and the Government were cool enough to say, in reply, they were not aware of the state of affairs existing in this colony. The state of affairs which exists in Perth exists all through the colony. A man is brought before justices and put into gaol practically for being drunk, and nothing else. The State itself assisted to make these men drunk. Fifty per cent. of the profits directly and indirectly resulting from the sale of liquor goes into the coffers of the State, and then the State, after issuing licenses to sell liquor, turns round and says to a man, "Because you drink, we shall put you in gaol." Whom do these people consort with? Criminals. The Penal Commission made recommendations to the Government upon this matter, and two members of that commission who are in this House may speak strongly on the subject. The result of the present state of things is that the police force is increased here, and the whole social state of the country is not improved. I do not say that we could get an absolute remedy for drunkenness. We know that the habits of the people cannot be altered altogether by legislation, but we know also that those habits can be altered to a certain extent by legislation, and I believe that if the Government were to provide proper

reformatory—places to which men convicted of drunkenness could be sent, and also juvenile reformatory for youthful criminals—it would be a good thing for the country.

HON. D. MCKAY: Do away with the drink, and you have the cure.

HON. J. M. SPEED: It is all very well to say, "Do away with the drink," but we are not all like Mr. McKay, who can do without liquor of any kind at a pinch. We must take human nature as we find it, and we know that a certain percentage of men will drink. The difficulty is to prevent men with drinking habits from losing their self-respect. If a man does not lose his self-respect, whether he is the victim of drunkenness or any other habit, there is always a chance for him to recover himself and be a useful member of society. We kill the self-respect of men by putting them where persons have no self-respect. We put them in gaol as common criminals.

HON. C. E. DEMPSTER: They never get long sentences for being drunk.

HON. J. M. SPEED: It does not matter how long or how short the sentence is, there is no doubt as to the degradation of a man who is sent to gaol convicted of that offence. I was in Melbourne about 18 months ago, and a commission sat upon this important subject, but, so far as I could see, that commission brought in no useful legislation of any kind. I think Shakespeare has made the remark that "a rose by any other name would smell as sweet," but in my opinion there is a good deal in a name, and if a man were sent to a reformatory and not to a gaol, when that man came out he would not come out as a gaol bird, and there would be no stigma cast upon him by society and people who knew him, for they would feel that he was the victim of weakness and not a criminal. I think there is a great deal in that. If the State considers this from the monetary point of view—because I believe that is the objection—and bears in mind that it gets over 50 per cent. of the profits derived from the sale of liquor in the colony, it should recognise that it is its bounden duty to see that these men are properly protected from this weakness, and to reform them, if possible. Of course I know there is a far greater

question at the back of this, that being the question of either the nationalisation of the drink traffic or the total prohibition of the sale of liquor; but that is a subject that does not come within my motion. I think the House will support the motion I have brought forward. With regard to juvenile criminals, there is no doubt that in the more civilised countries of the old world juvenile crime is on the increase, and many of the leading statesmen in England and on the continent are seriously considering how they are to deal with this aspect of the social question. I believe that training ships and farms have been proposed as places to which these youthful criminals can be sent. If a State farm of that kind were started in this colony, or something of the sort done—places thus being provided to which these criminals could be sent—it would be then possible to educate these young men so that they may become useful members of society. Not only are these boys and girls useless to themselves at present, but they are a drag on the community, and they do harm wherever they happen to be; and if they had four or five years' work under proper supervision on a State farm or something of the kind, the result would be advantageous to the colony.

HON. A. JAMESON (Metropolitan-Suburban): I have pleasure in seconding the motion, and am glad to find myself entirely in accord with Mr. Speed. There is great need indeed for an Inebriates' Home in the colony. The question has come up several times, at all events before another place, and what the hon. member has pointed out is absolutely correct, namely that gaol is no place for drunkards or those who suffer from drink, because drink is entirely due in the great bulk of cases to some physical weakness, and such cases cannot be treated in an ordinary gaol. I should like to see this matter dealt with in a comprehensive manner; and the time must come, and that before very long, when a comprehensive system must be adopted of dealing with all such degenerates. We want, as we know, a new labour gaol, a new dépôt, an asylum, an industrial school, and an inebriates' home. All these and other institutions are wanted, and will require one thing, namely a very large supply of water. It is now known that in dealing with all

degenerates, as we call them in our profession, you require to have a large area of land for each institution; some two hundred acres or thereabouts, so that this land can be irrigated and the inmates given work for six or seven hours a day, for the real treatment is work on the soil. I should not like to see the matter taken up in a piecemeal fashion; and it may require half a million of money to carry out a comprehensive scheme such as I have indicated, with a large supply of water brought from the Darling Ranges.

HON. W. MALEY: All the water is going to be pumped to Coolgardie.

HON. A. JAMESON: We have an ample supply of water on the hills, and we are very well situated here for having a comprehensive scheme of the kind. We can perhaps carry out such a scheme better here than in any other part of Australia, because we have the Darling Ranges to collect our water, and on the alluvial flats it would be very easy to find sites of 200 or 300 acres, seeing that a great deal of the land is still in the hands of the Government. We have had the report of a select committee on our present Lunatic Asylum; and the Whibby Falls Asylum, which is a great deal too far away for its present purposes, might be used as a labour gaol or a labour establishment. I cannot call to mind throughout the whole of Europe at the present time, a large institution of the kind that is more than ten or fifteen miles from a great city. It would be no use our starting in a small way, except as part of a big scheme; and while it is said we are always suggesting Royal Commissions, I think a Royal Commission could go very well into the question of our charitable institutions, and ascertain what had better be done in the way of sites, and thus enter upon a comprehensive scheme which might take ten or twenty years to accomplish. It is no good going into a matter like this piecemeal, having one establishment here and another there, with no water supply; and I would point out that our industrial school at the present time is practically useless on that account. I heartily support this motion, and hope the Government will take this matter up as a portion of one great and comprehensive scheme.

THE COLONIAL SECRETARY (Hon. G. Randell): I was under the misapprehension that Mr. Speed did not intend to introduce the motion during this session of Parliament; and I think the way in which the hon. member has placed it before the House must impress hon. members with the necessity of considering this question in a future session. The hon. member appears to have been struck by the fact that certain things exist, which on all hands are admitted to be evils in our community, but he has not addressed himself to the way in which these evils can be obviated. He has not placed before us a well digested scheme with regard, at all events, to dealing with drunkards, and as for juvenile criminals, we already have some machinery for dealing with these. We have a reformatory establishment which has done very good work, and which is capable of doing a great deal more work.

HON. J. W. HACKETT: And doing it better.

THE COLONIAL SECRETARY: I do not know whether the hon. member is justified in saying that, if he is referring to the Rottneest establishment.

HON. J. W. HACKETT: I am not referring to the Rottneest establishment, but to the other one.

THE COLONIAL SECRETARY: The Rottneest establishment is the only reformatory we have, the other being an industrial school.

HON. J. W. HACKETT: The latter is in the nature of a reformatory.

THE COLONIAL SECRETARY: I was referring to the Rottneest reformatory, which is a place for criminals, whereas the Subiaco establishment is only for children who are neglected. If better work is not done at the Subiaco place, it is not the fault of the institution, but because of the site selected and the class of buildings erected. A more unfortunate selection could not have been made than the site for the Industrial School at Subiaco, and to make matters still worse, the building has been erected on the lower instead of the higher part, where a system of drainage could have been easily accomplished. Neither I nor any members of the House is responsible for that, the institution having been placed at Subiaco before I

took office; but I have no hesitation in saying a great mistake has been made on more than one point. The girls and boys are under one roof, though there is separation, and with strict supervision any evil results may perhaps be prevented; but there can be no question there should be separate institutions for boys and for girls, because what is suitable for girls is not suitable for boys; the latter of whom should be trained to industrial pursuits. In the latter direction we are making efforts, and I am pleased to say many of the children are exhibiting very considerable aptitude in learning various branches of useful handicraft. I believe it is usual, when legislation of this kind is desired, for an enthusiast in the cause to work up his case, inquire into the whole facts, and then present a scheme to the public. In these colonies possibly, where the Government are called on for everything, the scheme is presented to the Government; but the hon. member is asking the Government to fill a function for which they are not fitted.

HON. J. M. SPEED: Evidently.

THE COLONIAL SECRETARY: Most of these institutions are started and organised by persons outside the Government, and I am afraid in these colonies we ask the Government to do too much, there being many things the Government cannot do as well as private persons. I believe if this matter were taken up earnestly by persons like Dr. Jameson, who is a gentleman of scientific attainments and has given the matter some considerable study, good results probably would follow; but one is a little bit frightened when that gentleman is heard saying the scheme would cost something like half a million of money.

HON. A. JAMESON: Not for this proposal alone.

THE COLONIAL SECRETARY: But for the various institutions we need in the colony at the present time. It came into my mind as to whether Dr. Jameson would suggest the money be borrowed for this purpose, but I think the hon. member is too good an economist to suggest such a thing. That there is an evil amongst us, there is no question, and some steps should be taken by philanthropists and scientific gentlemen or ladies who have inclinations in this direc-

tion, because I believe such efforts would result in much good. The initiation of such institutions of the kind, for the reclamation of drunkards, should be undertaken by private persons, and all they should think of asking for is assistance from the Government, when they have prepared a well considered and matured plan. I did expect Mr. Speed, if he brought forward this motion, to give us some facts on which he based his desire, and that he would show it is desirable the Government should undertake the work; but I think he has failed to do so, and that indicates to me the hon. member has no well-defined plan in his mind, such as to induce hon. members to enter on such a scheme. Speaking for myself, and not for the Government, I think it would be undesirable to ask the Government to take any steps in the direction, especially with regard to drunkards. As I have already said, provision has been made for the reclamation of juvenile offenders in the direction of giving instruction to them and making them useful members of society, and these efforts should be continued, and are a matter in which the Government must of necessity take part. These children are committed by the magistrates to prison for some criminal act, and it is the duty of the Government to do what they can to provide opportunities for instructing them in some useful avocation. I am not prepared to say Rottnest is the best place for this purpose, though there is one thing in favour of that institution, namely, that active juvenile criminals cannot escape very easily as they could on the mainland, however stringent the guardianship, or however high the walls by which they are enclosed. As to the Lunatic Asylum, I am one of those who selected the present site, after a great deal of trouble, inquiry, and research, and we took the present site as the best offered to the committee of that day, although we would have preferred to be nearer Perth. We were offered one site on the Swan River, between Perth and Guildford, but it was infinitely inferior to Whitby Falls, and the price was enormous. My own idea is that Whitby Falls is an ideal position, where there might cluster round the present asylum institutions which the Government have to maintain.

HON. J. W. HACKETT: Then you do not agree with the doctors' report?

THE COLONIAL SECRETARY: I do not agree with Dr. Tratman, although I have the highest respect for him.

HON. J. W. HACKETT: I am speaking of the report of both doctors.

THE COLONIAL SECRETARY: In such a matter I regard my own judgment as just as good as that of Dr. Tratman. As to the question of administration, the administrator should be resident on the spot, and we have a train service which will no doubt be made better. The institution will be in communication by telegraph and telephone with Perth, and it strikes me, as a business man of common sense, that there will be no difficulty in administering the affairs of the asylum under such circumstances as these.

HON. J. W. HACKETT: Those are not the objections raised.

THE COLONIAL SECRETARY: I have read the report, and I understood those were the objections.

HON. J. W. HACKETT: But those were not the objections.

THE COLONIAL SECRETARY: What were the objections?

HON. J. W. HACKETT: The recreation of patients, recreation of the attendants, and such like.

THE COLONIAL SECRETARY: I saw one sentence of the report, in reference to the light; and if there is not enough light at Jarrahdale, then I do not know where there is light. There is plenty of light, plenty of water, and everything suitable for an asylum. I do not know how far the New Barnet Asylum would have these conditions; but that asylum is a considerable distance from London, and was formerly known as the Colney Hatch Asylum.

HON. J. W. HACKETT: There is a population around that five times the population of Australia.

THE COLONIAL SECRETARY: It has grown round it since the asylum was built. We have a large area of ground at Whitby Falls—magnificent soil; and the work of the inmates has more than paid the expenses of the place. This is an indication that a good selection has been made.

HON. J. M. SPEED: A good selection of madmen?

THE COLONIAL SECRETARY: A good selection of ground—the site which has proved very suitable for the profitable employment of the inmates. But all the inmates cannot be employed.

HON. J. W. HACKETT: It practically makes the place a gaol.

THE COLONIAL SECRETARY: An asylum naturally partakes of the nature of a gaol. People are incarcerated and kept there; therefore a lunatic asylum must partake of the character more or less of a gaol.

HON. J. W. HACKETT: The old idea.

THE COLONIAL SECRETARY: It is well understood that every provision must be made to prevent the escape of lunatics from an asylum. We read occasionally of escapes taking place in the old country and in other places, and of disastrous results following; therefore it is absolutely necessary there shall be provision for the safe keeping of the people committed to this asylum. But I have been digressing; it is entirely owing to what Dr. Jameson said. I am certain that the site was not hastily chosen, and it is the most suitable site for the profitable employment of the inmates that can be obtained close to the city of Perth. I do not know why the asylum should be close to the city of Perth.

HON. J. W. HACKETT: Not if it is to be a gaol.

THE COLONIAL SECRETARY: The hon. member's ideas are novel and impracticable: I say that with a certain amount of confidence. If the hon. member wishes to place an asylum down on a piece of sand, he will make a great mistake; and if the hon. member were responsible for having the asylum brought near the city of Perth and lunatics escaped from the asylum, then the hon. member would have the curses of the community on him in a very short time. I say, without any hesitation whatever, that the site selected was a good one, not because I was one of those who selected the site, but because I have made repeated visits to the institution and have looked into the whole of the circumstances of the case. No such site could have been obtained within a reasonable distance of Perth. I will say no more on the motion at the present time,

but when opportunity offers I can say a good deal more. I think the judgment of the House is entirely opposed to an abstract motion of this kind, unless the hon. member can place before the House some good reasons why the Government should go into the matter. In the first place, the matter should be gone into by scientific gentlemen, who could arrange a plan, and then the assistance of the Government be asked for.

HON. J. M. SPEED (in reply): We all have a high opinion of the Colonial Secretary's philanthropy and goodwill towards men, but I still think it is the duty of the Government to look after the social welfare of the people as well as to give them railway facilities. I did not give any statistics when I moved the motion, because anyone who goes to a justice of the peace can easily find out how those people are treated. As to juvenile criminals, there is no provision for boys or youths below the age of 16. Mr. Roe, the magistrate of Perth, has complained to me on many occasions that he cannot deal with juvenile criminals as he would like, because there is no way of dealing with them; and the report of the Penal Commission bears that out. I still think the Government should take these matters in hand. The Government are able to obtain the necessary information, whereas a private individual cannot. The Government could collect all the information necessary, and although they need not go to the extent proposed by Dr. Jameson, they could make a start with a project of this kind, and that is the principal part. Once a start is made on a proper basis, good progress will be made, and the half million of money which has been spoken of, in a few years time, would appear as nothing. Efforts should be made by the Government or the community to alleviate the position of drunkards and juvenile offenders. This is a matter that the House can fairly be in favour of. It is not forced on the Government; the motion simply suggests to the Government the advisability of going in for this kind of legislation, and I believe it is the tendency in all the colonies to go in for legislation of this character, and I hope such legislation will be successful wherever initiated.

Question put and passed.

MOTION—TIMBER LEASING, TO
CHECK.

HON. J. M. SPEED (Metropolitan-Suburban): I beg to move:

That, in the opinion of this House, the Government should grant no further timber leases or concessions.

I do not intend to move the latter part of the motion of which notice was given, which is "and that the Government should make provision for the erection of mills for cutting timber," and I do that because the facts which have been furnished to me in connection with the matter deal more particularly with the first portion of the motion. There have been a large number of leases and concessions granted already to companies, and very little work is being done, or is likely to be done, at the present time on these leases. We know what a heritage the timber is to this country. We find that in all the colonies the timber is cutting out, and a large sum of money is now being spent for renovating the forests. Owing to the manner in which the timber has been cut out in the other colonies it is better that we should be careful in the beginning rather than find in 30 or 40 years' time, or in the next generation, that we stand in exactly the same position that South Australia and New Zealand find themselves in to-day. In those colonies the Governments have to spend hundreds and thousands of pounds to renew their forests. With regard to the timber which is being cut at the present time, I do not know whether members are aware of it, but I am told that 60 per cent. of the timber which is being cut is being burnt at the mill. That is the real position of affairs.

HON. M. L. MOSS: At the present time?

HON. J. M. SPEED: At the present time the mills are cutting three inch by nine inch blocks to send to the English market, and all the rest of the timber is thrown to waste.

HON. M. L. MOSS: How will your motion stop that?

HON. J. M. SPEED: It can be prevented in the future. A mistake has been made which the Government cannot very well undo, but when we find a mistake has been made, it need not become a continuing one. I believe the timber industry in the future will be equal to the gold-mining industry, and there is no reason

why it should not be. The timber renews itself in this country every 40 or 50 years if it is properly conserved, and we have a class of timber which is peculiar to this country; a similar class of timber cannot be obtained anywhere else in the world. There is another reason why the timber should be conserved. The companies are sending home karri and selling it in the London market as jarrah.

HON. M. L. MOSS: Your motion will not get over that.

HON. J. M. SPEED: It will prevent timber country being taken up in the future and the same thing being done. But the Government are granting leases and concessions while the companies are doing the country a great deal of harm. We must be careful how we deal with the timber industry in the future. A large area of the country has already been granted to lessees and concessionaires, and these men are using the timber in a way it should not be used. It behoves us to be careful what we shall do with the rest of the reserves, and how we shall give away rights to other people to cut this timber.

HON. C. E. DEMPSTER: They pay for their leases.

HON. J. M. SPEED: They pay for their leases; at the same time the country is losing profit from the timber which it should be getting. If this timber is preserved it will increase in value, and as I have said before, the timber is peculiar to this country; it cannot be got elsewhere. Every year improves the timber if it is properly looked after. If it is the best timber available for woodblocking, is it not right that we should preserve the timber for the future for this purpose? If companies like to waste their timber that has nothing to do with us; we cannot interfere with existing agreements; but because we have been foolish in the past that is no reason why we should be foolish in the future.

HON. A. JAMESON (Metropolitan-Suburban): I have pleasure in seconding the first portion of the motion, but I cannot support the second.

HON. C. SOMMERS: That has been withdrawn.

HON. A. JAMESON: In regard to future leases, I think the motion would be desirable, for undoubtedly the waste of timber at the present time is enormous.

I visited some of the mills recently and I noticed the waste that was going on. In the future, leases should be granted subject to some kind of inspection. So far a great deal has been done to preserve the timber of the country, and I think it would be inadvisable at the present time to grant any future timber leases or concessions until the matter has been thoroughly gone into to see what conditions should attach to the granting of leases, so that there will be no waste in the future. From that point of view I support the motion.

HON. M. L. MOSS (West): The hon. member who has moved this exceedingly important motion has certainly given the House very little material, if he desires for one moment the votes of a majority of members. This motion contains within its four corners a provision which, if carried into operation, would have the effect of building up a very huge monopoly in this colony.

HON. J. M. SPEED: We have one now.

HON. G. BELLINGHAM: Why increase it?

HON. M. L. MOSS: If there are monopolies, it is to be hoped they will be hedged round with such conditions that the public interest will be sufficiently safeguarded. Were this motion agreed to, not only would it have the effect of increasing the price of timber, but before long those who have concessions in the colony would join in rings to put their property in the market, and this country in return would get an exceedingly bad name. I do not see how, if this motion be carried into effect, it will result in accomplishing a saving of 60 per cent. of the timber, which at the present time, according to the hon. member, is being wasted. The timber on this area, just like any other product, will be used by those who possess these areas to the very best commercial advantage. People do not employ their machinery or embark on the expenditure necessary to pay large wages without the raw material which comes off the land being applied to the very best commercial advantage. If 60 per cent. is wasted, then the remaining 40 per cent. brings a sufficient recompense to enable the holders to pay sinking fund on the capital embarked on the industries, and a fair amount of interest on the money, until that capital

is repaid. The hon. member has told us there are large areas which are not being worked. That to my mind is detrimental to the country. Whether an area be an auriferous area, a timber area, or an area taken up for agricultural or pastoral purposes, it is the duty of the country to see that the land is applied to the legitimate purpose for which it was taken up. And if regulations could be framed to compel those who take up those areas of land to work them legitimately for the purpose for which they were granted, I should be prepared to give my hearty concurrence to a measure having that object in view. If the Land Act at present does not enable these regulations to be made, amending legislation could be passed compelling those people to work these areas in a *bona fide* manner, exactly in the same way as persons taking up land for mining purposes are compelled to use the land for mining. I am prepared to support any step to achieve that end, but I am not prepared to support the hon. member in doing anything which would enable people to build up a huge monopoly. I think monopolies are the curse of this country. In moving this motion, the hon. member has not brought forward any arguments in support of it. The hon. member says karri is being passed off for jarrah in the old country, and this is doing an injury to Western Australia. This motion is not going to prevent that. If the hon. member had made some proposal whereby persons engaged in the cutting of karri should be compelled to brand that wood in a particular way, so that when it got outside the bounds of this country persons would know they were purchasing karri—

HON. J. M. SPEED: Brand every block?

HON. M. L. MOSS: Yes. Particularly in the case of timber from the Baltic will you find that every stick is branded. If a real injury is being done to the country, it is the duty of the Government to step in and demand that people shall brand all this timber, so that karri shall not be passed off as jarrah.

HON. J. W. HACKETT: That was recommended by a select committee of this House years ago.

HON. M. L. MOSS: It was a sensible suggestion; but does the hon. member's motion assist the country in that respect? This motion falls very far short of being

a remedy to prevent karri from being passed off as jarrah. Again, the motion of the hon. member simply means that those persons who are engaged in the timber industry of this country, and are fortunate enough to have concessions at the present time, would, if this motion were carried into effect—and if it were passed no doubt it would be put into operation by the Government—build up a huger monopoly than exists at the present time. I am not prepared to support that. The hon. member tells us we have been very foolish in the past in having granted these areas. I had some opportunity of going through the country and judging of what the effect of granting these areas has been ; and if the employment of thousands of men in the country is a foolish policy, then I say the granting of these timber areas has been productive of that. One has only to travel from here to Bunbury, and he will find that at Yarloop and Wooloolah there are large timber stations employing, I think I may say, thousands of men ; close upon two thousand, at any rate.

HON. E. McLARTY: More than that.

HON. M. L. MOSS: Those people settled on the land between here and Bunbury, and who have embarked on agricultural and pastoral pursuits, will say that the granting of these areas has been productive of incalculable advantage to this country. If that is another of the arguments the hon. member brings forward with the idea of getting the House to agree to the motion, I cannot see how the one thing has any connection with the other. I strongly urge upon the House not to give their assent to a motion of this kind, for if this motion be granted, it will be exceedingly injurious. If I did not know the hon. member as well as I do I should certainly have imagined that somebody must have been prodding him behind with the idea of getting him to gull the House with a motion of this kind. Knowing Mr. Speed as I do, I think he has been actuated by a good motive in moving this motion, but he certainly has produced no argument to weigh with me, and I do not think he has satisfied hon. members on the point.

HON. E. McLARTY (South-West): In regard to the concessions held by

companies, and not worked, I am not aware that there are many in the colony at the present time. Some of those which have been held and not worked have been held under exceptional circumstances. I know one concession which was taken up at, I believe, a rental of something like £1,000 a year. That amount has been paid to the Government for years, yet it is utterly impossible to work that concession without railway communication. When that concession was taken up the Government had made a survey through that particular forest, and it was expected that a railway would be constructed almost immediately. In the face of that, land was taken up, and it has been a very hard case for the syndicate, for although they have paid thousands of pounds, they have never been able to take one tree off the land. The country has had the benefit of the granting of that concession, while the company has not been reimbursed to the extent of a shilling. Members must remember that if these concessions are held and not worked, the country is really gaining by that, and has nothing to lose, because the Government are getting the rental all the same. As soon as the company ceases paying the rental, the concession must lapse, and therefore it will be the company that will lose.

HON. M. L. MOSS: It is dummying the country to a certain extent.

HON. E. McLARTY: I think some of the companies are to be sympathised with, because they have been misled in taking up the land. I know that in one instance any amount of capital was available to work the concession on a very large scale indeed, but the company have not been able to do so. The Government would not allow the company to put down a railway themselves. The Government had made a survey and said they were going to build a line, but they never did so, and the timber still remains there. Of course it is a matter of great regret that such an enormous amount of the timber of the country is being consumed by fire, and not turned to any account. Still, you must consider that those men who embark on that industry are the best judges. If they could turn that timber to better account, and not burn it, the matter would receive their careful consideration.

They would not burn the timber if it could be turned to profitable account. Another gain the colony gets, which is altogether underestimated, and that is the employment given in these timber mills. Were the mills shut down from any cause, that would be a disaster to the country, for thousands of men would be thrown out of employment, and the railway would find very little to do. It is very difficult to estimate the value of one of those large timber stations. The timber industry affords a great impetus to agriculture, horticulture, and all other industries for miles round. It employs teams belonging to farmers when those teams are not employed on the farms; and, as I say, every other industry is benefited. The country receives a very large return for timber concessions it gives away, and although, as I said before, it is a matter of regret that so much of the timber is burned, the difficulty is one that cannot be overcome at present. I am quite in accord with Mr. Moss. I certainly shall not give the motion my support.

HON. C. E. DEMPSTER (East): I have not the slightest doubt the mover or this motion has brought it forward in the firm belief that he is taking a step in the right direction, but I cannot see that any good would emanate from it at all. In the first place, what sane man would embark on the timber industry, and go to an enormous expenditure in starting mills and obtaining all the necessary appliances, unless he could secure a lease of sufficient timber to enable him to work for some years after he had started? If further concessions were stopped, it would simply mean that you would have no further competition, and that would be a very great drawback. I have great sympathy for those who have embarked on the timber industry, for they have done an immense amount of good. They have brought our timbers under the notice of the whole world, and many people have made their fortunes. A great amount of good has been done to this colony by creating a large demand for the timber, and by affording employment to hundreds who would not otherwise have been employed. I do not think we in any way envy these people the concessions made to them in order to induce them in the first instance to embark on

this industry. It would be very unwise to take a step in the direction indicated, and I hope the House will not see any necessity to do so. Some allusion was made, and doubtless there is a great amount of justice in it, to the immense amount of timber that is wasted, being actually burnt at the mill. Is it reasonable, however, to suppose that the proprietors of those mills would burn timber, if they could convert it into a marketable article in any way? I have seen some sawmills where they could get a market for almost all the timber they could cut up, converting some into shingles and so forth; and I am quite sure the motion is a mistake and could not bring about any good.

HON. J. M. SPEED (in reply): As Mr. Moss knows, I am not in favour of monopolies, and the intention of the motion is to prevent any further concessions being given. If such a monopoly as he suggests were likely to eventuate there would be only one result, namely, the nationalisation of the balance of the timber.

HON. M. L. MOSS: That is impracticable.

HON. J. M. SPEED: It may be impracticable in the hon. member's opinion, but there are countries where the timber traffic is nationalised. We must give every credit to the mill-owners of the past for the industry they have established, and I do not wish to injure them in any way, because they have done incalculable good to the country. It must be remembered, however, that they run the business for profit, whereas there would be no necessity for the State to do that, and I think it would be far better for the country if the State did run the industry. There is no reason why the Government should not impose conditions as to branding timber and so on, so that proper timber may be sold. I believe the Government have ample power to make regulations to that effect, and I trust they will be able to see their way to do so after the discussion this evening, because I hear on good authority that the name of the colony is not in good repute in London, owing to the fact that a large amount of karri had been sold there under the name of jarrah.

HON. J. W. HACKETT: A very long time ago.

HON. J. M. SPEED: No; within the last two months. I was told so by a gentleman who had arrived from home.

Question put and negatived.

RAILWAYS ACT AMENDMENT BILL.

Received from the Legislative Assembly, and, on motion by the COLONIAL SECRETARY, read a first time.

CRIMINAL LAW AMENDMENT BILL.

[AGE OF CONSENT.]

Received from the Legislative Assembly, and, on motion by the COLONIAL SECRETARY, read a first time.

BOULDER HEALTH RATES VALIDATION BILL.

Received from the Legislative Assembly, and, on motion by the COLONIAL SECRETARY, read a first time.

REMEDIES OF CREDITORS ACT AMENDMENT BILL.

RECOMMITTAL.

Bill recommitted, on motion by the COLONIAL SECRETARY.

THE COLONIAL SECRETARY moved that the title of the Bill be amended by adding the words "as to interest on judgments."

Amendment put and passed.

Bill reported with an amendment, and the report adopted.

HAMPTON PLAINS RAILWAY BILL (PRIVATE).

SECOND READING.

HON. R. S. HAYNES (Central), in moving the second reading, said: This Bill, which has come from the Legislative Assembly, was by that House referred to a select committee, a member of which was the late Commissioner of Railways (Mr. Piesse), and the measure was approved by both the committee and the Assembly. The preamble sets forth that the company is desirous of constructing and maintaining a railway from Lake Side, on the Boulder Railway line through Wollubar to the southern boundary of the Hampton Plains block. The Hampton Plains Company own a large tract of land in the vicinity, and the Government railway runs as far as Lake Side, which is nine miles from the boundary of the Hampton Plains Estate. The company

propose to construct a line from Lake Side Station through Crown lands on to their own lands for a distance of 27 or 28 miles; and the object of the line is one which will engage the attention of the country sooner or later, namely, to supply the mines in the district of Kalgoorlie with timber. The timber question in that locality is assuming serious proportions, and it is proposed to run this line into a well-timbered district. In addition, on the estate mines are working, and the persons who are interested in those mines cannot get machinery to their places without considerable expense. The chief object in a private Bill is to prove the preamble before a select committee, and the committee in this case reported that the preamble was proved, and that it was expedient the company should be authorised to construct the line. By Clause 2 power is given to the company to construct a line from Lakeside Station on to their property and through their own property. There is a provision that the land taken shall be three chains in width; the material used in construction is to be sound and good, and approved by the Government. The rails will have to be passed by the Commissioner of Railways, and provision is made for taking land where it is necessary. By Clause 4 power is vested in the undertakers similar to that vested in the Commissioner of Railways. By Clause 5 the company may exercise certain powers with the consent of the Commissioner of Railways, and then by Clause 6 the company is authorised to run steam engines along their lines, and they may deviate one mile on either side from the line as described in the schedule. The company may take Crown lands required for the railway. The owner of any mine under the railway must satisfy the Commissioner that the working of the mine will not interfere with the safety of the railway. That is one of the provisions that applies to mining on Government lands. The Commissioner of Railways may enter and inspect the workings of the line, and the company are bound to repair any portion of the line when the Commissioner or his officers inspecting the line should find that repairs are necessary. The Commissioner may require means to be adopted for the safety of the railway, which is a very salutary provision in the

interests of the public. The Commissioner has running powers over the line, which is provided by Clause 10, which says:—

If, at any time after the completion of the railway, the Commissioner desires to forward or convey any trains, rolling-stock, goods, live stock, parcels, mails, or passenger traffic along or over the railway, the company shall afford all reasonable facilities for enabling the Commissioners to receive, forward, convey, and deliver such trains, rolling-stock, goods, live stock, parcels, mails, and passenger traffic without any unreasonable delay.

The terms upon which any of the facilities mentioned herein shall be afforded may be mutually agreed upon between the company and the Commissioners; but if such terms cannot be agreed upon, or if any dispute or difference arises with respect thereto, the same shall be settled by arbitration, in accordance with the provisions of the Arbitration Act, 1895.

So that the Commissioner has absolute power to run engines over the line, and the terms for running are to be settled by arbitration, if they cannot be mutually agreed upon. The company may enter into an agreement with the Commissioner for the carriage of goods, and the Commissioner may prohibit traffic over the line when the line is not safe. That is a point in the interests of the public. The line is to be kept open and worked, and the company under sub-clause 4 of Clause 13 is not to show any partiality to any person or kind of traffic. If the company fail to comply with Clause 13, the Commissioner may take possession, seize and use the line, and appropriate the receipts and profits. By Clause 15 the company shall carry upon the railway such persons and mails that the Commissioner may require to be carried on public service, and on terms to be fixed by the Commissioner. Provision is made for members of Parliament to travel over the line and to have the same privileges which they enjoy over the Government railways. Clause 16 is a novel clause, and it is in the interests of the public. It says:

The Commissioner, with the approval of the Governor, may, at any time after the completion of the railway, upon giving the company twelve calendar months' notice in writing, require the company to sell, and thereupon the company shall sell to the Government the railway upon the terms of payment by the Government to the company of the then value thereof; such value, in case of difference, to be ascertained by arbitration according to the

provisions of the Arbitration Act, 1895. But the value of the railway, inclusive of the land, for the purposes of this section shall not, under any circumstances, be taken to be more than two thousand pounds per mile.

Whenever any such sale is made to the Government, the railway shall vest in the Commissioner as fully and effectually to all intents and purposes as if the same had been transferred and conveyed to him by the company; but, nevertheless, the Commissioner may, if he thinks fit, demand a transfer or conveyance thereof, and the company shall thereupon execute the same.

That is a clause which absolutely safeguards the interests of the public. The Government may purchase the line at a price of £2,000 per mile. I am informed that on no conditions can the railway be built for £2,000 per mile, and the railway has to be kept in order. If the venture turns out successful in the interests of the company the Government have the right to purchase it at £2,000 per mile; that is on giving twelve months' notice. The company is in this position: having once built the line, they have a one-sided contract which is all in favour of the public. I consider that clause safeguards the interests of the public thoroughly. A deposit also has to be put up. I need not labour the question. The company undertake to construct the line at a cost of about £40,000; that is, I think, the estimate.

HON. J. E. RICHARDSON: What is the distance?

HON. R. S. HAYNES: The distance is 27 miles 4 chains. The cost of construction is about £40,000; that is without rails. The earthworks are to cost £6,000, the sleepers £5,700, station buildings and road approaches £2,000, ballast £6,000, and the wages of 100 men for twelve months £20,000, making a total of £39,700. I do not know that I need say much more, but I may point out that the construction of this line will necessitate the employment of 100 men at a weekly wage of about £4 each, and the employment of that number of men and the distribution of £400 a week in wages will go far to assist the people in developing the country. The object of the measure is to facilitate the settlement of their own lands and also to supply fuel for the mines. These I submit are sufficient grounds to warrant the House in passing the measure. I do not know that there is any objection to be raised

against it, but I understand that some members will speak against the measure. There may be some little jealousy between Coolgardie and Kalgoorlie, but I hope members will not press that too far. There is a spirit of rivalry between the two places, and I am glad it exists, because where there is no rivalry there is no progress. The Coolgardie people would no doubt like the line started from Coolgardie and go on to the Hampton Plains Estate.

HON. C. SOMMERS: We do not want it to Hampton Plains at all, we want it to Norseman.

HON. R. S. HAYNES: I understand the people of Coolgardie want a railway to Norseman, but I desire to expressly inform the House that this proposed line in no way forms part of a railway from Kalgoorlie to Norseman. The point where this railway leaves off is distant 130 miles from Norseman, and I believe it is only 120 miles from Coolgardie to Norseman. So that no one would think of constructing a line to Norseman from the point where this line will end.

HON. J. T. GLOWREY: How do you know it is 130 miles?

HON. R. S. HAYNES: I am speaking after making inquiries, and the maps of the route are on the table. I have made inquiries and have satisfied myself that the figures are correct.

HON. D. MCKAY: Will the £2,000 include rolling-stock?

HON. R. S. HAYNES: No; neither will the £2,000 to be paid by the Government include the purchase of the rolling-stock. I may again repeat that this line in no way affects the line from Coolgardie to Norseman. This House which next year will be the same as now, is scarcely likely to depart from the resolution which was passed this session, that a line of railway should not be constructed from Coolgardie to Norseman. This House passed that resolution unanimously, and it is not likely that twelve months hence members will go against that decision. The Chamber of Mines of Kalgoorlie, which is an incorporated society and is said to represent the whole mining industry of the colony —

HON. J. T. GLOWREY: You disputed that.

HON. R. S. HAYNES: I did not. It was another point that I disputed the other night. In this case the Kalgoorlie Chamber of Mines passed a resolution "That this chamber write to the Premier urging that the railway concession asked for by the Hampton Plains Estate, Limited, be granted, as it will aid and develop the mining industry, and subsequently enrich the goldfields and the colony." The Kalgoorlie Roads Board, a local authority, have passed this resolution:—"That this Board indorses the application of the Hampton Plains Estate Company, and promises its support in any way possible to facilitate the passing of the Bill in the House, believing as a body that the line will be of benefit to their constituents."

HON. C. SOMMERS: That board has only 400 constituents.

HON. R. S. HAYNES: I hope the hon. member will not decry this resolution. I do not dispute the fact as to how many ratepayers there are on the roll. I now come to the next one. The Mine Managers' Association of Western Australia, which is a Kalgoorlie body —

HON. J. T. GLOWREY: Who are they?

HON. R. S. HAYNES: The hon. member ought to know his constituents. It is an incorporated society.

HON. J. T. GLOWREY: Where is its head office?

HON. R. S. HAYNES: At Kalgoorlie. A resolution was passed by that body "That this Association ask the Government to grant to the Hampton Plains Estate powers to construct a railway line from the Lakeside to their property, so as to open up a large field for the supply of mining timber, firewood, and water, and assist the many small mines in that district." Who are better able than the mine managers to understand the necessity which exists for the supply of timber to the gold mines. These local authorities are unanimous in asking for this line.

HON. D. MCKAY: Is the timber on Government land?

HON. R. S. HAYNES: On private land.

HON. D. MCKAY: And the mines?

HON. R. S. HAYNES: They are at Kalgoorlie. There are some mines on the Hampton Plains Estate, but the line chiefly affects Feysville. This line runs

within a mile or a mile and a quarter of Feysville.

HON. G. BELLINGHAM: There are not a dozen mines at Feysville.

HON. R. S. HAYNES: That is the main argument I am using. If the line is constructed there will be hundreds. There are no means of communication, and I have heard that Feysville is a very rich and promising field.

A MEMBER: Low-grade ores.

HON. R. S. HAYNES: There should be facilities offered for getting the water, but chiefly the line is required for supplying timber to the mines.

HON. J. W. HACKETT: Pure philanthropy.

HON. R. S. HAYNES: No; the company are making a bargain. They say "Timber is wanted for the mines, and we have got the timber: we want to make a bargain that will do us good and the mining industry too." It is purely a matter of business. In addition the company are constructing a railway line for the benefit of the colony, but for their own benefit chiefly.

HON. J. E. RICHARDSON: It will not cost the colony anything?

HON. R. S. HAYNES: Not in the end and not at the outset. If members can show me how it will cost the country a penny they are wiser than I. I cannot see what objections there can be to the measure, and I leave it to the good sense of the House. I take it members are prepared to support the Bill and pass it.

HON. F. WHITCOMBE (Central): I second the motion.

HON. T. F. O. BRIMAGE (South): I beg to oppose this measure, for the simple reason that it is another case of introducing private enterprise into Western Australia in regard to railways. I certainly think that the railways should be constructed by the Government. Not long ago we had a big discussion here with regard to a timber line Bill by Mr. Jobson. This is another of those lines.

HON. F. WHITCOMBE: This is not a tramway.

HON. T. F. O. BRIMAGE: No; a railway. It was urged that the line would compete with people cutting wood along the Government line, and also compete with the Government line for the carriage of firewood. Some time ago I introduced a measure for the construction of a line

25 miles from Coolgardie towards Norseman. Had that been passed by another place it would have given sufficient timber to Kalgoorlie for the next two or three years. I cannot help agreeing with Mr. Haynes that the Kalgoorlie mines require timber, and an extensive amount of it; but there is no doubt this railway from Lakeside to the Hampton Plains would be inimical to the interests of Western Australia. I certainly feel that all railway construction should be carried out by the Government. Moreover, there is no necessity for this line at the present time. In future it may be necessary, and when that period arrives the railway should be constructed.

HON. G. BELLINGHAM (South): I rise to oppose this Bill. In the first place, I am against the construction of private railways. This colony has had very serious experience of private railways, and more particularly on the Great Southern line.

HON. F. WHITCOMBE: Quite different; that was a land-grant railway.

HON. G. BELLINGHAM: I refer to the Great Southern line, and also to the Midland line, which the Government have had to buy at a very large cost to the country. At the present time the Government of South Australia are suffering very considerably from having to carry on lines which are not paying. The creation of this railway would be a monopoly, and this House has distinctly put its foot down on monopolies. Again, it has been mentioned by Mr. Haynes, who introduced the Bill, that there is no intention at all to carry the line to Norseman, and that it is simply a line for the conveyance of timber from Hampton Plains to the mines. A motion went through this House a little while ago supporting the construction of a railway 25 miles south of Coolgardie, to touch all the best forest country down there, and to supply the mines both in Kalgoorlie and Coolgardie with timber. That measure was thrown out in another place, but I believe it has been distinctly understood that it will come on again next session; and the proper thing is for the Government to build the line from the goldfields to Norseman. The construction of that line will remove the necessity of private companies getting a monopoly, by supplying the mines with fuel. The Press,

both of the Boulder and also at Coolgardie, has been totally against the construction of this private line. The bulk of the people in that part of the country from which it is proposed this line shall start, and who are most interested in the question, are distinctly against the construction of the line. The Coolgardie people are entirely opposed to it, on the ground that the Government intend building the line from Coolgardie to Norseman. Mr. Haynes says it will take twelve months to build this private line. If the Bill for the construction of the Norseman line goes through Parliament next session, the Government line down to the forest country south of Coolgardie could be constructed in that time, and consequently could supply the mines with timber. Not only that, but if this private line were constructed the Government line would be deprived of the whole of the freight resulting from the carriage of this fuel. If the private line be constructed, the Hampton Plains Company will get the benefit of the freight on their line, and the lines of the Government will get nothing at all. Would it not be better for the Government to construct the line and get the benefit of the freight to the mines, as the hon. member pointed out? Clause 16 gives the Government the right to purchase this line at a minimum price of £2,000 per mile. The railway from Southern Cross to Coolgardie was constructed for about £800 or £900 per mile.

A MEMBER: Five hundred.

HON. F. WHITCOMBE: To the Government?

HON. G. BELLINGHAM: To the contractor.

HON. F. WHITCOMBE: The contractor got the freights on top of that.

HON. G. BELLINGHAM: Here it is proposed that this line shall be handed over to the Government at the handsome price of £2,000 per mile. Mr. Haynes says there is plenty of timber on the Hampton Plains; consequently the construction of this line would be in a part where timber is plentiful, and sleepers could be supplied at a small cost. Certainly the line could be built under £1,000 per mile. The hon. member says the Kalgoorlie Roads Board are supporting this Bill. The Kalgoorlie Roads

Board are not interested in the slightest. They have a small number of scattered leases, but they have very little "say" in the place, and I ask members to take the opinion of people who are most directly interested. These are the people of the Boulder and Kalgoorlie. I beg to move, as an amendment:

That the Bill be read this day six months.

At present I wish to draw attention to the fact that some of the members of the district in which this railway would be built are absent. Moreover, we have almost reached the end of the session. We shall have the general election in about six months, when there will be fresh representatives of the goldfields, and I contend that the proper time to bring in this Bill will be six months hence.

HON. J. T. GLOWREY: I second the amendment.

HON. F. WHITCOMBE (Central): I am rather surprised that the hon. member (Mr. Bellingham) has moved the amendment in the form he has done, because he must know that if the amendment be carried, the effect will be exactly the same as if he had moved that the Bill be rejected. Instead of trying to perpetuate one of the farces which practically are the outcome of former Parliaments, he might as well have expressed his determination to oppose the Bill, and have allowed the matter to go to a direct vote on the question of the second reading, instead of introducing a side issue and wasting time. The hon. member should have adopted that course, especially as the experiences of the last few days show that movements of this kind are not always so successful as other means in bringing about a termination of the question under discussion. Within the last few days we saw a solid front on the part of goldfields members in matters brought before this House, and the unreasonable insistence shown by that particular party—four members of which I see sitting in the House—lead me to suppose it is very likely we shall have a repetition of the method adopted.

HON. J. W. HACKETT: Heaven forbid!

HON. F. WHITCOMBE: We had evidence between half-past four on Tuesday and half-past four yesterday, of proceedings instituted under an impression or belief that members could force this

House to a decision which this House in its calmer moments would not indorse. It seems to me that the same party, emboldened by the success attending their efforts, strengthened as they were at the time referred to, seek to enforce objections to a measure which cannot, if passed, be other than of benefit to the colony as a whole, and particularly to the district to which it has special reference. After the arguments used by members of that party on Tuesday night, and especially early on Wednesday morning, that the legislation of the colony should be for the benefit of the whole of the people, and, so far as district legislation is concerned, for the benefit of the majority of the inhabitants of the district, I am surprised that those members now turn round and oppose as far as they possibly can an attempt to pass a measure which, as I say, is for the benefit of the whole of the people living in Kalgoorlie, some 30,000; and people in the direction in which it is proposed to build the line, who number, I am informed, some 10,000 or 15,000; or if there are not so many at present, probably there will be in a short time after the line is constructed. Within the last 48 hours we have found members exhausting themselves in their efforts to show that legislation should be for the benefit of the larger number; and it is a mistake for them to get up now and use their influence to oppose this Bill, so that the benefits to be obtained under it shall not be allowed for a considerable time.

HON. J. W. HACKETT: Is the hon. member talking against time?

HON. F. WHITCOMBE: If the hon. member puts his question through you, sir, I shall be prepared to answer him; otherwise I cannot recognise that he is in the House. I believe that acting under the rules of the House, only two persons are supposed to be seen, that being yourself and the hon. member who is addressing you. [Several interjections.] As the "commander" is absent, I must carry out instructions until he returns.

THE COLONIAL SECRETARY: That is an admission.

HON. F. WHITCOMBE: As the "commander" of a party consisting of two has retired for the time being, I am bound to carry out instructions.

HON. C. E. DEMPSTER: Who made the appointment?

HON. F. WHITCOMBE: The appointment is without warrant.

THE PRESIDENT: The question is not one of "party," but the Bill before the House.

HON. F. WHITCOMBE: I must answer interjections.

THE PRESIDENT: The question is the construction of a railway to Hampton Plains.

HON. F. WHITCOMBE: It has been urged that the construction of railways by private enterprise is a good principle to be adopted in the colony, and that principle has been approved in more than one instance. It has been approved in the past in connection with the land-grant system in two instances, though that system has been disapproved since. The application before the House is not that a railway should be built on the land-grant system, but built on a strip of land not exceeding three chains in width, the line to be approved by the Government, who will have the right to resume, not only the land but the line and rolling-stock at a cost, as provided in the Bill, not exceeding £2,000 per mile. The position now is quite different from what it was when proposals were made for allowing the construction of lines on the land-grant system; and if we take the other Chamber as representative of public opinion and of the Government, we may take that opinion to be that railways may be constructed by private enterprise on conditions which allow the Government to purchase the line at such time as they think fit, and on terms set down in the Bill; and it is a good principle, because it relieves the colony of the responsibility of opening railways into an unknown district.

HON. C. SOMMERS: The hon. member ought to talk on something he knows about.

HON. F. WHITCOMBE: I dare say I am as well informed on the subject as the hon. member who interrupts me. If the principle be adopted that private enterprise should be allowed to open up large and possibly remunerative districts, on conditions such as are now indicated, it will be seen that the present proposal does not depart entirely from the principle of State-owned railways, which is good in its own way in a thickly populated colony, where the outlying districts

are well settled; but where the country is sparsely settled and where the probabilities of further settlement are vague, it is just as well that the development should be left to private speculation and enterprise, providing there are safeguards under which the Government may bring such railway enterprises within State control on reasonable terms. In this particular case a license is asked for this company to construct a line over Crown lands, on condition that the line be constructed to the satisfaction of the Government railway engineers, that trains shall be run at minimum intervals with maximum rates for the carriage of passengers and goods, all subject to the approval of the Commissioner of Railways or the Traffic Branch of the Railway Department. It is also provided that the rates on the private line shall be the same as Government rates, and that after the line has been constructed with the approval of the Government, the latter, on twelve months' notice, have the right to purchase line, rolling-stock, and everything at a valuation, the Bill further stipulating that the valuation of the line shall not exceed £2,000 per mile. It has been interjected that a certain line was constructed by the Government for £500 a mile; but it must be remembered that though the contractors for that line obtained the contract at the figure named, they had the right to charge freights for carriage and so forth while the work was in progress. In the case of the Hampton Plains line, the Government have power to take it over when the traffic has been ascertained, and when probably good profits are shown, which profits would probably afford a reasonable return on the cost of purchase at £2,000 per mile or less; and it may be that in a short time, say a year or two, the traffic would be so great that the purchase of the line at £2,000 a mile would return interest of 8 per cent. or 10 per cent. If that were so, could anybody say that it was not an advantageous transaction for the country? I do not see how we can do better than allow a person or company to expend capital in the development of the country in the way they think fit, provided the Government have power to take over the line on terms equitable to both parties. At the intervention of the Government, the Bill was subject to

certain amendments, so that the conditions on which the company should run their railway were modified, and the original proposal put on a basis acceptable to the Government and the Commissioner of Railways. The whole scheme was assimilated as far as possible to the Government system, having regard to the particular object of the private line in opening up country at present practically unoccupied. If hon. members look at the plan, they will see that the proposed railway runs from the present terminus on the Kalgoorlie-Boulder line, over a certain amount of unoccupied Crown land for nine miles, and then goes into a vast timber country owned by the syndicate, and finally finishes at Feysville within an area which has been prospected and "colour" obtained, and which may, on further prospecting under favourable conditions, develop into a dividend-producing gold centre.

THE COLONIAL SECRETARY: How many people are there at Feysville?

HON. F. WHITCOMBE: That is not the question: the question is what Feysville may develop into. If the holders of property of this kind choose to build 25 miles of railway in order to develop a centre of settlement, it is not for the representative of the Government to ask how many people live there. The railway is built at the company's own expense on their own property, and surely it is fair they should have the right to carry the line over Government country for nine miles, and connect it with the railway system? This is a concession which will cost the Government nothing, and will enable the company to assist in developing land bought from the Government a good many years ago. I have no doubt the Colonial Secretary remembers the occasion, and the circumstances under which the syndicate bought the territory, and possibly one or two other members are aware of the circumstances. The majority of the members of the House know nothing about it, not being in the colony at the time; but when the company took over this land, which had never been crossed by man, much less inhabited, the exchequer of the colony was in a very grievous state, and the offer of £25,000 by the syndicate was a considerable item in the public revenue.

THE COLONIAL SECRETARY: £30,000.

HON. J. W. HACKETT: And it is not the same syndicate.

HON. F. WHITCOMBE: At that time the company were supposed to be doing the colony a great favour in paying this money and taking over the control of land so far away from civilisation, and which could only be reached by means of their own energy and intrepidity. Now the necessities of the colony have brought settlement close to the border of this territory, and compelled the Government to build railways near, and surely the company are not asking the Government too much when they seek for a three-chain width of nine miles long on which to construct this line. The concession only means a few hundred acres at the outside, and the object is to give the people on the land communication with the main railway system. All that is asked for is the right to convenience people who reside on the estate, and to profit and advantage Kalgoorlie and the settled districts of the colony.

At 6-30, the PRESIDENT left the Chair.

At 7-45, Chair resumed.

HON. F. WHITCOMBE (continuing): I must say I have rather lost the argument that I was using when the adjournment took place. I do not feel inclined to go altogether over the ground again, and perhaps the Bill will be better discussed in Committee than on the second reading; so I certainly recommend members, in view of the statements I have made and the arguments I have already adduced in opposition to the recommendation that the Bill be rejected, that the Bill is one that should be accepted immediately, and should be passed into law practically as it is. The measure has the *imprimatur* of the Government, the Engineer-in-Chief, the Commissioner of Railways and Director of Public Works, and it has the approval of the honoured leader of this House, the Colonial Secretary. Under these circumstances, I think the Bill may be regarded as providing for a work which is required for the benefit of the whole country, and as such it should receive the support of the House, having already passed in another place.

HON. C. SOMMERS (North-East): I rise to oppose this Bill. I have listened very carefully to the arguments of Mr. Whitcombe. One would think it was a Bill in which that member had a very particular interest.

HON. F. WHITCOMBE: I rise to order. Is it right for a member to suggest that I have an interest in the passing of the Bill?

HON. C. SOMMERS: I was not imputing anything.

HON. F. WHITCOMBE: You were imputing that I have an interest in the passing of the Bill. I have no interest in it, and it does not matter a snap of the fingers to me whether the Bill passes or not.

HON. C. SOMMERS: I had not finished my sentence. I was going on to say that had it been in the member's own constituency I should have thought he had a particular interest in securing the Bill for his constituents: that was what I was about to say if the hon. member had allowed me to finish.

HON. F. WHITCOMBE: You meant something else.

HON. C. SOMMERS: I might say a good deal.

HON. F. WHITCOMBE: You might.

HON. C. SOMMERS: In regard to this measure, I consider it is rather late in the session to attempt to rush a private Bill through the House. This is a Bill which I think would be far better left to the new Parliament for many reasons. One is that there will be additional members for the district through which this line passes, and they on their election will be able to obtain an expression of opinion from those interested in this particular line, whether it is desirable to construct it or not. Another reason is that there is the greatest difference of opinion amongst the populace of the colony whether it is desirable we should allow any more private lines to be constructed or not. That is a question that should be settled once and for all, and if the principle is allowed and approved and once the Government declined for any reason to make a line through any part of the country where it is shown that it is desirable to have a line, the construction of the line would be thrown open to public competition, under certain conditions which could be clearly laid down,

then there would be no objection to the Bill whatever. But at this late stage of the proceedings of Parliament it is far better for the measure to be left over until the next session. On the gold-fields, in the localities of Kalgoorlie and Boulder, there is a great difference of opinion as to the desirability of constructing the line, and where that is so, particularly at this late stage when we have so many more important matters to consider, the Arbitration and Conciliation Bill for instance, which has to be considered again, and other important matters, I think it is undesirable that this private Bill should take precedence of Government matters and be rushed through in a hurried manner. This line is supposed to bring in firewood for the use of the mining industry. There does not seem to be much harm in that, but I am only opposing the line until the next session of Parliament. Then there can be clearly defined principles laid down for the construction of private lines for the future. If it is then decided to have this line, let us have it. In the meanwhile we find that the cutting of firewood for the mines in this locality is quite an industry of its own. All down the main line towards Perth, men are busily employed with horses and carts cutting timber and sending it to the centres where it is used. This timber has to be carried on the Government lines to Kalgoorlie and Boulder, and of course it creates traffic and profit for the Government railways. If these 27 miles of line are built, all the Government traffic, which is a lucrative traffic and a profitable one for the Railway Department, will be taken away, because this company will be able to produce timber cheaper, and the traffic will be taken away from the Government lines. There are tons of firewood along the main line of railway which is being cut and delivered fairly cheaply at Kalgoorlie. There is plenty of timber along the line for years to come, so that no great injustice will be done in postponing this Bill until the next session of Parliament. I am always willing, and I think I showed that when the Patents Act Amendment Bill was before the House, when any measure is brought forward in the interests of the mining industry to champion it. I have been returned to Parliament by a

mining community, and the interests of the mining community is one of my very first cares. But in a case of this sort, where there is a difference of opinion in the Press and among the people themselves, I think we should postpone the Bill for some time. I am aware that the Chamber of Mines is urging the construction of this line. That chamber has written to me as one of their representatives asking me to support the Bill. But there is a difference of opinion among the people in the district, and where a difference of opinion exists, and while a measure like this comes from a moribund Parliament, it is far better to have it left until a later stage, when we can deal with the whole question of private railways once and for all. The Government have refused to allow similar lines to be constructed. The Government have refused to construct several lines which would become part of our main lines, and which would be run through splendid belts of mining timber. By refusing to construct those lines and allowing private enterprise to build them, the Government are advertising the poverty of the colony to the world. People will say they are allowing a private company to make this line because they are too poor to build it themselves. We have had trouble enough in this country with private railways.

HON. C. E. DEMPSTER: 'Not of this kind.

HON. C. SOMMERS: Take the Culladine railway, which was constructed for 28 miles between Coolgardie and the 42-Mile. What do we find there? A railway was quickly put down by a company who got the lease of a tank of water, and the whole of the prospectors in the locality were left without a drop of water to drink. That line has caused more bitterness than all the rest of the railways in the colony put together. The Great Southern line was a trouble to us, but certainly it was not one of the same kind of railways as this; it was a land grant railway. But subsequently the Government had to come along and buy the company out to satisfy the people along the line. Then there is the Midland Railway; the Government have not got that yet, but sooner or later the Government will have to purchase that railway. This is not the stage at which we should rush in with a railway line and give preference to pri-

vate Bills when there are more important Government measures to be dealt with. There is not the slightest necessity for it. No harm can come by waiting for another six months, and the people will then have had time to consider the matter and deal with the question of private railways once and for all. This Bill was only laid on the table yesterday or the day before, and we have scarcely had time to think it over. I do not think I am wrong in saying that not one member in the House has had time to look at the plans.

HON. C. E. DEMPFSTER: I did, yesterday.

HON. C. SOMMERS: The hon. member is the exception which proves the rule.

HON. R. S. HAYNES: I have also seen the plans. I have had one in my possession for three or four days.

HON. C. SOMMERS: I say there are not two or three members who have opened the plans that are on the table, and it seems strange to me that the Government of the day should press forward a measure like this when there are far more important matters to be dealt with. Let me allude to one measure in particular, the Police Act Amendment Bill. We heard the Premier the other night say there was no time to go into that Bill. It is a measure of only a few clauses, and yet the Premier says there is no time to consider it, and the Bill has been withdrawn from the Notice Paper. Yet this private Bill can be rushed through the House to the detriment of other measures. I trust the Bill will not go into Committee, but will be thrown out on the second reading. Mr. Bellingham has moved an amendment that it be dealt with this day six months. I do not care whether it is dealt with this day six months or thrown out now. The Bill can be reintroduced, and the whole question of private railways be discussed. We shall have a new Parliament, and opinion fresh from the electors. As I said before, if this question is made a test question, as it will be, and we have an expression of opinion from the people themselves at the next general election, we shall settle this question once and for all. And if it be decided that the railways are to be made, and that if the Government refuse to make them, they shall be constructed by private enterprise,

let all come in; let the matter be thrown open to competition, and let us have the best work on terms fair to everyone. I hope members will look dispassionately upon this question. Of three members representing the North-East Province I am the only one present to-night, and this is a thin House. No harm can be done to the Hampton Plains Company. I am only asking that the matter shall be delayed till the next Parliament, and in my opinion that is a reasonable request. We have heard to-night no good argument from Mr. R. S. Haynes or Mr. Whitcombe—we have certainly heard nothing from the latter—to make us anxious to rush in and agree to the construction of a railway not wanted by the people, or at any rate not wanted by the people generally. The Press is divided in opinion, and the people are divided in opinion, and it would be very unwise for us to rush this Bill through Parliament.

HON. E. McLARTY (South-West): I feel some diffidence in rising to support the Bill, when I find my friends from the goldfields seem to be all opposed to it; but I have listened with a good deal of attention to their arguments, and I certainly fail to be convinced that this Bill should not pass the second reading. One hon. member has told us that it will interfere with the woodcutters and create a monopoly. I think, perhaps, it will break a monopoly. These woodcutters have it all in their own hands at the present time, and they charge high rates.

HON. C. SOMMERS: They do not.

A MEMBER: They do.

HON. E. McLARTY: The line would open up very much timber country, and it must be of benefit to Kalgoorlie and Coolgardie. I am surprised to hear the difference in the tone of hon. members from the goldfields from that which was displayed in relation to the proposal brought forward to construct a railway 25 miles towards Norseman.

HON. C. SOMMERS: That was a Government line.

HON. E. McLARTY: I know that. On that occasion we were told there was not wood enough to keep the mines going for six months, but now Mr. Sommers says there is enough to keep them going for years.

HON. C. SOMMERS: Yes; on the railway line.

HON. E. McLARTY: One statement or the other is not correct. I am not in favour of private railways; but if there be one case in which that rule may be departed from, it is this. There is no chance of the Government building a railway on the Hampton Plains land; and if that syndicate is in a position to put down a railway of 25 miles in that desert country, away out in the interior, it cannot do any harm. The line will give a lot of employment. The building of the line will cost £40,000, and after the line is constructed there will certainly be considerable expense in keeping it up. The line will do what members themselves have argued to be necessary: meet the requirements of Kalgoorlie, and supply an ample quantity of wood at a cheaper rate. That must be of benefit. No doubt if this Bill be passed, some time will elapse before the line is constructed, but to my mind the sooner it is built the better, because it will open up fresh country which otherwise will be almost inaccessible. As far as I can see, this is more a matter of Kalgoorlie *versus* Coolgardie, as to which point the line should start from.

HON. C. SOMMERS: That has never been mentioned.

HON. E. McLARTY: Then again we have the opinion of local bodies. There is the roads board, and there are two or three other public bodies altogether in favour of this railway. If the people are opposed to it, how is it that those public bodies are in favour of it?

HON. C. SOMMERS: There is no expression from Coolgardie or Kalgoorlie.

HON. F. WHITCOMBE: The Kalgoorlie Roads Board.

HON. R. S. HAYNES: The Kalgoorlie Chamber of Mines.

HON. E. McLARTY: The roads board would express the feeling of the particular district they represent. There is no comparison between this railway and a land grant railway. Members referred to the Great Southern Railway, but that is altogether a different matter. The Government were compelled to step in and buy that railway for the sake of getting the land which was locked up and allowing people to settle on it and cultivate it. This is an entirely different

matter; for the Government are giving no land.

A MEMBER: They are giving land.

HON. E. McLARTY: Three chains wide, that is all. If exception can be taken to the agreement, it seems to me the Government have it entirely in their own hands, and if they want to take this line over, they can take it over at a charge of £2,000 a mile.

HON. F. WHITCOMBE: Or less.

HON. E. McLARTY: The company will be bound to carry stock or anything else the Government wish to be carried. There will be no monopoly, but practically the line will answer the purposes of a Government railway. Apparently the conditions are entirely in favour of the Government. I regret to have to go somewhat against the members of the goldfields, for this is a matter on which they ought to be the best judges, but I fail to see they have adduced one single argument to alter my opinion, and therefore I shall support the second reading.

HON. A. JAMESON (Metropolitan-Suburban): I am glad the speaker who has just sat down is supporting this Bill. I think that as a matter of general principle we ought to support private enterprise in this colony. We know history has shown again and again that all civilised nations have become great through private enterprise. This idea that the Government have to do everything is undoubtedly retrogressive, and I for one believe Australia will never advance so long as that spirit is as rampant as it seems to be at the present day. Everyone who has studied history, or thought out the matter at all, must see it is by private enterprise, and private enterprise alone, that the British empire holds the position it does to-day; therefore I think upon general principles we should support this private Bill now before us. I heard the argument used that what a private firm can do, surely the Government can do. That is not a sound argument, for we know that the cost of works in the case of the Government is very much higher than in the case of private enterprise. Every business man will admit that. The Government are doing the best they can, no doubt, but by means of red tape and other processes they strangle all enterprises they ever undertake. I shall always advocate pri-

vate enterprise as against Government enterprise; therefore on that ground I must support this railway. The argument relating to these land grant railways does not hold good in this case. This is not a land grant railway at all. Moreover, the whole of the difficulties in regard to those railways were (I think it was pointed out by many at the time) perhaps partially owing to insufficient care in drawing up the contracts between the Government and these syndicates. That is not the fault of private enterprise at all; that is the fault of want of oversight and want of care in the drawing up of the various documents and the contracts. We have not that difficulty here, because we have a report from a select committee of another place, and I notice the chairman of that committee is one of our ablest legal advisers; and he strongly recommends that this railway should be carried out. At least that is the report of the select committee, who have gone very carefully into the matter. I have read every word of the evidence, and personally I see nothing whatever against this line being carried out at the present time. The company ask for no concession whatever; and they propose to make a large expenditure, which is very greatly to our advantage. The undertaking will afford employment to a great many men for at least upwards of a year, and we have to look at this aspect of the question. The hon. member (Mr. McLarty) who knows the colony well, has shown us there will be no disadvantage to the colony. I have heard no argument against the line which prevails with me at all. No arguments have been adduced to show that the line would be of any disadvantage to the colony; and that being so, we have to look at the other side. It may be, and I suppose it is, of very great advantage to the owners of this property to develop their territory, and why should we say, "we are not going to allow you to develop this territory"? I think it is a most shocking condition of things, and I cannot understand any hon. member coming forward, unless he has a very strong reason for it, and trying to prevent the company from doing the best they can for their property. The building of this line would be absolutely no disadvantage to the colony, but rather an advantage to it. I am sorry indeed to see

members of this House, for whom I have very great respect, come forward and oppose this Bill without showing any reason whatever. They place themselves in a position which one really cannot support. I shall always be glad to support members from the goldfields, but unless they can show us some reason for the faith that is in them, they can hardly expect us to follow them in this matter. I have nothing more to say. The matter of railways is not one with which I am well acquainted, but I merely speak on the general principle that, if we are going to be a progressive people, we must recognise private enterprise in this country. When people wish to build a few miles of line through their own country to develop the property which they have secured from the Government, it is perhaps approaching very nearly some of the lines of confiscation we have lately adopted in this House if we say we will oppose the company in doing that in any way whatever; and I for one will never adopt any action of this kind.

HON. W. MALEY (South-East): I came into the House to-day unbiassed in respect to this particular Bill to empower the Hampton Plains Railway Syndicate—I think that is what it is called—to construct a line of railway for a distance of 25 miles; not, as Dr. Jameson has said, through their own land, but through Government land.

HON. F. WHITCOMBE: As to nine miles only.

HON. W. MALEY: We will say nine miles, and 20 miles through their own land, so as to open up their own land. We are told they are philanthropists.

HON. F. WHITCOMBE: No.

HON. W. MALEY: We are told they are come to construct a railway to give firewood to the goldfields. If they are philanthropists, they have been converted lately.

HON. F. WHITCOMBE: The hon. member is wrong in what he is saying.

HON. W. MALEY: If the company are philanthropists, they have recently been converted, but we have it recorded in *Hansard* that they are the greatest vultures the country has ever known. They have a princely estate, which they got for 2s. 6d. an acre when the country was in straits—an estate with all the mineral rights—and now, when the

opportunity presents itself, they demand more. It is time that we, as the Council, if the Legislative Assembly do not do so, put our foot down. I will quote from a speech made by Mr. Alexander Forrest on the 26th March, 1888, on a proposal that the Hampton Plains Syndicate should be allowed to run a railway to Esperance Bay. Mr. Forrest, on that occasion, moved:

That the proposal of the Hampton Plains Railway Syndicate, sent down to this House by His Excellency the Governor last January, be accepted, and that the Government be authorised to conclude a contract with the syndicate, subject to confirmation by the Legislative Council.

In supporting the motion the hon. member said:

By leave of the House he proposed to add the words, "Provided the Government receive satisfactory assurance that the syndicate are in a position to carry out the contract.

These proposals were that they should build a railway on similar terms to those accepted by the syndicate of the railway line now in course of construction between Beverley and Albany. This syndicate had acquired a large area of land—about 1,300,000 acres at the Hampton Plains, which they held with a right of purchase of 2s. 6d. per acre. They also held freehold land at Esperance Bay. They proposed to build a railway from Hampton Plains to Esperance Bay, for which they were to receive 3,000,000 acres of land.

Already holding 1,300,000 acres, the company then came to the Government with a proposal to secure 3,000,000 acres more; and if we are not careful these people will very soon take charge of the country.

HON. F. WHITCOMBE: But that offer was not accepted.

HON. W. MALEY: We have a perfect right to look back and see how often the syndicate have approached Parliament for concessions. They wanted a railway from York to Hampton Plains, but that proposal was not accepted, and quite rightly too, because to have sanctioned such a scheme would have done the colony a very great injury; and what Parliament has done on the two occasions to which I have referred, they ought to do again. The tendency of public thought and public opinion in this colony and everywhere else is to "burst up" big estates, which have lain unproductive for many years, and turn them to good account. Where in the whole of Australia, particularly in Western Australia, is there a

big estate which has produced so little revenue to the country as the estate under discussion? When the syndicate took up the land they knew what they had to accept, and the Government are not called upon to give the company facilities which the country will be called on to pay for later on. We do not know what there is in this huge area, but if we are to judge the development of Hampton Plains by that which has taken place elsewhere during the last ten years, the possibilities are infinite; and what would the construction of this 29 miles of railway lead to? It would lead to vested interests and further claims for any extension that might be made in this territory, so that if the Government at any time approached these people with a view to purchasing the line for £2,000 a mile, the syndicate would very properly say that the 29 miles of railway had been constructed on the good faith of the colony, and that 40 or 50 further miles of railway which might have been constructed, should be compensated for, and in this the syndicate would be perfectly right, because that would be a fair thing to consider.

HON. E. McLARTY: There is no obligation on the part of the Government to purchase.

HON. W. MALEY: But it might be necessary in the interests of the country to purchase the line.

HON. R. S. HAYNES: At less than £2,000 a mile.

HON. W. MALEY: If this 29 miles of railway paid as well as that which the Wilkie Brothers constructed, the Government would very soon bite their fingers and wish they had the line back again, and in that case the Hampton Plains syndicate could dictate their own terms.

HON. R. S. HAYNES: No; they could not.

HON. W. MALEY: The syndicate could dictate their own terms for any further extension they might make. The syndicate would have a big estate improved by Government aid, and then they would demand their own price for the private railway which ran through their own private lands. In a great country like this, with the tremendous mileage of railways we have, and the possibilities ahead of us in regard to railway construction, all railways should

be owned by the Government; and developments that will take place will necessitate that Perth shall not always be the only centre for the railway system, but that there shall be other centres elsewhere, such as Coolgardie or Kalgoorlie, from which branch lines could be worked. We should take the matter into consideration and be careful about separate lines owned by private individuals, because certain vested rights will crop up, which will militate against the proper management of the railways. I shall use my best endeavours to oppose any attempt to infringe on the principle of state-owned railways, and any further trespass on the rights of the people in regard to the public estate of the country.

HON. D. McKAY: I intend to support the Bill because I think it will be beneficial to the country. The measure is well hedged round with safeguards, and as to creating a monopoly, I do not think that possible under the circumstances.

Amendment (six months) put, and a division taken with the following result:—

| | |
|----------|----|
| Ayes ... | 6 |
| Noes ... | 12 |

Majority against ... 6

| AYES. | NOES. |
|---------------------|-----------------------|
| Hon. G. Bellingham | Hon. H. Briggs |
| Hon. C. E. Dempster | Hon. J. W. Hackett |
| Hon. J. T. Glowrey | Hon. R. S. Haynes |
| Hon. C. Sommers | Hon. A. Jameson |
| Hon. J. M. Speed | Hon. A. B. Kidson |
| Hon. T. F. Brimsage | Hon. D. McKay |
| (Teller). | Hon. E. McLarty |
| | Hon. M. L. Moss |
| | Hon. G. Randall |
| | Hon. J. E. Richardson |
| | Hon. W. Spencer |
| | * Hon. F. Whitcombe |
| | (Teller). |

[* Vote disallowed subsequently.]

Amendment thus negatived.

Question (that the Hampton Plains Railway Bill be read a second time) put.

[POINT OF ORDER.]

PRIVILEGE—VOTE CHALLENGED.

PECUNIARY INTEREST ALLEGED.

HON. J. T. GLOWREY: I rise to a point of order. I object to the vote of Mr. Whitcombe.

THE PRESIDENT: On what ground does the hon. member object to the vote?

HON. J. T. GLOWREY: On the ground that Mr. Whitcombe has a

pecuniary interest in the passing of the Bill.

HON. F. WHITCOMBE: Which vote? The last vote or the first?

THE PRESIDENT: Do you claim the division?

HON. J. T. GLOWREY: Yes.

THE PRESIDENT: That should have been done when the division was taken.

SEVERAL MEMBERS: Claim the next division.

Question (that the Bill be read a second time) again put.

HON. J. T. GLOWREY: I want to raise an objection to Mr. Whitcombe's vote, on the ground that he has a pecuniary interest in the passing of the Bill.

THE PRESIDENT: Even supposing Mr. Whitcombe's vote was withdrawn, that would not make any difference to the decision.

HON. J. T. GLOWREY: Quite so; but I think it is an extraordinary thing—if I may be allowed to make a few remarks—that Mr. Whitcombe or any member of the House should take the part in a debate that Mr. Whitcombe has taken this afternoon. It is a most discreditable thing that any hon member—

HON. M. L. MOSS: What is the pecuniary interest?

HON. R. S. HAYNES: It is a serious charge to make.

HON. M. L. MOSS (to Mr. Glowrey): Do not speak in conundrums.

HON. J. T. GLOWREY: I do not speak in conundrums, and I say that Mr. Whitcombe has a pecuniary interest in the passing of the Bill.

HON. M. L. MOSS: That is only a bald statement.

HON. J. T. GLOWREY: Well, I say that if this Bill pass, the hon. member will receive a consideration.

HON. M. L. MOSS: From whom?

HON. F. WHITCOMBE: From whom? And how much?

HON. J. T. GLOWREY: From the people who have been the means of introducing the Bill.

HON. M. L. MOSS: You have to prove that.

HON. J. T. GLOWREY: I am ready to prove it. I am not going to make any statement that I cannot prove.

THE PRESIDENT: I wish to draw the attention of hon. members to *May* on this subject:

An objection to a vote, on the ground of personal interest, cannot be raised or mooted except on a substantive motion, that the vote given in a division be disallowed, and cannot be brought forward as a point of order. The member whose vote is under consideration on the ground of personal interest, having been heard in his place, should withdraw immediately, and before the question founded thereon has been proposed.

So that after the division is taken the hon. member will have to make a substantive motion.

HON. J. W. HACKETT: Will it not be necessary to state definitely the interest?

THE PRESIDENT: Yes. It is a most serious charge, and can only be dealt with on a substantive motion, and the House will have to make an inquiry into it. After the division has been taken, the hon. member will be enabled to give notice of a substantive motion which will have to be considered, not at this sitting, but later on. Then the hon. member against whom the charge is made will have an opportunity of defending himself against the charge.

POINT OF ORDER.

HON. F. WHITCOMBE: I would like to ask, as a division has been called for and we have ranged our seats in the division, that as it is really not a question of one vote between the two sides, I would like to ask leave to withdraw, and perhaps the hon. member will withdraw, and we can discuss the matter after the division has taken place. It is a pity the hon. member did not challenge my vote before, and we could then both have withdrawn and discussed the matter.

THE PRESIDENT: The procedure is clearly laid down in *May*. The division must go on, and after the division has taken place Mr. Glowrey will have to give notice of a substantive motion, which will have to be debated at some future date, when Mr. Whitcombe will be afforded a full opportunity of defending himself against the serious charge made against him.

The tellers were appointed for the division.

THE PRESIDENT: I have been asked what our own Standing Order says on this point. It is pretty well on the lines laid

down in *May*. Standing Order 174 says:

No member shall be entitled to vote upon any question in which he has a direct pecuniary interest, and the vote of any member so interested shall be disallowed.

HON. F. WHITCOMBE: I intend to cast my vote, and allow the motion for disallowance to follow.

DIVISION ON SECOND READING.

The question (second reading) having been previously put, a division was taken as follows:—

| | | | |
|----------|-----|-----|----|
| Ayes ... | ... | ... | 12 |
| Noes ... | ... | ... | 6 |

Majority for ... 6

| AYES. | NOES |
|---------------------------|---------------------|
| Hon. H. Briggs | Hon. G. Bellingham |
| Hon. J. W. Hackett | Hon. C. E. Dempster |
| Hon. R. S. Haynes | Hon. J. T. Glowrey |
| Hon. A. Jameson | Hon. C. Sommers |
| Hon. A. B. Kidson | Hon. J. M. Speed |
| Hon. D. McKay | Hon. T. F. Brimage |
| Hon. M. L. Moss | (Teller). |
| Hon. G. Randell | |
| Hon. J. E. Richardson | |
| Hon. W. Spencer | |
| * Hon. F. Whitcombe | |
| Hon. E. McLarty (Teller). | |

[*Vote disallowed subsequently.]

Question thus passed.

Bill read a second time.

POINT OF PROCEDURE.

HON. J. T. GLOWREY: I wish to move now—

THE PRESIDENT: The hon. member will have to hand the motion in.

HON. J. M. SPEED: I do not know whether I am in order, but if an imputation of this sort is made, I think the matter should be cleared up at once, for the credit of the House itself. If charges of this character are made they should be cleared up at once, and without delay.

THE PRESIDENT: Notice of motion must be given in the regular way.

HON. F. WHITCOMBE: I am with the hon. member, Mr. Speed. I think the matter should be cleared up at once.

On motion by HON. R. S. HAYNES, the House resolved into Committee to consider the Bill.

IN COMMITTEE.

Clause 1—Interpretation:

HON. M. L. MOSS: I move that progress be reported, and leave asked to sit again, and I do so with this object—

HON. F. WHITCOMBE: Go through with it.

HON. M. L. MOSS: When the House reassembles, I shall move that all the Standing Orders be suspended so as to deal with the matter brought forward by Mr. Glowrey at once.

THE CHAIRMAN: The hon. member is not allowed to speak on the motion to report progress.

Motion (progress) put and passed.

HOUSE RESUMED—PRIVILEGE.

Progress reported, and leave given to sit again.

THE COLONIAL SECRETARY: I move that the consideration of the Hampton Plains Railway Bill in Committee be taken after the Industrial Conciliation and Arbitration Bill.

HON. F. WHITCOMBE: I understand the reason the Chairman was moved out of the Chair was that an inquiry should be made at once in connection with the allegation put forward by a hon. member of the House. I am pointed out as being the hon. member involved, and I would like the matter brought forward at once. Let us go through with it now, and be done with it. If the hon. member has anything to say, let him say it as a matter of privilege, and not play with the forms of the House, if he is playing with them. Let us be serious. There is no reason why any delay should take place; and I ask the hon. member, on his honour and reputation, to say if there is any truth in this matter. If he has not brought forward this matter in bravado, in order to delay the decision of the House, let us go on with it now. It seems that it is only a piece of childishness to bring the matter forward. We should go on with it at once. Certainly I shall insist that the matter be gone on with, as far as I can.

HON. J. T. GLOWREY: I am quite in accord with the remarks of Mr. Whitcombe, and I can assure the hon. member that I have not brought up the matter for the purpose of delaying the Bill for a minute. I am equally desirous that the inquiry should be held with as little delay as possible, and I promise the hon. member and other members that so far as I am concerned, I shall see that there is no delay. In support of the statement I have made, it may be necessary to call some evidence at the bar of the House.

HON. J. W. HACKETT: What is the business before the House?

THE PRESIDENT: The motion made by the Colonial Secretary, that the consideration of the Hampton Plains Railway Bill be taken after the Industrial Conciliation and Arbitration Bill.

HON. R. S. HAYNES: Move an amendment.

HON. J. T. GLOWREY: I move, as an amendment, that Mr. Whitcombe's vote be disallowed.

HON. J. W. HACKETT: You cannot do that.

HON. J. T. GLOWREY: I move that the Standing Orders be suspended to consider the motion which I have handed in.

HON. F. WHITCOMBE: Move the whole House into the street.

HON. J. T. GLOWREY: I am not asking your advice.

THE PRESIDENT: *May* lays it down clearly that no charge of a personal character can be made, except upon a substantive motion. If the hon. member will hand in his motion, it will be for the House to decide whether it will be taken into consideration at once or at a later period.

[Motion handed in].

THE PRESIDENT: Is the motion seconded?

HON. T. F. O. BRIMAGE: I second the motion.

THE PRESIDENT: The motion is:

That the hon. member's (Mr. Whitcombe's) vote be challenged, on the ground that he has a direct pecuniary interest in the passing of this Bill.

HON. J. W. HACKETT: That has to be spoken to and explained. It cannot be put without that.

THE PRESIDENT: It is laid down that notice of a substantive motion must be given on this matter; and I want the House to decide whether it will take the motion now, or whether it shall be taken at the next sitting of the House.

HON. M. L. MOSS: I move that the motion be taken into consideration at once.

THE PRESIDENT: We must have some business before the House.

HON. C. SOMMERS: I think this motion should take precedence of everything else.

THE PRESIDENT: It is a question for the House to decide whether business should be suspended so that this matter may be gone on with or not. It is laid down clearly in *May* that any objection to a

vote on the ground of personal interest cannot be raised or mooted except upon a substantive motion, that the vote given in division be disallowed, and cannot be brought forward as a point of order. Of course a point of order has to be dealt with immediately. That is where the difficulty is now. The House have to decide whether they will hear now the Hon. Mr. Glowrey with his charge against the Hon. Mr. Whitcombe, or whether they will fix a later time this evening, or the next sitting of the House. By this ruling of *May*, I consider that is the point to be settled now. We must decide that, if some member will move that Mr. Glowrey be heard.

HON. M. L. MOSS: I had already moved that. I recognise it is a very serious matter to interfere with the Notice Paper—and particularly a Notice Paper congested as this one is—but this is a very serious matter affecting the whole Chamber, and the accusation is one which I am very loth to believe. I hope the Hon. Mr. Glowrey has not in the heat resulting from defeat in that division made an accusation against the hon. member.

HON. J. T. GLOWREY: Oh, no.

HON. M. L. MOSS: I hope he has some suspicion or some ground for making such an accusation.

HON. A. B. KIDSON: I hope he has not.

HON. M. L. MOSS: At any rate, as far as I am concerned, I am loth to believe it; and although it is a very serious matter to commence to interfere with the Notice Paper, this is a question of such moment that I think we ought to have it cleared up at once, particularly as Mr. Whitcombe says he is prepared to meet the charge, and Mr. Glowrey asserts he is prepared to substantiate it.

HON. C. SOMMERS: This is a matter of grave importance to the honour of the House, which I am sure we are all eager to have cleared up with despatch, and I trust no obstacle will be thrown in the way.

HON. F. WHITCOMBE: I am prepared to discuss it.

THE COLONIAL SECRETARY: To clear the way, I ask leave to withdraw the motion I have made. I understood Mr. Glowrey was likely to call some evidence, and was scarcely prepared to proceed

with the case to-night. However, as he is prepared to make the charge, and the hon. member (Mr. Whitcombe) to defend it, I ask leave to withdraw the motion for precedence for the Industrial Conciliation and Arbitration Bill.

THE PRESIDENT: The first question we have to deal with is that leave be given to the Colonial Secretary to withdraw his motion, "That we now proceed to the consideration of Order No. 8," namely, "Industrial Conciliation and Arbitration Bill, consideration in Committee of Message No. 45 from Legislative Assembly." The question is that the motion of the Colonial Secretary be withdrawn.

Motion (withdrawal) put and passed, and the motion withdrawn.

THE PRESIDENT: The hon. member (Mr. Moss) can move his motion now.

HON. M. L. MOSS: I beg to move the motion I have already indicated.

HON. J. M. SPEED: I second the motion.

Motion written and handed in.

HON. M. L. MOSS: I beg to move the motion I have just handed in.

THE PRESIDENT: I find I can put this motion, because Clause 92 of the Standing Orders, which deals with the question, says:

An urgent motion, directly concerning the privileges of the Council, shall take precedence of other motions, as well as Orders of the Day.

Under that clause I have to put the motion of the hon. member (Mr. Moss), that the motion of the hon. member (Mr. Glowrey) be taken into consideration. Is that seconded?

HON. J. M. SPEED: I second it.

Motion put and passed.

PRIVILEGE—PECUNIARY INTEREST, TO DISALLOW VOTES.

THE PRESIDENT: This is the notice of motion by the Hon. Mr. Glowrey, under Standing Order 174:—

That the votes given by the Hon. F. Whitcombe in the two divisions taken on the second reading of the Hampton Plains (private) Railway Bill be disallowed on the ground of direct pecuniary interest.

HON. T. F. O. BRIMAGE: I second that.

THE PRESIDENT: Now the hon. member (Mr. Glowrey) can be heard.

HON. J. T. GLOWREY: I regret very much indeed it falls to my lot to have to move such a motion as the one standing in my name. I did think it was the duty of every hon. member of this House at least to be above suspicion. If we are not, we are supposed to be.

HON. F. WHITCOMBE: Hear, hear.

HON. G. BELLINGHAM: Or we have no right to be here.

HON. J. T. GLOWREY: And if we are not, we have no right to be here, as an hon. member has remarked. During the past two or three days, various remarks have been made, insinuations have been made, which it is needless to refer to at the present time; but this morning I had occasion to go into the reading room of the Legislative Assembly, and I met the Hon. Mr. Whitcombe. The hon. member said to me, "I have been looking for you for two or three hours." I said, "Indeed! What is it for? Sit down." He sat down, and I sat down alongside him. There were two or three other hon. members in the room. I said, "What do you want me for?" He said, "I want to know whether you are going to oppose that Hampton Plains Railway Bill?" I said, "Certainly I am." "Well," he said, "You ought not to do that. Don't do that. It makes a very great difference to me whether that Bill is passed or not. It is a personal matter to me. I am up before the Barristers' Board, and if that Bill is passed, the amount I am deficient will be paid to me. An offer has been made to me to pay the amount I am deficient of; but I have protested against accepting it on those grounds, because the Bill may not be passed. If I use all my energy to have that Bill carried through the House, the money will be handed over to me immediately after the fate of the Bill is known." Those are the words used by the Hon. Mr. Whitcombe. If those words are denied by the Hon. Mr. Whitcombe, it will be necessary for me to call evidence here in support, and I should like to know, if it is the desire of the House that this matter shall be cleared up to-night, if I can send for certain witnesses or a witness now. That is my charge, and I presume I am quite justified in making it. It is not done as the hon. member suggested, because the Bill was carried. I considered

I was acting quite right, as any member of the House would do.

HON. J. W. HACKETT: I move that Mr. Whitcombe be heard in reply.

Motion put and passed.

HON. F. WHITCOMBE: As far as concerns meeting Mr. Glowrey in the Legislative Assembly, he is perfectly correct in what he said. I did meet him and ask him what he was going to do about this Bill. I did discuss the matter. I said to him rather a variation of what he said, and I will suggest to you that it be taken in the way I will put it to the House. I asked him what he was going to do. I said to him it was a matter of some importance to me that this Bill should be passed. I did not say that I was up, or that I had any association with the Barristers' Board. I did not say that I was interested in any way at all. But I did say that the passing of this Bill was a matter which affected me considerably, and I gave him my reason, that for some considerable time past I had been endeavouring to raise money on the security of property I held, or which was held by someone connected with me—property situated in Geraldton—and which security was not regarded as good security for advancing the money on second mortgage by people who had business to do in Perth; and that through the intervention of some person not named, and who, so far as I know, is no more interested in the passage of this Bill than you, Mr. President, are interested, if this Bill were passed the moneys that I required could be and would be advanced upon the security I had offered to certain business men in Perth, and to a certain business man in Geraldton. To that extent I was interested in the passage of the Bill; that is to say that a person who is not myself, but is legally the owner of certain house property in Geraldton, desired to obtain a second mortgage upon that property in Geraldton; and acting as agent and as personally interested in the matter I applied for an advance, and was told that the advance could be obtained if this Bill were passed. The person who was prepared to give that advance is no more interested in this Bill than you, Mr. Hackett, and not nearly so interested as Mr. Glowrey. But at the same time these are the facts, and upon these facts I hold I am not

personally interested in the passage of the Bill. If I were, and if the facts were as Mr. Glowrey related in this House, even if I had gone so far as to state to him what he has said I did—but which I deny—at the present time what is the position of the member? What is the position of the member, if he will take a statement from me of that kind under, we will call it, the seal of confidence—we will call it a business proposal—and violate that, and come into this House to make the statement he has made when he is in a minority of 3 against 18, and bring the matter forward in this way? I do not complain in one way that I am in financial difficulties. I do not state for a moment that I am free of all claims of my creditors, but I do say that if this member, if Mr. Glowrey, my honourable friend, chooses to come forward and make these statements given to him under the circumstances he relates they were given to him, it is not what you will think, it is not what hon. members will think, so much. We know this matter will be given to the public; we know it is intended to be given to the public; and we will leave it to the Honourable Mr. Glowrey to see what the public will think of him when it is all finished. The claim made by the hon. member cannot affect the vote, and I am prepared to walk out of the House, and allow the vote to go without me. I am prepared to let my vote be disallowed, and all my votes disallowed, on the ground which the hon. member has called “pecuniary interest,” and to which your attention has been called by him. We can have no two opinions about this matter. After what happened two nights ago—after what has taken place between that hon. member and myself, and which I do not choose to tell the House—I do not propose to go even so far as to tell other conversations between the hon. member and myself—what I have done is perfectly straightforward and honest, and what has been done is such that even if I were not allowed to vote, the result could not be affected in the slightest degree. I have done nothing of which I am ashamed, and I am very glad, or rather I should say I am sorry, to think that the Hon. Mr. Glowrey cannot say the same thing now. I was always under the impression,

from the time I came into Parliament, that conversations held in the refreshment room of the Assembly, or within the precincts of the Council, were supposed to be matters entirely between hon. members themselves, and were not to be made public under any circumstances; but I find now, for the first time, that a so-called “honourable” member of the House—an individual who has been admitted to the whole of the privileges of the House ever since he was elected—has been the first to violate that principle. He has been the first to make public confidences and statements made to him in confidence—remarks made to him as matters of friendly application and request for pecuniary assistance, so far as might be given by him—he is the first to violate the principle I have indicated, and to come forward and disclose things before the public and the House, and claim on those grounds that my vote may not be taken. If it had been a close division, I could have understood it, but the “honourable” member is in a hopeless minority, though he cannot understand the beating he has got. Two days ago he had to fight for fifteen hours against a hopeless minority to gain his point, and he then took advantage of all the tricks and subterfuges under the rules of the House, to beat down a hopeless minority of two or three members.

THE PRESIDENT: I think the hon. member is going beyond the question before the House.

HON. F. WHITCOMBE: I think I am entitled to remark on the action of the “honourable” member, though I am afraid I cannot call him an “honourable” member any longer. I cannot deny what the “honourable” member has said, except that he has not given the whole of the conversation that took place; but I do not propose to deal with him on the details. I will admit I told him that the Bill did indirectly affect me, and that indirectly I could obtain certain financial advantages on a security I was prepared to offer, if this Bill were passed. I do not mind proclaiming by advertisement in the newspapers to-morrow morning that I could obtain the financial assistance I require, if the Bill be passed; but the assistance is remote, seeing that it is assistance on property belonging, not to

myself, but to other persons. I take it I am not so intimately connected with this as to justify this motion, because it does not matter two straws to me whether the Bill pass or not. I may say after what passed the other night, that the "honourable" member, as a large shareholder in various companies affected by a certain company who hold concessions under the Crown —

THE PRESIDENT: I must call the attention of the hon. member to the fact that he must not refer in that way to the title of "honourable." He must confine himself to the question before the House.

HON. F. WHITCOMBE: I submit Mr. President—

THE PRESIDENT: What I refer to is the marked manner in which the hon. member makes use of the word "honourable."

HON. F. WHITCOMBE: I refer to Mr. Glowrey by the whole of the title which he is entitled to assume as a member of this honourable House. Whether by inadvertence or otherwise I happen to put emphasis on the wrong word, I trust, sir, you will put it down to ignorance, and not necessarily to intention on my part. As I was about to say, I do not understand why action should be taken by Mr. Glowrey, when we come to consider the attack that might have been made on a Bill that has been passed through the House within the last forty-eight hours—a Bill which vitally affected the interests of companies in which he and other very important persons in the colony are largely interested. I am surprised to think that in face of this, allusion should be made to a question of interest in a Bill on which he is in a minority of three or five as against eighteen.

POINT OF ORDER.

THE COLONIAL SECRETARY: I rise to a point of order. A certain charge has been made by Mr. Glowrey, and all that is required at the present moment is for the hon. member (Mr. Whitcombe) either to deny or admit that charge, and not make counter charges on events which occurred some time previously. I ask the hon. member to confine himself to the question before the House, and I do this in his own interest.

HON. F. WHITCOMBE: So far as my interests are concerned I am prepared to look after them myself, without any interference from the Colonial Secretary.

THE PRESIDENT: The hon. member should not say that. The Colonial Secretary is leader of the House, and he calls the attention of the hon. member to the fact that he is digressing from the motion now before the House.

HON. F. WHITCOMBE: I have already stated—

THE PRESIDENT: I do not wish to be constantly calling the hon. member to order, as I have had to do once or twice; but the leader of the House has drawn the hon. member's attention to the fact that he is digressing, and the hon. member must keep himself to the subject before the House.

STATEMENT RESUMED.

HON. F. WHITCOMBE: As I was saying, I have given the facts of the case, so far as they go. I do not propose to relate the whole of the conversation between myself and Mr. Glowrey: if he does not think fit to do so, I do not think fit to give him away or to expose the attitude he has chosen to take up to-day. I admit the facts so far as they go—that if the Bill be passed I shall be enabled to obtain an advance upon security of property belonging to another person associated with myself. I admit that I will be able to obtain an advance on property which at the present time, on account of the property being located in Geraldton and north of Perth, I cannot at present obtain on advantageous terms. That is the extent of the interest I have in the Bill. Anything the hon. member has said about my connection with the Barristers' Board he is not entitled to say, and has no grounds for saying, except it is the imagination of his own brain. But if you, Mr. President, hold, or if you think in your opinion that under the circumstances I have related, I am so far interested in the Bill that I should withdraw and not vote, I am perfectly prepared to withdraw and not vote. I do not myself think I am so far personally associated with the Bill that I should not vote, but I leave myself in the hands of yourself, and, if necessary, in the hands of the House, and if, under the circum-

stances I have named, I am deemed to be so far associated, I will withdraw and not vote. I did offer to withdraw when the charge was first made, but you, Mr. President, held I could not do so ; otherwise when Mr. Glowrey challenged my vote, I should have walked out before the division. He has taken an action he can explain best to his constituents, but I am afraid he cannot explain it to the satisfaction of members of the House. I am now prepared to withdraw.

[Mr. Whitcombe left the Chamber.]

Question (that the vote of Mr. Whitcombe be disallowed) put, and passed on the voices.

Vote disallowed accordingly.

INDUSTRIAL CONCILIATION AND ARBITRATION BILL.

ASSEMBLY'S MESSAGE *re* COUNCIL'S AMENDMENTS.

The Legislative Assembly having disagreed to several of the amendments made by the Council in the Bill, also having amended others, the Assembly's reasons for the same were now considered.

Assembly's amendment—Strike out the word "eighteen," in line 1, and insert the word "sixteen" in lieu thereof :

THE COLONIAL SECRETARY moved that the amendment made by the Assembly on the Council's amendment be agreed to. The Assembly had met the Council very fairly, and the good sense of hon. members would realise this. It was desirable that the Bill should be passed into law during the present session, and the acceptance of this amendment would to a large extent meet both the employers and employees.

HON. R. S. HAYNES: Did hon. members propose to accept the amendment? As the Bill was introduced the age was set down as 21 years ; a compromise was come to making it 18 years ; now the Assembly had reduced it to 16 years. We should adhere to 18 years.

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

| | | | | |
|------------------|-----|-----|-----|----|
| Ayes | ... | ... | ... | 4 |
| Noes | ... | ... | ... | 12 |
| | | | | — |
| Majority against | ... | | | 8 |

AYES.
Hon. M. L. Moss
Hon. G. Randell
Hon. J. M. Speed
Hon. D. McKay (Teller).

NOES.
Hon. G. Bellingham
Hon. C. E. Dempster
Hon. J. T. Glowrey
Hon. J. W. Hackett
Hon. K. S. Haynes
Hon. A. Jameson
Hon. A. B. Kidson
Hon. W. Mailey
Hon. J. E. Richardson
Hon. Sir George Shenton
Hon. C. Sommers
Hon. T. F. Brimage
(Teller).

Motion thus negatived, and the amendment insisted on.

Assembly's amendment—Strike out the words "and paid by wages by the week, day, or hour, or by the piece, and dischargeable by notice of one week or any lesser time."

THE COLONIAL SECRETARY moved that the amendment made by the Assembly on the Council's amendment be agreed to.

HON. R. S. HAYNES: This was an amendment of great moment, and it was dangerous to agree to that.

HON. A. JAMESON: The Committee should stand by their original amendment. This matter was discussed very fully, and members voted solidly on it. The amendment was very important as affecting the question of industry.

HON. J. W. HACKETT: Members should give way as far as possible. There were one or two important matters which we should stand by, but if we proceeded on the lines indicated by Mr. Haynes and Dr. Jameson, the Bill would be blocked.

HON. J. M. SPEED: Certain members were sent to the Council pledged to get this Bill through. By their present action they were practically killing the Bill and breaking their pledges to their constituents.

Question put and passed, and the amendment agreed to.

Assembly's amendment—Strike out the words "eighteen" in sub-paragraph (b) and insert the word "sixteen" in lieu thereof :

THE CHAIRMAN: This was consequential on the first amendment, and would be insisted upon.

Council's amendment—Strike out the words "twenty-five" and insert "fifteen" in lieu thereof :

THE COLONIAL SECRETARY: This amendment by the Assembly appeared to be a fair compromise. From a letter which he had received, it appeared there were a number of small unions

which did not comprise 25 members each; therefore they would be excluded from the operation of the Bill unless they could combine with other associations, which was not always desirable, and was not always possible. What was proposed was apparently a very reasonable thing to do, especially when we remembered that in New Zealand and in the proposed New South Wales Bill—which, however, had been thrown out—the word “seven” stood. He moved that the Assembly’s amendment on the Council’s amendment be agreed to.

Question put and passed.

Council’s amendment No. 4 (Assembly dissenting)—Clause 4, sub-clause 3, add the following paragraph:—

The investment in some security to be approved by the registrar of the amount hereinafter stated to be necessary for registration of such society as an industrial union in the joint names of two persons, to be elected by such society, and of the registrar, and subject to the provisions that such amount shall not in any way be diminished or dealt with, pending cancellation of such society as an industrial union, excepting in satisfaction of an order of the Court.

THE COLONIAL SECRETARY moved that the Council’s amendment in Clause 4 be not insisted on. The amendment was an important one, and if the House insisted upon it, that would have a very serious effect upon workers’ unions throughout the colony. Of course if his, the Colonial Secretary’s, motion were agreed to, the consequential amendment by Mr. Haynes that an employer should find £100 would also be struck out. If the money were put up when a union moved the Court, that would be quite sufficient. If the condition embodied in the amendment were imposed upon the workers, it would largely neutralise the beneficial influence that might otherwise result from the measure. From what he had seen in the papers, there was apparently a danger of an extraordinary strike of tailors in Fremantle; and if the operation of this Bill would prevent such a thing, the House might congratulate itself on having assisted to pass the Bill.

Question put and passed.

Council’s amendment No. 5 (Assembly dissenting)—Clause 4, add the following, to stand as Sub-clause (4):—

No society shall be registered as an industrial union under this Act unless it shall

lodge, together with its application for registration, a certificate showing to the satisfaction of the registrar that the sum of fifty pounds where the number of members does not exceed fifty, and of one hundred pounds where the number exceeds fifty but does not exceed one hundred, and the sum of two hundred pounds where the number of members exceeds one hundred, has been placed in some security approved of by him in the joint names of two members of such society and of himself, or in lieu of such certificate shall deposit with the registrar a guarantee, to be approved of by him, to pay and discharge any order of the Court to the amounts hereinbefore mentioned: Provided that in the case the sum so deposited or the guarantee so given shall at any time be reduced by payment of an order of the Court, such society shall cease to exist as an industrial union until the amount of security or guarantee is again increased to the original amount, provided that no union of employers shall be registered until it deposits a sum of two hundred pounds, or finds security for that amount.

HON. J. W. HACKETT: While anxious to see this Bill passed, he had assurances from members that they were determined to cling to the principle of a security; and if it were only to save the Bill, he was prepared to fall in with their views. A division on this subject took place, and the principle of security was affirmed by more than two to one. It would be impossible to ask the House to go to the length of stultifying themselves by abandoning the entire consideration of a deposit. Their object was to provide that a society or union against which judgment was given should satisfy the demands of the Court, and certainly the object was not to place any obstruction in the way of registration of unions or associations of any kind. The strong objection taken against the form in which the deposit clause was drawn was on the ground that the clause really acted as a bar against entering any union or association. If the Colonial Secretary would accept a suggestion he (Mr. Hackett) was prepared to make, we should substantially support the view taken by this House on a previous occasion, and also conform to the wish of the Legislative Assembly. He would not say this would meet the desires of the workers, but it would provide for what was called the irreducible minimum. He moved:—

That the Council’s amendment No. 5, with which the Legislative Assembly has disagreed, be amended to read as follows, and returned to them for reconsideration:—No industrial union shall be entitled to commence or continue

proceedings in the Court unless it shall lodge with the Registrar of the Supreme Court the sum of fifty pounds where the number of members does not exceed fifty, and of one hundred pounds where the number exceeds fifty but does not exceed one hundred, and the sum of two hundred pounds where the number of members exceeds one hundred, or shall prove to his satisfaction that it has been placed in some security approved of by him in the joint names of two members of such society and of himself, or shall deposit with the Registrar of the Supreme Court a guarantee, to be approved of by him, to pay and discharge any order of the Court to the amounts hereinbefore mentioned: Provided that no union of employers shall commence or continue proceedings in the Court until it deposits a sum of two hundred pounds, or finds security for that amount.

HON. A. B. KIDSON: The present amendment by Mr. Hackett was somewhat on the lines which he (Mr. Kidson) suggested when the Bill was in Committee. Although it might be of some use, still there were many instances in which it would be of little or no benefit, because it did not at all follow that a union that started the proceedings would obtain an award against the other side. The amount of £50, £100, or whatever it might be, only related to one side.

THE COLONIAL SECRETARY: Two hundred pounds, the other side.

HON. A. B. KIDSON: That was only where they started proceedings.

HON. J. W. HACKETT: No. They were liable to a payment of £500.

HON. A. B. KIDSON: They might be liable for that amount, but then the amount was not put up. Under the hon. member's amendment one side would put up the money and the award might go against the other side, and what was there to bind that other side? That was to say, if the party who put up the money broke the award, the money was there as a penalty, but as only one side made a deposit, what was to be done if the other side broke the award?

HON. M. L. MOSS: The Council ought to fall into line with the Legislative Assembly, and in suggesting this, he was only taking up his previous attitude on the clause. The whole system of compelling people to pay before the Court was opened, was bad in the extreme.

HON. J. W. HACKETT: Mr. Kidson apparently did not understand the clause. No deposit should be put up, but reliance should be placed on the larger association

or union which had more responsibility, authority, and impartiality. The Council wanted this Bill passed into law, and hon. members must see how far they could go in meeting the wishes of the Assembly, in the hope that the other place would reciprocate. His amendment did not alter the proposal of the select committee, which was adopted by the majority of this House, except in one particular, namely, that it made the putting up of the security preliminary on invoking the aid of the Court, rather than a preliminary to registration; and Mr. Moss had pointed out the absurdity of demanding security from both plaintiff and defendant. What was suggested by the select committee was that whoever should invoke the Court should put up a deposit, the workers on a sliding scale and the employers up to £200; and if the award went against the defendant, that was provided for in Clauses 84 and 85, under which the workers were subject to a penalty of £10 each, and employers up to £500.

HON. M. L. MOSS said he objected to any security at all, but inasmuch as there seemed a prospect of a conference between the two Houses, some attempt should be made to meet the proposal of the Legislative Assembly.

HON. J. M. SPEED: The amendment was an attempt by Mr. Hackett to get rid of a difficulty into which the members of the Council had put themselves. People who invoked the aid of the Court knew very well how they would come out of the dispute, and the only people likely to be held for costs were the defendants, so that if the idea were to bind the workers down, the object would not be attained at all.

HON. A. B. KIDSON: The amendment of Mr. Hackett was exceedingly obscure, and although it was said that amendment was very little different to that proposed by the select committee, it must be remembered that Mr. Hackett was amongst those who voted against the select committee's suggestion. There still remained the objection that only one side was compelled to put up a deposit, and Clauses 84 and 85 did not refer to a deposit, but only to certain penalties if the award were not carried out. The amendment would not only work unfairly, but would have a detrimental

effect on the Bill; therefore he would vote against it. He would rather see the Bill go through in its original form than have this amendment in it.

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

Council's amendment No. 12 (Assembly dissenting)—Clause 44, Sub-clause 1, in the fifth and sixth lines of the third paragraph, strike out "present and voting by ballot," and insert "on the rolls of such association or union voting by ballot or by proxy":

THE COLONIAL SECRETARY moved that the Council do not insist on this amendment. Very often the rolls of a union did not represent the actual members capable of voting. The clause would meet all the necessities of the case.

HON. R. S. HAYNES: If five or six members turned up at a meeting, they could commit the union to a strike.

Question put and negatived, and the Council's amendment insisted upon.

Council's amendment No. 15 (Assembly dissenting)—Clause 57, add the following paragraph:

No employer, not being a member of an industrial union, shall be entitled to commence or continue proceedings in the Court unless he shall first find security to the satisfaction of the Registrar, in an amount of £100, to abide by the order of the Court:

THE COLONIAL SECRETARY moved that the Council's amendment be not insisted on.

Question put and passed.

Council's amendment No. 17 (Assembly dissenting)—Clause 58, add the following paragraph:

Where the dispute before the Court is one of wages, the Court, in determining the rate to be paid shall take into consideration the cost of living in the neighbourhood where the dispute arises, and the degree of skill necessary for the performance of the work, and the risk necessarily incurred by the workman in the course of his employment.

THE COLONIAL SECRETARY moved that the Council's amendment be not insisted on.

Question put and passed.

Council's amendment No. 19 (Assembly dissenting)—Clause 75, paragraph 1, line 8, strike out all the words after "therefor":

THE COLONIAL SECRETARY moved that the Council's amendment be

not insisted on. While it was admitted that professional counsel might be employed on both sides in a dispute, it was very undesirable that costs should be given. This would have a very serious effect on the Bill.

HON. R. S. HAYNES asked the House to insist on the amendment. We had met the Assembly very fairly; and although the Assembly said that solicitors should be allowed to appear, they would not be able to charge.

HON. M. L. MOSS: This was an amendment on which the Committee could well agree with the Legislative Assembly, which body had met us fairly in agreeing to solicitors being employed in these cases. The amendment would prevent to a large extent speculative actions.

HON. R. S. HAYNES: That was the very thing it would not stop.

HON. M. L. MOSS: It would prevent solicitors conducting experimental legislation. Take the case of a small union of workers: a solicitor might take up a case on payment by results. The door of the Court should be thrown open as wide as possible to investigate legitimate disputes; but the amendment would prevent any inducement to enable speculative actions to be brought.

HON. A. B. KIDSON supported the motion of the Colonial Secretary. It was desirable indeed that this measure should be passed into law, and another place having given in to a certain extent by allowing solicitors to practice, we should agree to the Assembly striking out this portion of the amendment made in this Chamber, although the reason given by the Legislative Assembly was absurd. The reason given might be couched in suitable language, but it was utterly absurd. He desired to see the Bill passed, and was afraid that if we did not agree to the amendment or suggestion of the Colonial Secretary, the passage of the Bill would be delayed. The amendment which it was proposed not to insist on was a very proper one; but to insist on it would create trouble, and delay the passing of the Bill.

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

Resolutions reported, and the report adopted.

Message accordingly transmitted to the Legislative Assembly.

ADJOURNMENT.

The House adjourned at 10.20 o'clock, until the next Monday evening.

Legislative Assembly,

Thursday, 29th November, 1900.

Question: Federal Parliament, Opening—Question: Loan Flotation—New Houses of Parliament, Building: Joint Committee of Advice—Appropriation Messages: Late Commissioner of Police—Collie Coalfield, Reward for Discovery: Select Committee's Report—Railways Amendment Bill, third reading—Criminal Law Amendment Bill, third reading—Commercial and Business Holidays Bill, discharge of order—Boulder Health Rates Validation Bill, second reading, etc.—Cattle Removal Restrictions Inquiry, Select Committee's Report—Motion: Prospecting, vote to encourage; Speaker's Ruling—Discharge of Orders (4): Furniture Stamping Bill, Trades Union Bill, Government Printing Office and Minimum Wage, Railway Employees' Associations—Motion: North Perth Board of Health; Amendment passed—Motion: Dredging at Albany; Amendment passed—Discharge of Orders (3): Legal Practitioners Act Amendment Bill, Supreme Court Bill, Administration Bill—Council's Resolution: Public Service, to grade and classify; Amendment passed—Motion: Gold Export Duty (withdrawn)—Adjournment.

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

PRAYERS.

QUESTION—FEDERAL PARLIAMENT OPENING.

MR. ILLINGWORTH, without notice, asked the Premier, Is it the intention of the Government to have this colony represented at the opening of the Federal Parliament by a contingent of volunteers?

THE PREMIER replied:—The matter is under consideration. An invitation has been received from the Premier of New South Wales, asking if it is desired that this colony shall be represented by troops at the opening of the Federal Parliament, and expressing a wish that Western Australia shall be so repre-

sented. I have replied, asking some questions (to which I expect to receive an answer shortly), as to whether, if this colony send troops, horses and outfit can be provided for them, suitable for one hundred men. If we are to be represented at all, it will better to be represented by mounted troops rather than by infantry, because my experience in London at the time of the Queen's Jubilee celebration was that mounted men make a far better and more imposing show, especially when the numbers are small. I think we will have to be represented at the opening of the Federal Parliament. We are trying to ascertain what the other colonies are doing, and we are inclined to consider the idea favourably.

MR. A. FORREST: What would be the cost?

THE PREMIER: The cost would be about £2,000.

QUESTION—LOAN FLOTATION.

MR. ILLINGWORTH, without notice, asked: Has the Premier anything to communicate with regard to the flotation of the loan of £880,000, which was reported in the public Press to have been placed on the London market a few days ago?

THE PREMIER replied:—I was informed this morning, by cable message from the Agent General, that the loan has been successfully floated, and that it has been issued in full.

SEVERAL MEMBERS: Hear, hear.

NEW HOUSES OF PARLIAMENT, BUILDING.

JOINT COMMITTEE OF ADVICE.

THE PREMIER (Right Hon. Sir J. Forrest): I beg to move, by leave and without notice:

That a joint committee of both Houses of Parliament, consisting of three members of the Legislative Council and three members of the Legislative Assembly, be appointed to advise the Government during the progress of the work connected with the erection of new Houses of Parliament; also to advise on any new questions which may arise during the progress of the work, such as internal arrangements and decorations.

I think there will be no controversy about the appointment of this committee, and that we may pass the motion and