

Legislative Council,

Wednesday, 12th September, 1906.

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

PRAYERS.

FISHING INQUIRY, EXTENSION.

HON. W. KINGSMILL moved that the time for bringing up the report of the select committee appointed to inquire into the Fishing Industry be extended until this day four weeks. It was with some reluctance and a due sense of the necessity that he had again to apply for extension of time. The committee had sat twice a week, had taken the evidence of numerous witnesses, and still had a number to examine.

Question passed.

QUESTION—NARROGIN-COLLIE RAILWAY.

HON. W. MALEY asked the Colonial Secretary: When were the improvements to the station-yard at Narrogin in connection with the Narrogin-Collie Railway commenced, and when will they be completed?

THE COLONIAL SECRETARY replied: The improvements to the station-yard at Narrogin were commenced in June, 1905. The station-yard is now practically complete. Tenders for the station buildings, in which provision is made for the completion of the work by the end of March, 1907, are due on 20th September, 1906. The erection of footbridge is specified to be completed by the end of November next.

PAPERS—KATANNING-KOJONUP RAILWAY.

HON. R. F. SHOLL (North) moved—

That all official reports (engineer's and others) in connection with the survey and construction of the Katanning-Kojonup Railway be laid on the table of the House.

He said: I extremely regret having again to harp on the old string with regard to returns called for in this House. On a previous occasion, when another Government was in power, I complained of the imperfect way in which returns called for were supplied by the Colonial Secretary. If the present Colonial Secretary has not someone he can rely upon to see that the House is supplied with all the information members require, the Government may be able to obtain some reliable officers in another department. On the 24th of July I moved—

1. That a return and plans be laid on the table of this House showing, in addition to the selected surveyed routes of the Katanning-Kojonup, Wagin-Dumbleyung, and Goomalling-Dowerin Railways—(a) The quantity of land already selected within a radius of 15 miles of these railways; (b) the names of selectors and dates of application; (c) the number of acres in each block so applied for; (d) the amount of land suitable for agricultural settlement still available within a 15-miles radius of each railway.

I have been supplied with this information; but the motion also included the following:—

2. Also, that there be laid on the table a copy of the official report of the quality, etc., of the land that will be served by the respective lines, and its suitability for agricultural settlement.

Yesterday I complained that this information asked for had not been supplied. The Colonial Secretary then stated the information had been supplied. The question could not be debated then, and it necessitated my moving a motion to show the House and the Colonial Secretary that the information asked for had not been supplied. There has not been laid on the table of the House a copy of the official report on the quality, etcetera, of the land that will be served by the respective lines, and its suitability for agricultural settlement. The Colonial Secretary stated that a lot of expense and trouble was incurred in connection with the last return, the cost being £50. I do not ask for so much detail. I ask for a report.

The Government have either built this railway without any examination of the land, which they were not justified in doing, or else they have that report in the office. I have not a speck of interest in the district, and I would not have moved in the matter had I not, as I stated before I think, heard a rumour that this line has not been justified in regard to the route taken. My object in moving is to prevent money being expended unnecessarily in building a railway for political purposes.

THE HONORARY MINISTER: Which line?

HON. R. F. SHOLL: You know; it is in the motion. It is the line from Katanning to Kojonup. Last session, when the Rason Government came into power, there was a map showing the routes of the three different lines, and although I and others opposed the proposal, because we thought more information was required, it was a half-hearted opposition, for we were in sympathy with the settlement of the land and the building of agricultural railways. But I thought that if the Government, after examination, found that these lines were not justified, any of them, they would not build them. As far as I can understand, there was a letter written some time ago to the Press by Mr. John Hassell, who knows the country well, and he stated that this line ought to have started from Brdome Hill, where there were no engineering difficulties, and there was good land open for settlement. It is not for me to defend the interests of Albany, but we must remember that when the mail steamers left Albany that port suffered considerably; and if any port is to be served by the construction of a railway to Kojonup it should be Albany. I am now moving for a return in which there should be no detail work. Possibly the Government have not the return; I believe they have; but I do not think that it will take six officials in the Lands Department several weeks to obtain this information I ask for. There must be a report available, or have the Government built this railway without any report whatever from their advisers as to the quality of the land, the engineering difficulties in the construction of the railway, or any other details? There should be no difficulty whatever in these papers being placed on the table

within two or three days. I trust that whatever becomes of this matter, it will impress on members the necessity for having every detail supplied before we sanction the expenditure of money for building railways or any other purpose. The House should insist on having every information to justify the borrowing of money to build railways or to construct any other public work. I regret exceedingly that the Government have not realised their responsibility if they have built these railways without previously having surveys made.

HON. W. MALEY: I second the motion.

THE COLONIAL SECRETARY (Hon. J. D. Connolly): I have no objection to offer to this motion; but I would point out to the hon. member that if he complains that he did not get all the information he required on the last return he moved for, this motion asks for entirely different information. Last time there was no engineer's report asked for. The hon. member complains that last time he did not get all the information he asked for. If he asked for a report as to the number of acres applied for and the number of settlers and the dates of their applications, he could not expect to have an engineer's report supplied in answer to those questions. The return supplied was a very full return, and I presume that all the information asked for was contained in that return.

HON. R. F. SHOLL: I deny that.

THE COLONIAL SECRETARY: The hon. member says that he expected to get an official report on the quality of the land. He got a return showing the quantity of the land selected and the dates of the applications. Those applications, if he took the trouble to look at them, would have shown whether it was first-class or second-class land. The hon. member also asked for the amount of land suitable for agricultural settlement still available within 15 miles of the railway routes. Those items covered the whole thing. In them was a report on the land contained in that area. Therefore I do not think the hon. member is justified in saying that any information was withheld. I contend the hon. member was supplied with all he asked for.

Now the hon. member asks for a surveyor's report on one of these particular railways. I have no objection to offer to the motion, and if the hon. member desires it he shall have that report. I do not know that his remarks are altogether fair on the officers of the Lands Department when he said that it would not be necessary for six men to be so long on this report as on the other report. This is an entirely different report; but if hon. members look at the three bulky reports supplied in accordance with the hon. member's previous motion, I do not think they will accuse the officers of the Lands Department of being lazy, seeing the amount of information that had to be given.

HON. WESLEY MALEY (South-East): It is refreshing to see an hon. member who has no interest whatever in that part of the country bringing before the House a motion of this kind. As one of those who advocated the Kataning-Kojonup Railway, I am not opposed to having these papers laid on the table. If the route taken is not the proper one we want to see the position of the Government; we want to know if the action of the Government was justified by the reports they received; and if the action taken by the Government was not justified, then it is our duty as members of this Chamber to protest. If the hon. member is anxious to know the facts, he is perfectly justified in the step he is taking and deserves the commendation of this House. We have another House which is supposed to take a more active interest in these public works; this House is supposed to be of a different character; but it becomes necessary for members of this House to investigate and to get at a lot of things. We shall shortly be called upon to take a burden upon ourselves; but before we burden ourselves we should see that the works in any province in the State are properly carried out, that no money is wasted, that the best routes for railways are selected, and that everything is above-board.

HON. F. CONNOR (North): With the permission of the mover I should like to add to the motion the words, "and Wagin-Dumbleyung." In con-

nection with the Wagin-Dumbleyung Railway, originally a flying survey was made in a certain direction, and a permanent survey was afterwards carried out. Tenders were called for the construction of this railway on the fixed permanent survey. The Public Works Department's tender seemed the most satisfactory to the Government, and they decided to do the work departmentally. I have no reason to complain about that, but I have serious reason to complain about the alteration of the route without information being given as to why the alteration was made. After the tenders were called, the clearing of route and part of construction, were carried out for seven miles; and then, without any reason, the route was changed. I asked for information about the matter, but I have not yet been satisfied that there was sufficient reason given for the alteration. The line has been moved three miles from where it was originally intended to be. I do not desire to impute blame, but there is something wrong in connection with the alteration of this route, and we should know why the alteration was necessary. I am glad Mr. Sholl has moved this motion. It saves me from making a separate motion in regard to the Wagin-Dumbleyung Railway, and the course I have now taken will save time, because it will enable the Government to lay these papers on the table at the same time as the other papers are laid on the table. When these papers I ask for are laid on the table and I have the privilege of looking through them, it is more than likely that I will take another opportunity of addressing the House in connection with this matter.

HON. R. F. SHOLL (in reply as mover): I accept the amendment. I desire to say a few words in reply to the Colonial Secretary. It appears to me he does not understand the meaning of language. He says that all information has been supplied by certain maps laid on the table, and the inference is that I can draw my own conclusion because the maps show what land that will be served by this railway is alienated. The information supplied in the return covers all the motion I moved down to the paragraph dealing with land suitable for agricultural settlement within 15 miles

of the railway; but my motion went farther and asked for a copy of the official report on the land available to be served by the various railways and suitable for agricultural settlement. Surely the Government have not built this railway without sending a surveyor over the land to see what land was suitable for settlement. If they have, they certainly have not done justice to their positions as Ministers, and certainly are not worthy to control the affairs of the country. On the other hand, if they have sent a surveyor his report must have been supplied to the Government before they began the railway, and this report can be placed on the table within a few hours. I have no objection to the amendment. I agree to add it to my motion. I do not go blindly into this matter. I have information (it may not be correct, but I want to satisfy myself that it is incorrect) that the Government have built this line in opposition to their professional advisers. It is to prevent anything of this kind, to prevent public funds being wasted that I move in this matter. I have no interest one way or other. It is only to prevent abuses that I bring the matter forward. I do not know that I need say more. I leave it to the House to decide whether these papers should be laid on the table or not; and I hope there will be no more splitting of straws over the matter. I believe I have put the country to greater expense than was necessary by going into the details of the case; but I had to do so because I could not trust the Government. If I left the Government a loophole, I knew they would get out by it. I hope the House will take a stand in the future and insist upon being supplied with full information, before it agrees to loan expenditure.

THE COLONIAL SECRETARY: May I be permitted to say that the hon. member has raised quite a storm in a teacup. His remarks in reference to the Government, to say the least, are extremely unfair. He is not justified in saying that he cannot trust the Government to supply returns, without giving his reasons for such a statement. To make the bald statement he has done is not fair, and is not justified by facts. He appears to assume that the Govern-

ment are withholding some information, while at the same time he admits the Government have already supplied him with some information which has cost a lot of money to obtain; and in the face of that he maintains information is being withheld. I on behalf of the Government have never refused to supply the hon. member with the information he asked for. In the present case he has been supplied with reports furnished by the engineers and the surveyors, and I entirely fail to see any ground for his charge against the Government. In answer to Mr. Connor, I can only say that the information which he asks for in his amendment has already been given to the House, as he must be aware. On the 24th July, Mr. Moss asked certain questions—(1) Is it a fact that an alteration in the route of the Wagin-Dumbleyung Railway, from the present surveyed line, is being made? (2) If so, is it being made on the motion of Mr. Dartnall, the Engineer-in-Chief; if not, on whose recommendation, and what is the reason for the alteration? In answer to Mr. Moss, I replied to No. 1: "Yes, an alteration has been made in the route." In answer to No. 2: "The deviation has been adopted because the Engineer-in-Chief recommends this route as preferable from an engineering point of view; it is also three-quarters of a mile shorter than the present route, and the high grading of 1 in 40 can be reduced if necessary to 1 in 60, which could not be accomplished on the other route.

HON. F. CONNOR: Why did they not make the alteration before they started on the construction, before they had made seven miles?

THE COLONIAL SECRETARY: I also replied: "This route is also recommended by the Surveyor General from a Lands Department point of view." I think those replies gave a complete answer as to the information asked for by the hon. member, and I entirely fail to see the necessity for his present motion. However, he may have the information repeated if he so desires.

Question put and passed.

BILL—PUBLIC WORKS ACT AMENDMENT.

Read a third time, and passed.

BILL—GOVERNMENT SAVINGS BANK.

AMENDMENTS.

The Council having made eight amendments in the Bill, and six of these being agreed to by the Assembly, the remaining two were now considered in Committee.

No. 5—Clause 12, Subclause (2), strike out the word “or,” in line 3, and insert “and” in lieu.

On motion by the COLONIAL SECRETARY, the amendment not insisted on.

No. 2 (as amended by the Council)—Clause 10, strike out Subclause (1) and insert, “The manager, his officers and agents, shall not receive from any depositor any sum which makes the total to which the depositor is entitled for the time being exceed one thousand pounds.” Also, as amended by the Assembly: Add the following words, “Provided that any registered friendly society or trade union, or any branch thereof, may in any one year deposit in the Government Savings Bank a sum not exceeding in the aggregate one thousand pounds”:

THE COLONIAL SECRETARY moved that the farther amendment made by the Legislative Assembly be agreed to. It was provided by the Bill that the total sum which any individual depositor might deposit was £1,000; this sum might be deposited in one year, or be extended over several years. The Assembly's amendment provided an exception in favour of any friendly society or trade union or any branch thereof, which should be entitled to deposit in one year a sum not exceeding in the aggregate £1,000. The total credit which a private individual might deposit was £1,000 in one year or more; but the total credit which might be deposited by a friendly society or trade union was not limited in amount, but must not exceed £1,000 in any one year.

HON. W. PATRICK: As there was to be no limit, a society might deposit up to £100,000.

THE COLONIAL SECRETARY: It could not well reach £100,000, the annual limit being £1,000.

HON. M. L. MOSS: The proviso might have this effect on the Savings Bank as an institution used by poor people for their savings on which they could obtain 3 per cent., that if the Government obtained deposits to a very large amount

as a result of the operation of this proviso, they might not be able to continue the interest at 3 per cent., if unable to use very large deposits so as to earn sufficient interest on them, and then the Governor-in-Council would be compelled to exercise the power of reducing the rate of interest. If likely to operate in that direction, it would be preferable that friendly societies and trade unions should go elsewhere with their deposits. Of course a particular branch of a union or society might not be able to use an ordinary bank because no such bank might carry on business where that society or union was located: hence the desire to use the Savings Bank. If such societies and unions were permitted to deposit up to £1,000, they could keep the remainder of their funds in some other institution.

HON. S. J. HAYNES: Why should friendly societies and trades unions be specially considered?

SIR E. H. WITTENOOM: It should be definitely settled whether the object of the Savings Bank was to encourage thrift in poor people by paying interest on small deposits which a private bank would not accept, or whether it was to be a bank in the ordinary acceptance. What need was there to encourage thrift in bodies which could deposit a thousand pounds? If this was not to be a savings bank, make it a State bank. One Premier of this country had said we should attract as much money as possible to the Savings Bank so that the Government could use the money when times became hard. Was that proper? Every pound in the Savings Bank was held on trust.

HON. M. L. MOSS: But it must be invested, else how could interest be earned?

SIR E. H. WITTENOOM: It should not be used for public works, or to supply a deficit; and many Premiers would like to use it for such purposes.

THE COLONIAL SECRETARY agreed with the last speaker as to the difference between a savings bank and an ordinary bank of issue. The Government did not intend to start any socialistic institution like a State bank. The savings bank could not be used by a commercial concern for current-account purposes; because notice of withdrawal was required, and overdrafts were not obtainable. A person could deposit up to a thousand pounds. The Assembly suggested a

special provision for friendly societies. These societies in particular had some claim on the bank; for they held accumulated savings that would otherwise be deposited therein. Such societies could hardly put their funds at fixed deposit in a private bank, as they needed the money to meet uncertain claims, and the interest received from the Savings Bank was of great benefit to the societies. These were not likely to deposit large sums, though one of their grand lodges or head offices in Perth might wish to deposit considerably more than one thousand pounds. As compared with ordinary firms or persons, such societies had special claims.

Question passed; the Assembly's farther amendment agreed to.

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

BILLS (2)—FIRST READING.

(1) Land Tax Assessment Bill (machinery measure), (2) Land Tax Bill (to impose a tax), received from the Legislative Assembly.

BILL—SECOND-HAND DEALERS.

AN AMENDMENT.

Amendment (one) made by the Council and not agreed to by the Assembly, now considered in Committee.

No. 4—Clause 16, line 2, strike out the word "books," and insert "or" before "mining":

THE COLONIAL SECRETARY moved that the amendment be not insisted on. Clause 16 as amended by the Council brought second-hand books under the operation of the Bill. To this the Assembly did not agree, the reason being that the Council's amendment would unduly interfere with the sale of second-hand books, to which business it was said there was no apparent reason for applying the provision of the Bill. It also appeared that the amendment would restrict the sale to certain hours, thus inflicting great hardship on some firms having second-hand book departments.

Question passed; the amendment not insisted on.

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

BILL—FREMANTLE JOCKEY CLUB TRUST FUNDS.

ASSEMBLY'S AMENDMENT.

Schedule of one amendment made by the Assembly now considered in Committee.

Clause 4—Add the following words: "Provided that such costs and expenses shall not exceed five pounds":

On motion by the HON. M. L. MOSS (in charge of the Bill), the Assembly's amendment agreed to.

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

BILL—BILLS OF SALE ACT AMENDMENT.

IN COMMITTEE.

Resumed from the previous day.

A new clause, to stand as Clause 18 (exemption from the giving of notice), had been moved by the HON. R. LAURIE, to exempt certain securities, as follows:—

Sections 8 to 12, inclusive, of this Act shall not apply to any bill of sale of wool, or stock, or other chattels, separately or combined, on any station, made *bona fide* for valuable consideration. The term "station" means any land used wholly or in part for the purposes of depasturing stock, whether the same shall consist of freehold land or land held under lease or license, or partly of freehold land or partly of land so held. The term "stock" means and includes any sheep, cattle, or horses.

THE COLONIAL SECRETARY would accept the clause, with a consequential amendment to be moved later.

HON. M. L. MOSS: The definition of "stock" in the clause should be struck out, as he found that "stock" was defined in the principal Act.

HON. J. M. DREW: Sufficient information had not been given as to the probable effect of the clause. Was it intended that every farmer who had one or two head of stock on his land was to be exempt from the condition of giving notice if he wanted to raise money on a bill of sale? If so, it was class legislation, and he was not prepared to support such legis-

lation, although he had every sympathy with farmers. The mover appeared to labour under the impression that farmers and pastoralists were the only honest people in the State; and they were to be exempted while traders and others on the goldfields and in towns who desired to give a bill of sale were obliged to give seven days' notice of intention.

THE COLONIAL SECRETARY: The clause was not introduced by the Government, but had been accepted so far as it related to exempting wool. This was in conformity with an undertaking given on the second reading that such amendment would be accepted; but the proposed new clause as printed went beyond that, and it was his intention later to move that the words "and other chattels" be struck out.

HON. S. J. HAYNES: The mover (not now present) had stated distinctly that it was his intention to apply the clause to "other chattels," and it was evident that the words "other chattels" would create doubt as to the application of the clause. Since the last sitting he (Mr. Haynes) had consulted a reliable legal authority, whose advice was that if an advance were sought under the proposed clause, and if the security included other chattels, notice of intention to give a bill of sale would be necessary as a safeguard. The Government had accepted the clause, and now proposed to amend that portion which the mover most desired to be retained.

HON. M. L. MOSS: Better move to report progress.

THE COLONIAL SECRETARY: The mover did not desire to insist on the inclusion of the words "other chattels."

HON. S. J. HAYNES felt certain, from what the mover had said, that if the words were not included the mover would vote against the clause, and probably against the Bill. The mover being absent, something should be done. [A pause ensued.] He moved—

That the Chairman do now leave the Chair.

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

Ayes	13
Noes	11
—			
Majority for	2

Ayes.	Noes.
Hon. T. F. O. Brimage	Hon. H. Briggs
Hon. E. M. Clarke	Hon. J. D. Connolly
Hon. F. Connor	Hon. J. T. Glowrey
Hon. C. E. Dempster	Hon. Z. Lane
Hon. J. M. Drew	Hon. J. W. Langsford
Hon. V. Hamersley	Hon. R. D. McKenzie
Hon. W. T. Loton	Hon. M. L. Moss
Hon. W. Mailey	Hon. C. A. Piesse
Hon. W. Patrick	Hon. C. Sommers
Hon. G. Randall	Hon. J. A. Thomson
Hon. Sir E. Wittenoom	Hon. E. McClarty (Teller.)
Hon. J. W. Wright	
Hon. S. J. Haynes	
(Teller.)	

Question thus passed; the order lapsed.

ADJOURNMENT.

The House adjourned at 5.48 o'clock, until the next day.

Legislative Assembly,

Wednesday, 12th September, 1906.

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

PRAYERS.

QUESTION—MINING OPTIONS, TO LEGISLATE.

MR. BATH asked the Premier: 1, Has his attention been drawn to the reported law case of Diamant v. Bewick, Moreing, & Co., as published in the *Morning Herald* of 18th May last and 11th September inst.? 2, Does the law in this State provide that leases trans-