

give an idea of the approximate cost of the Commission to date? They were travelling all over the State, even to Leonora. He (Mr. Taylor) would like to speak strongly about the Commission, but would await the Minister's explanation.

THE MINISTER explained that he did not control the Royal Commission on Forestry. The impressions of that Commission appeared to be such that they would be of permanent and lasting benefit to the State. From the reports to hand already ample indication was given that the Commission had done valuable work for the State. A good deal of time and thought had been bestowed and the information supplied was valuable; information which would enable the Government to regulate the cutting of timber on the State forest in a manner which would conserve to the country a permanent industry. That was of great importance when one realised how easily it might happen, by allowing things to drift, that the timber industry would be demoralised in a few years.

MR. TAYLOR: Statements had been made in the House by Mr. Yelverton, Mr. Teesdale Smith, and Mr. Hayward, in regard to the timber industry before the Commission was appointed, as to how the forests of this State could be conserved. If the Commission had pointed out how jarrah and tuart forests could be started on the goldfields, good would be done. The members appointed on the Commission had no great experience in timber. A commission was not required to tell the Government how to conserve jarrah in the jarrah districts. It was about time the Commission ceased operations.

MR. MORAN: The Commission had brought before the Government the information that for the next 10 or 12 years Collie coal would not be required on the goldfields. That information should have been sufficient to prevent the introduction of the Bill for the construction of a railway from Collie to the Great Southern line.

THE CHAIRMAN: There was an item on the Estimates "Expenses Royal Commission £2,000." The discussion as to the Royal Commission would have to take place on that item.

MR. MORAN: Attention was being called to the report of Forest Ranger Kelso. If consideration had been given to that officer's report the Bill for the construction of a railway from Collie to the goldfields would not have been introduced. Could the member for Kanowna tell the Committee how the Commission had dealt with the question of the firewood supply on the goldfields?

Vote put and passed.

[This completed the votes for the Lands Department.]

PUBLIC WORKS DEPARTMENT (Hon. C. H. Rason, Minister).

Vote—Public Works, £350,845 4s.:

Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at twelve minutes past 11 o'clock, until the next day.

Legislative Council, Tuesday, 15th December, 1903.

	PAGE.
Privilege: Absence without Leave, sent vacant	2787
Bills: Roads Act Amendment, in Committee resumed, Recommittal, progress	2787
Jandakot Railway, first reading	2791
Permanent Reserves Act Amendment, first reading	2791
Roads and Streets Closure, first reading	2791
Collie-Narrogin Railway, second reading	2791
Mining, in Committee resumed, Clauses 91 to Schedules, progress	2799
Private Bill: Fremantle Tramways, Recommittal, reported	2799

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

PRAYERS.

PAPERS PRESENTED.

By the COLONIAL SECRETARY: Municipal By-laws of Perth, Albany, Victoria

Park. Regulations under Stock Diseases Act.

Ordered, to lie on the table.

PRIVILEGE—ABSENCE WITHOUT LEAVE.

SEAT VACANT.

THE COLONIAL SECRETARY moved that the report of the select committee appointed to consider the question of a vacancy in the representation of the Metropolitan-Suburban Province, caused by the absence (without leave) of the Hon. W. G. Brookman, be adopted. He was placed in an extremely unenviable position, as it was disagreeable at any time to move that the seat of a member of either Chamber be declared vacant; but the course devolved upon him as leader of the House. The law was extremely clear on the subject, and the evidence brought before the select committee was conclusive.

Question put and passed.

On farther motions, the seat for the Metropolitan-Suburban Province declared vacant, and the President requested to issue a writ for filling the vacancy.

ROADS ACT AMENDMENT BILL.

IN COMMITTEE.

Resumed from 11th December.

Clause 2—agreed to.

Clause 3—Amendment of Section 24:

HON. A. G. JENKINS, at the request of Hon. J. D. Connolly, moved that in line 4, after "act" the words "or in any other case when the Governor shall think fit" be struck out. The clause placed too much power in the hands of the Minister administering the Act, as he could supersede a board if he chose to do so.

HON. M. L. MOSS (Minister): The Roads Act of 1902 was a re-enactment and consolidation of the Act of 1888 and its amendments. In the Act of 1888 the same power was retained as was sought in the clause under consideration and given in Section 24 of the Act of last year. Section 12 of the Act of 1888 provided that in cases where a board did not observe the provisions of the Act, or in any other case when the Governor might think fit in the interests of the public, it should be lawful for the

Governor to supersede the board either wholly or partly. Last session this principle was confirmed, and the clause would simply re-enact, with a slight alteration, the law since 1888. The hon. member (Mr. Jenkins) said this was an enormous power to give the Government. Well, it had not been abused since 1888; and for either its use or abuse the Government must account to Parliament. Not except in grave cases of tremendous abuse of power, of misconduct approaching to fraud, or of tyranny, would the power be exercised. The misconduct might be of such a character that the power must be used, so as to prevent the board from taking some course proposed.

HON. A. G. JENKINS: Why the alteration in the law which had existed for several years?

HON. M. L. MOSS: Section 28 of the existing Roads Act gave power wholly or partially to supersede the board in the event of nonobservance of the provisions of the Act. In this clause additional power was sought to remove from office the members of the board. Thus the members could be sent to their electors, and if re-elected the Government could let the matter drop. This power was less drastic than that already existing.

Amendment negatived, and the clause passed.

Clauses 4 to 12—agreed to.

Clause 13—Amendment of Section 141:

HON. M. L. MOSS: Since Mr. Randall's interjection on the second reading, he (Mr. Moss) had been conferring with the Parliamentary Draftsman with a view to making the clause clearer.

[Amendments as suggested read to the Committee.]

Clause postponed.

Clause 14—agreed to.

Clause 15—Amendment of Section 158:

HON. M. L. MOSS: It was fair to point out an alteration. By the 17th schedule of the Act of 1902, the boards of eleven districts were given extended powers and authorities, many of which were till then possessed by municipalities only. This House had these districts scheduled, because it was thought inexpedient that such powers should be extended right and left to rural boards. Clause 15 repealed that portion of the 17th schedule; and if the clause passed, Section 158 might be applied to any

roads board district which the Governor might think fit.

HON. W. T. LOTON : Giving the boards the same powers of rating as were possessed by municipalities ?

HON. M. L. MOSS : No. The section now read : "This part shall apply only to such districts mentioned in the 17th schedule as the Governor may direct, and after petition in favour thereof, signed by a majority of ratepayers and presented to the Governor-in-Council." He now proposed to make the section read : "This part shall apply only to such districts as the Governor may direct, and after petition," etc. To take advantage of the section, a majority of the ratepayers had, after due notice, to ask the Governor to extend its provisions to their district.

Amendment passed, and the clause as amended agreed to.

Clause 16—agreed to.

Clause 17—Minister may extend time for making up rate book :

HON. M. L. MOSS moved that the words "subject to the right of any person to appeal against any valuation within a month after the commencement of this Act," be added to the clause.

Amendment passed, and the clause as amended agreed to.

Clauses 18, 19—agreed to.

Clause 20—Footways, jetties, etc., may be made :

HON. G. RANDELL : This clause gave a power to roads boards which only municipalities at present had. It was a question whether it was advisable that the principle should be extended to roads boards.

HON. M. L. MOSS : The provision would only apply to such roads boards districts as Part VII. had been extended to.

HON. G. RANDELL : The provision might not be applicable to country roads board districts but to suburban districts.

HON. M. L. MOSS : Part VII. referred to special powers that might be extended to a roads board by the Governor on a petition signed by a majority of the ratepayers of a district. Unless Part VII. was extended the provision contained in Clause 20 would have no application.

HON. J. M. DREW : Was there any provision for roads boards controlling jetties or footpaths ? Could they charge for the use of them ?

HON. M. L. MOSS : The boards had no right to charge for the use of jetties any more than they could charge for the use of a public road constructed out of revenue or loan.

HON. W. MALEY : It was scarcely fair to ratepayers that they should have to construct footpaths in front of their own property at the request of a board, and pay one moiety of the cost when the rates paid into the general fund could be used for the construction of jetties or roadways and footpaths in other parts of the district. This was an innovation, and the provision was not in force in any other part of Australia. The disposition of funds of the ratepayers ought to be either general or particular. This seemed to be a retrograde step. The clause should be struck out.

HON. M. L. MOSS : This was a very forward movement indeed, and was intended to apply to suburban roads board districts where the Municipalities Act did not apply, such as Cottesloe or Cottesloe Beach. If a majority of a board saw fit to construct footpaths or jetties, then they could be constructed. As to the unfairness of paying one moiety towards the construction of footpaths, the same regulations were in force in all municipalities of the State.

HON. J. E. RICHARDSON : Would this provision apply to a roads board such as that at Pilbarra ? It would be a great power to give to such a roads board.

HON. M. L. MOSS : Part VII. would never be applied to such a district as the Pilbarra Roads Board District.

HON. A. G. JENKINS : This was an excessive power to give any roads board to enable them to construct sea jetties out of revenue, for a jetty cost a large amount of money and might absorb the whole of one year's rates. He did not believe such a power was given to municipalities. The clause was inserted to meet the case of the Cottesloe Roads Board, who wanted to spend £600 or £700 out of the rates to construct a jetty. The amount was too much for a roads board to expend. Roads boards were continually getting additional powers which it was never intended they should have.

HON. M. L. MOSS : This power was given by Section 231 of the Municipalities Act. He did not know any-

thing about what the Cottesloe board desired to do; but if the Cottesloe board wished to spend £600 on a jetty, as it was an elective board he took it that a majority of the people in that district were desirous of having a jetty constructed.

HON. J. M. DREW: This was a rather dangerous power to give to a roads board; but perhaps it would not be well to strike out the whole of the clause.

HON. G. RANDELL: Section 158 of the Roads Act stated that Part VII. applied only to such districts as the Governor might direct, and only after a petition in favour thereof signed by a majority of the ratepayers in the district had been presented to the Governor. That was the section which governed the amendment, and there was sufficient protection to the ratepayers of any district.

HON. J. M. DREW: The fact that roads boards were brought under Part VII. was not sufficient protection, for there might be a honest board in power at the time permission was given, and irresponsible persons might be elected subsequently.

HON. A. G. JENKINS moved as an amendment,

That after "maintain," in line 2, the words "sea or river jetties and" be struck out.

The clause gave roads boards great power which it was not intended by the original Act they should have. The clause was evidently inserted to meet a special case. If the ratepayers wanted sea or river jetties constructed, they should provide the money out of their own pockets.

HON. M. L. MOSS: Parliament should encourage people prepared to build local works out of rates; and if the people of Cottesloe intended thus to spend £600 it was unwise to prevent them. They were to be commended for constructing such a work out of rates levied on their own properties, instead of asking the Government for a grant.

HON. W. MALEY: If boards were allowed to throw money into the sea, the public and the ratepayers would not be benefited. The Minister practically admitted that the boards could not collect revenue from jetties so constructed, which would practically belong to the Works Department; and the investment would, therefore, be profitless to the ratepayers. The proposal was unworthy of consideration.

HON. C. SOMMERS supported the amendment. In a scattered district the board was often elected by a minority of the ratepayers, who might find that money, instead of being spent on improving roads, was spent on some fad. To including bathing-houses and river jetties he did not object; but he objected strongly to sea jetties.

HON. E. M. CLARKE supported the amendment. Roads boards existed to make roads and give improved means of communication. Country members knew that country roads were so bad as to need every penny spent on them which the boards could collect. We should go too far if we allowed boards to build bathing-houses and jetties. He approved of the power to make footpaths, charging one-half the cost to the person whose land abutted thereon.

HON. G. RANDELL: The last two speakers totally ignored the fact that a petition in favour of the proposed works must be signed by a majority of the ratepayers. Even then, if the majority were small, the Governor would probably hesitate before consenting. There was no reason why districts desiring such works should be forced to become municipalities in order to construct them. The clause seemed sufficiently safeguarded.

HON. E. McLARTY: Were it not that a majority must petition he would vote against the clause.

HON. A. G. JENKINS: Members misunderstood the existing Act. The petition of the majority of the ratepayers was not for power to do the work, but to bring the district under Part VII. of the Act, which gave the board certain powers such as those now sought. No petition was needed for each separate work.

HON. E. McLARTY: That explanation altered the case. Jetty-building was not work for a roads board. A man might be a good authority on road-making, though knowing little of jetty-construction.

HON. C. SOMMERS: Some small work being needed, the ratepayers might petition to be brought under Part VII., and the board would then be authorised to construct any work.

HON. T. F. O. BRIMAGE supported the clause. Having had experience of both municipalities and roads boards, he thought the latter better and more use-

ful. They should be allowed to build jetties or do any other work for the public good. The power in Part VII. was limited to a particular district, and was safeguarded by the fact that in remote and sparsely-populated districts it would be difficult to get a majority to petition. The board of a district like Cottesloe should have power to beautify the neighbourhood and make it attractive by building bathing-houses and jetties.

HON. J. W. WRIGHT, as a ratepayer of Cottesloe, opposed the clause. The £700 proposed to be spent for a jetty in the Indian Ocean would be thrown away; for the first winter storm would convert the jetty into firewood. The board would be better employed in attending to some of the roads in the district.

Amendment put and passed.

HON. M. L. MOSS: On recommittal he would move that the words "without the consent of the Minister" be inserted, so that footpaths could be constructed without such consent, but not sea and river jetties.

Clause as amended agreed to.

Clause 21—agreed to.

Clause 22—Manner of showing amendments:

HON. E. McLARTY: Did the existing Act give boards power to impose an additional license on vehicles plying for hire?

HON. M. L. MOSS: That could be done under the Carts and Carriages License Act.

HON. E. McLARTY: It was doubtful if roads boards had the power to charge double license fees. It was hardly fair to charge a man who used a private carriage once or twice a month a license fee of £1. Vehicles plying for hire cut the roads up very much, and the board of which he was a member thought that the owners of vehicles plying for hire should pay a double license fee, while the owners of private vehicles should not be charged a fee at all.

HON. M. L. MOSS: This matter came under the Carts and Carriages License Act of 1886. He would discuss the matter with his colleagues and see if the legislation, which was rather old, could not be brought up to date.

Clause passed.

Postponed Clause 13—agreed to.

Bill reported with amendments.

RECOMMITTAL.

On motion by HON. M. L. MOSS, Bill recommitted for amendments.

Clause 13 farther postponed.

Clause 20—Footways, jetties, etc., may be made:

HON. M. L. MOSS moved that after "and," in line 2, the words "construct and maintain bathing houses" be struck out, and the following inserted in lieu: "with the consent of the Minister, construct and maintain sea and river jetties and bathing houses."

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

Ayes	...	...	...	10
Noes	...	...	...	9

Majority for ... 1

AYES.	NOES.
Hon. T. E. O. Brimage	Hon. J. D. Connolly
Hon. E. M. Clarke	Hon. A. Dempster
Hon. J. W. Hackett	Hon. A. G. Jenkins
Hon. W. Kingsmill	Hon. Z. Lane
Hon. W. T. Lotou	Hon. W. Maley
Hon. E. McLarty	Hon. J. E. Richardson
Hon. M. L. Moss	Hon. C. Sommers
Hon. G. Randell	Hon. J. W. Wright
Hon. F. M. Stone	Hon. B. C. O'Brien
Hon. J. M. Draw (Teller)	(Teller)

Amendment thus passed.

Clause as amended agreed to.

New Clause—Amendment of Section 81:

HON. M. L. MOSS moved that the following be inserted as Clause 7:—

Section 81 of the principal Act is amended by adding to Sub-section 1 the following words: "Unless the district is situated northward of the twenty-sixth parallel of south latitude, in which case the ordinary meetings of the board may, with the approval of the Minister, be held once in every six months."

Under the principal Act meetings must be held once at least every three months. In the far North this was unnecessary.

Question passed, and the clause inserted.

New Clause—Works may be constructed by several boards jointly:

HON. M. L. MOSS moved that the following be inserted as Clause 21:—

The boards of two or more districts may at their joint expense construct and maintain in any district any work which a board is authorised by this Act to construct, and may apportion the expenditure and revenue between the respective boards. Every such work shall be and continue under the control of the board of the district in which it is situated, but the by-laws relating to the same shall, before confirmation by the Governor, be submitted to the several boards.

Question passed, and the clause inserted.

Progress reported, and leave given to sit again.

JANDAKOT RAILWAY BILL.

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

PERMANENT RESERVES ACT AMENDMENT BILL.

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

ROADS AND STREETS CLOSURE BILL.

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

COLLIE-NARROGIN RAILWAY BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. W. Kingsmill): In moving the second reading, I think firstly that more than I can tell the House about the measure can be learned from the plans now on the walls of the Chamber; secondly, the battle of the routes has been raging so long that members who have taken any interest in it have had ample opportunity of becoming seised of the relative merits of the routes, and of the reason why this railway should be constructed. I intend to deal with the railway from its present-day aspect, the need for opening up agricultural lands, which must inevitably be settled once it is constructed. Members will note that the line proposed to be constructed is that coloured blue on the map, and leading from Collie to Narrogin. The length of the proposed line is 86 miles. The cost of construction, which has been very carefully estimated, will be £225,000. The cost of the extra rolling-stock, which will have to be purchased so that the line may be thoroughly equipped, will be £43,000. Therefore the total cost of the line, including rolling-stock, will be £268,000. The estimates have been so carefully prepared that I am not inclined to assent to an hon. member's statement that the ultimate cost will be £300,000. True, there is a right to deviate. Members will see from the plans on the table that the estimate, in this as in all cases of railway routes, is for a railway along the centre of the line

marked on the plans which, in conformity with the Standing Orders, have been laid on the table before the second reading is moved. The line has been very carefully surveyed, so as to secure the best grades available. Going from Collie to Narrogin, that is "against the load," 1 in 80 will be the ruling grade. Coming from Narrogin to Collie the ruling grade will be 1 in 60; that is to say, the steepest up-grade from Collie to Narrogin will be 1 in 80, and the steepest up-grade from Narrogin to Collie will be 1 in 60. In its grades the railway compares favourably with the existing lines of the State. Reports have been obtained from the officers of the Lands Department as to the influence which the line must have in promoting settlement. One of these officers is Mr. Ranford, whose name I think must carry sufficient conviction to the minds of members; and we have reports from Mr. Thompson and Mr. Brockman also. All these gentlemen are of opinion that the line will open to settlement no less than 500,000 acres of land not at present available. Members must be aware that the great desideratum of persons who come here—and we may thank our lucky star that they are coming here in sufficient numbers to settle on the land—is to get land as short a distance as possible from a railway. This 500,000 acres of which I speak will be available within 10 miles on each side of the line. This will, I think, be at once conceded to be a very reasonable distance for the purposes of settlement; and I should like to point out that in the absence of this line settlers are now taking up land along the Great Southern Railway at distances of 20 and 30 miles from the line. So it will at once be obvious that this railway must lead to a large volume of land settlement. Let members consider what is meant by settling 500,000 acres of land. Taking the average holding at 1,000 acres, it means settling 500 families on the soil, involving an increase of population settled in a permanent industry of, I should say, about 3,000 or 4,000 people. Again, I would ask members to consider the increase of revenue to be brought about by 3,000 or 4,000 newcomers—settlers of the kind which the State so urgently needs. Take again the proceeds of the sale of this land. The 500,000 acres may,

according to the reports of the various inspectors, be classed as first-class land; that is, the purchase-money to be paid for this land will practically suffice to build the railway. That condition of affairs is, I think, very favourable. The engineering aspect of the line has been fully reported on by Mr. Muir of the Railway Engineering Surveys Branch, and Mr. Thompson, the well-known engineer. In addition to these reports, the Minister for Lands some time back made it his duty to travel not only along the route proposed in the Bill, but to investigate the country lying along all the routes depicted on the plan. There is another aspect of this line to which I invite the consideration of members. Before very long in my opinion, and opinions differ materially in this respect, it is hoped this line will be required for the carriage of coal to the goldfields. When the supplies of firewood on the goldfields become exhausted, or so depleted that the cost of firewood rises materially, it will be found necessary to carry the line on, in the manner indicated on the plan which members see on the wall of the Chamber, from Narrogin to a point somewhere about Doodlekine, on the Eastern Railway, which is close to Hines's Hill, at any rate for the purpose of junctioning with the Eastern Railway and affording an expeditious, easy, and cheap transit for the coal from Collie to the goldfields. The continuation of the line will also open up, as members will see from a glance at the plan, a very large area of country which will be available and suitable for closer settlement than is the case now.

HON. T. F. O. BRIMAGE: What distance is it?

THE COLONIAL SECRETARY: Approximately about 100 miles. The Bill we are considering deals altogether with the section of the line from Collie to Narrogin, the length of which is 86 miles. I think, taking these two circumstances into consideration, very little more requires to be said to urge upon the House the necessity and advisability of building the line as soon as possible. The railway will open up a very large extent of agricultural country, some of which is now held under pastoral lease; country which the experts of the Lands Department assure the Government

is susceptible to closer settlement as soon as transit is given to people now occupying the land. Members from the goldfields will freely and readily acknowledge that one of the best assets of the State that any country can have is a settled and prosperous agricultural community. That being so I think the Government are justified in building the line which will tend so much to that result. I have much pleasure in moving the second reading of the Bill.

HON. J. M. DREW (Central): I move that the debate be adjourned.

Motion put and negatived.

HON. C. SOMMERS (North-East): I have pleasure in supporting the second reading, and I do not think there is much in the argument that the line is required for the purpose of providing fuel for the goldfields, as it is amply proved there is firewood enough there to last for a considerable time. The line opens up a very considerable area of land for settlement. We want land in this district which at present is described as a no-man's-land. The agricultural land is too far from the Great Southern line and from the South-Western line for settlers. I do not think the clause giving power to compulsorily purchase land within a radius of 12 miles of the line is wise. I think 12 miles is too far. If power were given to take land, say within two miles of either side of the line, that would be sufficient, but 12 miles is too great a distance. I am pleased that the Government have brought forward this Bill, for there are numbers of people flocking to this State and making inquiries at the Lands Offices for land suitable for settlement. I know people who wanted to engage in growing grain, but they could not get a sufficient area to make it a profitable undertaking. It is a pity to lose this good class of settler. It may not be too far ahead when the line will be wanted to convey fuel to the goldfields. The railway will open up good agricultural land where there is a good rainfall and large forests of timber. The line is justified from all points of view, and it will have my support.

HON. W. MALEY (South-East): I support the Bill before the House with the full conviction that the railway, when

constructed, will open up a very large extent of valuable agricultural, pastoral, and horticultural land, which will support a large population, land which is in great demand at the present time. It has already been pointed out by the Colonial Secretary that it is almost impossible to get land now within 20 or 30 miles of the Great Southern Railway. It is impossible to get first-class agricultural land, suitable for growing cereals, along any part of the Great Southern line, within 20 miles of the railway. The Government are selling land which is classified as first-class, but the land is clearly not first-class land, and it is not to be expected that people who are coming here from the Eastern States, and who have very good judgment in these matters, are likely to select second or third-class land to make their home upon. If we are to encourage the immigration which fortunately has set in westward, a farming immigration, we should not put any check in the way. It is not sufficient merely to advertise in the Eastern States and draw attention to the average wheat yield, which nearly exceeded the aggregate of the average yields of the Eastern States of Australia; but it is necessary that when settlers come here there shall be some land on which they can settle immediately, for delay means a great cost to them, and it is a tremendous deterrent to actual settlement. I know at the present time of settlers who have come to Perth and have been to the Lands Office, and have gone down the Great Southern line, but they have been unable to secure Government land which was suitable. These people have settled on some land which has been held for many years by private land owners. They have paid high rents, and in a season like the past, which was not too satisfactory in the wetter portions of the State, it has meant little short of disaster to them. It has been mentioned to me by settlers who have come here that they have regretted that there is no land within easy distance of a railway line for them. People will not settle with their families if they cannot educate their children who are of school age. If this railway is constructed there will be no obstacle in the way of settlers, for the line will open up large areas of country which otherwise would not be settled at all. I venture to pre-

dict that much of the land in that portion of the State, near the Collie, where there is an ample rainfall, by skill and intelligence will be turned to account, although the land is now thought to be worthless. By means of artificial manures the land will be made to grow grass and cereals, and probably lucerne and other crops. In this way something very considerable can be done in the way of closer settlement. I notice that No. 2 route, the one along which the railway is to pass, goes through a large extent of Government land that will be of advantage to the district. It has been contended in another place that No. 3 route would be preferable to No. 2, and farther that No. 1 would be preferable to No. 2, but I may point out that that is merely splitting straws, for if one takes the scale shown on the map and measures a 10 mile radius from the No. 2 line that distance comes on to route No. 3, so that any deviation may be made which may become necessary, a deviation from No. 2 to No. 3 route, where it is required. Any such objection appears to me to be frivolous to a degree. If members are in favour of the Bill, and if they are satisfied that the line is necessary for the development of the State, they have only one thing to do. It requires no farther consideration than to vote for the route proposed with the deviation of 10 miles, which perhaps has been wisely allowed. As to the compulsory purchase clause which appears in the measure, I must say that I require a little light on the subject. If it is intended that settlers who have taken up land there, or any person who has selected land in the vicinity of this proposed railway, is to be deprived of having a reasonable price paid for the land, and is to be compelled to sell the land at a price fixed by the board, I shall be opposed to the clause; but I certainly support the second reading of the Bill, and if the Minister's explanation of the clause is satisfactory I shall support the Bill in its entirety. If not, in Committee I shall move for the excision of that particular clause. I have much pleasure in supporting the second reading of the Bill.

At 6:30, the PRESIDENT left the Chair.
At 7:30, Chair resumed.

HON. J. M. DREW (Central): I wish to state that in moving the adjourn-

ment of the debate I was not actuated by any hostility to this Bill. My sole desire was to obtain information, and to exercise an intelligent vote upon this question. But I regret to say that, owing to the debate not having been adjourned, I am not in that position. I listened carefully to the speech of the Colonial Secretary, and it seems to me that the whole of his advocacy, very able advocacy indeed, was based simply upon the reports of three officers, Mr. Ranford, Mr. Thompson, and Mr. Brockman, who are capable and well qualified to express an opinion upon the construction of an agricultural line. But I think it was the duty of the hon. gentleman to have placed on the table the reports of those officers. So far I have not seen those reports, and I should like to see them before I exercise my vote on this question, which is a very important one. We are assured that the line is going to cost £268,000; but I have heard on good authority that it will cost considerably more, something like £400,000. All we have now before the House in support of such a proposal is the statement of the hon. gentleman, based on the reports of Mr. Ranford, Mr. Thompson, and Mr. Brockman, and the map by the Surveyor General. It is said that this land is excellent land; but I wonder whether any portion of this proposed railway will run through some of the land described here the other night by gentlemen who wished the Bill in connection with an exchange of land with the Salvation Army to be passed through this House. It was then urged that the land in the locality of Collie was third-class land. Of course it may be that this particular railway would run through better country, but I can see no reason for supposing it to be so. I really do not know at present how to vote on this matter. I am not anxious to block an agricultural railway which I am assured will lead to the development of something like 500,000 acres. But probably before this debate is concluded we shall hear other expressions of opinion on this land by men who are practically acquainted with it.

HON. E. McLARTY (South-West): I rise with great pleasure to support the second reading, and I desire to compliment the Government on initiating and bringing in I believe the first railway

which has been introduced by the present Government.

THE COLONIAL SECRETARY: The Malcolm-Laverton line.

HON. E. McLARTY: I remember that some years ago it was a common thing to hear the Forrest Government characterised as a public works Government. The Forrest Government were ridiculed for introducing what was called social legislation. I think we have had a pretty fair amount of this so-called social legislation during the past two or three sessions, and I hail with great satisfaction the introduction of a public work which I am sure will be of great benefit to this State. The railway from Collie will pass for the first few miles through land perhaps more valuable for its timbers than for any other purpose, although a great deal of it will be found suitable for cultivation on a small scale—for the cultivation of orchards and such like. But, as I understand, farther eastward the line will get into a large extent of good agricultural land. We have heard on the authority of the Minister that there are 500,000 acres suitable for agriculture.

THE COLONIAL SECRETARY: Within 10 miles of the line on each side.

HON. E. McLARTY: Within 10 miles of either side of the railway. If it can be shown that half this amount of good land exists in the locality—and I have not the slightest doubt there is a great deal more than half—we shall be fully justified in the construction of the railway. We know that there is now an enormous demand for land. New settlers are pouring into the country and looking round in all directions for holdings within reasonable distances from a railway. Assuming that even half the area mentioned by the Minister is taken up and got under cultivation, the value of that settlement to the country will be equal to the whole cost of the railway. The opening up of the country will benefit the timber industry, the coal-mining industry, and agriculture; and it will settle a large population on land which is now so far from any railway that to take it up and farm it profitably is almost impossible. One member said that the line will not be required for carrying coal to the goldfields. I can remember a vigorous agitation about two

years ago for a railway from Coolgardie to Norseman or Esperance; and a strong point then advanced by goldfields members was that the firewood within easy reach of the mines would be exhausted within 15 months from that time. I am now surprised to hear that there will be no need for Collie coal on the goldfields for years to come. These two statements do not tally; but so far as I can ascertain the day is not far distant when there will be a good market for Collie coal on the Eastern Goldfields. As to the route of the railway, about which there has been considerable discussion, I am not prepared to give an opinion. What I want is a line from the Collie coalfield to tap the Great Southern; and I have no doubt that a most careful examination has been made before any definite route was decided on. The line will benefit not only the coalfields, but the enormous extent of country between the Great Southern railway and the coast, and that between the South-Western Railway and the Great Southern. The latter is an enormous agricultural area cut off from railway communication; and to connect these two trunk lines by a new railway is a step in the right direction. I hope the country will soon be justified not only in building a line from the Collie to the Great Southern, but in building another line farther North to junction with that railway, so as to open up country at present far distant from railway communication. By the line proposed in the Bill the supply of timber to the goldfields will be greatly facilitated, as heavy grades will be avoided. It is satisfactory to learn that the grades on the proposed line are so easy—one in 80. There are very few lines of the same length in which the grades are so light. I have great pleasure in supporting the second reading of a Bill which will open up so much country and induce such extensive settlement.

SIR E. H. WITTENOOM (North): I do not intend to oppose the second reading, nor to say much on the merits or demerits of the country through which the line will pass. I take it the Government have made all necessary inquiries; and I have at the present moment sufficient confidence in them to feel assured that they would not propose to

spend such a large sum of money without at all events convincing themselves that there was necessity for the expenditure, and that it would not exceed the sum proposed. I am always in accord with any efforts put forth to develop the country and settle agriculturists on the soil; and I hope that the objects now in view will be realised, and that the line will lead to largely increased settlement, and will help to develop and make remunerative the Collie coalfield. I know of nothing which could contribute more to the success of our industries than the development of coal-mining. I hope the Minister's anticipations as to settlement will be abundantly realised. I do, however, take exception to the fact that while it seems quite easy to find a sum of about £260,000 for laying down a railway in a portion of the State already to some extent served by railways, yet when a modest demand is made to develop the golden North by a railway from Port Hedland, every difficulty is put in the way, and the Government will not on any ground whatever entertain the request. I think the time has arrived when farther consideration should be given to that part of the country. Look at the map, and we shall find that Collie is on a railway which runs north and south, and we see not far distant another railway running practically in the same direction; and now we propose to join these two lines by a line from Collie. We know that in Pilbarra gold has been found in many places throughout hundreds of acres of country; yet not the slightest facility is given for developing that rich area of gold-bearing land. A modest request was made for the construction of some 40 miles of line which would have considerably helped the district; but nothing was done, and no promise was made that the Government would do anything except under certain conditions with which it is almost impossible to comply. I make this comparison only to show how easy it is to get large sums of money spent in the southern districts, while no assistance is vouchsafed to those rich auriferous areas which are unfortunately far removed from the seat of Government. This reminds me of the old text, "To him that hath to him shall be given, but to him that hath not, from him shall be taken"—I was about to say "even that

he hath"; but as we have not a railway up there the Government cannot take it away. I repeat that some consideration should be shown to that portion of the country which I have the honour to represent.

HON. E. M. CLARKE (South-West):

As a member for the South-West Province it is most gratifying to me to find that this railway Bill has met with such approval. I can sympathise with members who ask for information; and I should not have spoken save that members expect those representing the district to justify the expenditure of money in that district; therefore it is due to me to say something. Mr. Drew says it has been admitted—and perhaps it was said by myself—that certain land held by the Salvation Army at or near Collie is very poor land. That is not inconsistent with what I now say. It is admitted on all hands, and the map will show, that some of the country in that neighbourhood is very poor. Admitting that it extends for 30 miles along the proposed route from Collie, yet for the remaining 53 miles of that route we find land extending for six or seven miles on either side of the route, now taken up though not served by any railway. The time is coming and is close upon us when in this country we shall have to look for a market for our chaff and wheat. We are already growing more chaff than we can consume. I think I am right in saying that it will be difficult to get rid of our chaff at anything like a good price. With that state of affairs I do not find fault. We are making all sorts of efforts to get people on the land. That is the usual cry. Now my experience is that if a person goes upon the land he has not only to find out what he can grow, but to look for means of transport. It has been stated—not in this House—that there is any quantity of good land close to our existing railways. Well, with the exception of the line from Walkaway to Cue I have travelled along the whole of our existing lines; and I flatter myself that I know good land from bad. I am not mistaken when I say that I do not know of any good Crown land fit for settlement within miles of these lines. I have travelled down the Great Southern line, have made it my business to inquire how near was

the nearest Crown land, and have been told it was 30 miles off; and no settler would care to go out so far, because the cost of carting his produce would be prohibitive. I have been over the whole of this land reaching from the Williams to Collie; I know it from personal experience; and a considerable portion still unalienated is really good, not to speak of the enormous area which has been taken up in anticipation of the construction of this railway by the route proposed. I think it fair to admit that while the goldfields will not require coal for the next 14 or 15 years, the time will come when they will require it. I am perfectly satisfied that these goldfields will not be worked out in a week. Their life we can estimate at 40 or 50 years at least. We know that they will need coal some time or other; and moreover, these coalfields are one of the best assets we have in the country. Much has been said against the coal; and while admitting that it is not a tip-top coal, I know from personal observation—though I do not speak as a geologist—that the features of the country round about Collie for miles show the existence of good coal on the area in question; and I am satisfied that there is some more perfectly close to the route, and an immense area of coal-bearing land within a few miles of the route; and I should not like to say there is not a lot of good coal right underneath the route. I think it goes without saying that a good coalfield is one of the best assets a country can possess. Now in the near future coal must be carried over the proposed line, and thence to the goldfields beyond. That being the case, and it being acknowledged on all hands that this line will open up a great deal of agricultural land, that is sufficient justification for building the railway without going into another great question, what is to become of the stuff grown on the Eastern railway when we have to compete with the markets of the world in wheat? The nearest point to the market that we can get the produce to the better for the producers. It can be taken to Narrogin, whereas if it had to be hauled to Fremantle it would cost considerable. I am pleased that the Government have done what I have advocated all along. They have taken the line along a route regardless of per-

sonal interests; they have taken what is the best route from an engineering standpoint, and they have done what I think is wise. They have gone through two thickly settled places, the Williams and the Wagin country, and there can be no complaint made as to that. It has been suggested, or I gather from remarks, that it is thought 1 in 80 is a very steep grade. I do not think there are lines in other parts of the country with easier grades than that, but take the line to the goldfields. I do not know what the grade on that line is, but there are any number of grades on that line of 1 in 60. There is a grade of 1 in 75 between Perth and Bunbury, and on going over that grade it appears to be almost flat country, therefore I take it that 1 in 80 is a decidedly easy grade. There is another question which has been mentioned by Mr. Maley—the clause dealing with the repurchase of land. I think it is a very good idea. Formerly the Government have resumed land according to the Railway Resumption Act, and have bartered as to what they would give for the land afterwards. The Government have sometimes paid a good deal more than the land was worth. If the land taken is submitted to an independent board composed of gentlemen who should know the value of land, the persons from whom the land is taken and the Government will be fairly dealt with, and the person from whom the land is taken will get the actual value. I do not know that I need labour the question in any way. I am very pleased to find that this line commends itself to the good opinion of those whom we might naturally think would like to know all about it before being committed to it. We shall find that the second reading will be passed with very little opposition, therefore I have much pleasure in supporting it. I shall be pleased to find that the Bill is carried unanimously on the second reading.

HON. Z. LANE (Metropolitan-Suburban): I would like to make a few remarks about the reports which members say they have not had the pleasure of perusing. Most of the reports have appeared in print. Mr. Thompson, engineer for railway construction, in his report says this line is principally for

mineral and timber traffic. I am glad to hear what Mr. Clarke has said, that a great deal of produce will be carried on the line. I am pleased to hear the remarks which have fallen from several agricultural members that a large area of land will be opened up by this line. With reference to the coal which will be carried over the line, great stress has been laid on the fact of carrying coal to the goldfields. I have not a great deal to say on that, but it will be a great saving to the Government if the line is constructed, for it will save the haulage for a distance of 58 miles of all the coal delivered east of Spencer's Brook, so that on all the Collie coal—and a good deal goes that way—the Government will actually save 2s. 5d. per ton upon, apart from that fact, it will not have to be hauled twice over the Darling Ranges. In reference to the grades, Mr. O'Brien did not consider that 1 in 80 was a very easy grade. Mr. Thompson, the engineer for railway construction, says that an engine can draw only half the load over a 1 in 40 grade that it will draw under the same conditions over a grade of 1 in 60; therefore the natural conclusion is that an engine will draw a greater load over a 1 in 80 grade. I am satisfied that this line will make a great deal of difference in regard to the timber traffic. There is a great deal of timber on the eastern side of the Darling Ranges in the direction of this line, and this timber will not have to be yarded and shifted about and boxed up, and carried twice over the ranges until it gets as far as Spencer's Brook. There is one point in reference to the Collie coal mines I may be pardoned for referring to, and I am sorry Mr. C. E. Dempster is not here to hear what I have to say. Newcastle coal costs 29s. 5d. per ton at Narrogin, whereas Collie coal can be delivered there under existing circumstances at 13s. 10d. per ton. There will be a saving of 15s. 7d. per ton on the coal used. Therefore I think we should be in a position, as I said the other night, to force the Government to burn some of the Collie coal along that line. I am not going to detain the House at any length in referring to this line. I thoroughly indorse all that has been said, and I wish to give my support to the line. The question as to whether it has been the practice to survey a line beforehand is a

matter of detail. As long as we assent to the line and it can be deviated for a radius of 10 miles on either side that is all we can be expected to do. A great deal has been said as to the cost of the line, but we find that the estimates given by such officers as Mr. Thompson and Mr. Muir are satisfactory. I have much pleasure in supporting the Bill.

HON. B. C. O'BRIEN (Central): On principle I shall support the second reading, because I have always advocated the construction of railways. I believe they are an absolute necessity in a country like Western Australia where our resources are so good. The places from which our produce comes are so remotely situated from the centres of population that it is necessary there should be means of communication, and no means are better than a railway. There is no doubt this line will pass through a piece of country which is very good indeed. According to the reports which I have read and inquiries which I have made, the land will be readily taken up, but the Government should keep their eyes open in regard to the selling and selection of the land. There are many people desirous of taking up land, and it should not be granted in large areas, because there are numbers of people who will secure large tracts of country for speculative purposes. I hope the Government will give that matter consideration and see that everybody gets a fair deal. There are hundreds of people now applying for land, and if the Government can sell the land a few miles on each side of the line in small areas, that is what is required. We want close settlement; we want a number of persons on small areas. The Government might take into consideration the remarks of Sir Edward Wittenoom. It must be remembered that we want to settle people on good land in other parts of the country beside the southern portion. There is room for the construction of railways in the northern portion of the country. I know one particular place where a railway is needed, that is a line from Mt. Magnet to Lawlers. With the extension of the main trunk line now going north from Menzies, one day, and not before long, that line will find its way to Lawlers; then it will be found that with development the Victoria District may get some-

thing of an impetus, and the railway may be extended to Mt. Magnet. The Government ought to take into consideration the immediate construction of that piece of line. There is no doubt a lot can be said in favour of the arguments of Sir Edward Wittenoom as to a line in the North-West. I trust the Government—and I give them credit for throwing their hearts into the matter of the line from Collie to Narrogin, and for going into it cheerfully—will also consider the construction of lines in the northern portion of the country. I support the second reading.

THE COLONIAL SECRETARY (in reply): I have to thank members for the extremely cordial support they have given to the line. I am sorry Mr. Drew should think that enough information was not forthcoming. I may inform the hon. member that I gave him, in a condensed form, all the information that I have at my hand—information which could not prove otherwise than satisfactory to the House. In order that Mr. Drew may have an opportunity of farther delving into the subject I shall have very great pleasure in postponing the Committee stage of the Bill until to-morrow. I had intended asking the House to go into Committee to-night, but I will postpone the Committee stage, and in the meantime I will lay on the table the papers containing the reports from which the information that I gave to the House was gathered, so that not only Mr. Drew, but other members who wish, may investigate the subject before we meet to-morrow, and can arm themselves with such information as they require. With regard to the points raised by Mr. O'Brien, although I have not consulted the Minister for Lands on the subject I think I can assure that member that the Minister for Lands is keeping his eye very firmly on the question of close settlement. It is with a view to inducing close settlement, and to open up large areas of land for close settlement, that the line is brought forward. That is the principal object. As to the other lines that have been mentioned throughout the State, after all there are not very many places where such quick returns are indicated by the reports as we find in regard to this land. As I have pointed out the purchase money paid for the land

which will be settled by the creation of the railway will recoup the State for the building of the line. There are not many places in the State of which the same can be said. That of course is one of the principal reasons why the Government have decided upon embarking on the line as quickly as possible. I have again to thank members for the extremely cordial support they have given to the second reading of this Bill, and I hope that support will be extended to the provisions of the measure when we reach the Committee stage.

Question put and passed.

Bill read a second time.

FREMANTLE TRAMWAYS BILL

(PRIVATE).

HON. R. LAURIE in charge of the Bill.

RECOMMITTAL.

On motion by HON. M. L. MOSS (Minister), Bill recommitted for amendments.

Clause 33—Statement of account and balance-sheet to be made up annually in October and duly audited :

HON. M. L. MOSS moved that the word "October" be struck out and "September" inserted in lieu. If members would look at Clause 35, they would see that a copy of the statement of accounts should, on or before the first Wednesday in October in every year, be furnished to the councils of the municipalities. The first Wednesday in October might be the first day of October, and that would give no time at all to the board to prepare the account, and consequently he proposed striking out the word "October" and inserting "September."

Amendment passed.

New Clause 9—Additional special rate in case of loss :

HON. R. LAURIE moved that between "additional" and "rate," in line 3, the word "special" be inserted, to read "an additional special rate," etcetera.

Amendment passed.

Bill reported with farther amendments, and the report adopted.

MINING BILL.

IN COMMITTEE.

Consideration resumed from the previous day.

Clause 91—Exemption from labour :

HON. Z. LANE moved that the word "mine," in Subclause 1, be struck out, and "lease" inserted in lieu.

THE COLONIAL SECRETARY had pleasure in accepting the amendment.

Amendment passed, and the clause as amended agreed to.

Clause 92—agreed to.

Clause 93—Exemption as of right :

HON. Z. LANE moved that the word "three," in subclause 2, be struck out and "six" inserted in lieu ; also that a consequential amendment be made in line 11. If exemption was to be granted in regard to a special lease, the difference was not very great between three months and six months. This had been talked over a good deal by people who knew a great deal more about it, he supposed, than any of us, at a conference held in Kalgoorlie recently, and this amendment was there agreed to.

THE COLONIAL SECRETARY :

This amendment could not be agreed to by him, for the reason that it was not proposed that mines should be worked half-time. The proposition of the hon. member meant that the Government should grant six months' exemption for six months' work, and that of right. There was no objection, of course, to mine-owners making application for farther exemption after they had exhausted their exemption as of right ; but this was the first time exemption as of right had been introduced into our mining legislation, and it was a very great concession indeed. On proof that certain work had been done and certain capital expended, the mine-owners could come into the warden's court and say, "I want so much exemption. I have done so much work, I have spent so much money. I want that exemption and of right I demand it ;" and no objection could be entered, the only thing that could be done being to institute an inquiry to prove that the allegations as to the work done and the capital expended were correct. That being so, members would do well to leave the clause as it stood. The concession now made was one which had never been attempted before. At all events he did not feel inclined to agree to the amendment, which as he had said, would give a man six months' exemption for six months' work

as of right. That would not be a fair thing. In his opinion any exemption over three months should be through the usual course. This granting of exemption by right did not take from the applicant the right of procedure in the usual manner. Mine-owners could apply in open court for exemption, to which objections could be entered by any persons interested. He hoped the hon. member would not seek to alter this clause, which went a long way in the direction of giving an extremely valuable concession to mine-owners.

HON. Z. LANE: After the explanation of the Colonial Secretary, as the hon. gentleman had already graciously made some concessions proposed by him, he (Mr. Lane) would, if the Committee would allow him, withdraw the amendment.

Amendment withdrawn.

HON. Z. LANE moved as an amendment—

That the proviso be struck out.

To leave machinery and plant in the hands of tributors would be dangerous.

THE COLONIAL SECRETARY: The Minister for Mines had much difficulty in passing this clause through another place; and it passed on the understanding that the outlying and unworked portions of the lease, not the main workings, might at the discretion of the Minister be let on tribute. The lessee would thus get the outlying portions of his ground prospected, possibly for nothing, and with a share in the results. The Minister for Mines gave it as his opinion that if the proviso were struck out there would be the greatest difficulty in passing the clause in another place.

HON. A. G. JENKINS: Exemption as of right had been for years demanded; yet the clause did not give it as of right, but hedged it round with what might be very deterrent conditions. After the expenditure of so much money or after doing so much work the lessee should have a right to exemption; but by the proviso a certain part of the mine might be let to tributors under conditions prescribed by the Minister. In some cases tribute made a mine and in others ruined it. If we wished to give exemption as of right, give it.

THE COLONIAL SECRETARY: The last speaker said that mine-owners

had for years fought for exemption; yet now that this concession was to be given, the hon. member decried it. That was not reasonable. The drawbacks of the proviso were more apparent than real, for it would not be easy to let on tribute the outlying portions of a mine, nor would the Minister be likely to impose unfair conditions. But if men were willing to work outlying portions of an exempted lease on fair conditions not alone as to percentage but as to leaving the ground in a secure state and as to non-interference with the actual workings and the machinery, surely they might be allowed to do so.

HON. W. T. LOTON: If exemption was to be given it should extend to the whole of the lease; for to admit tributors was to set up a dual title.

HON. Z. LANE: Mining tribute was always a percentage of the gold won—that was, on the gross returns. But when the mine was under exemption and the tributors had to take their stuff to be treated elsewhere, the mine-owners would never know how much gold was really won by the tributors; and tributors were the worst class of men he (Mr. Lane) ever had to deal with.

THE COLONIAL SECRETARY: The opinion of the Minister for Mines had already been expressed. It was for hon. members to say whether the clause with the proviso was better than no clause of the sort.

SIR E. H. WITTENOOM: Members should not be threatened. Were we bound by the opinions of the Minister for Mines, or by a majority of the House? The same statement on each clause would obviate necessity for considering anything. The principle of exemption as of right for work done and money expended had for years been advocated, and exemption should not be dependent upon the caprice of Minister or of warden. The clause provided settled conditions; but the proviso, which was not clear, apparently empowered the Minister to impose conditions of tribute during the time of exemption. What were "the main workings"?

THE COLONIAL SECRETARY: Really all the workings. No threat was held out; but this clause passed in another place on account of the proviso.

He did not ask members to be governed by the opinion of the Minister for Mines. We might just as well be ruled by the opinion of that body to which reference had been made so often during the debate. Amendments made by this Chamber had to be considered in another place, and while fairly expressing opinions members should put the Bill in such a form that it would be acceptable to both branches of the Legislature. He should not be accused of threatening members, nothing was farther from his intention than that, but his duty was to explain the position to the Committee.

SIR E. H. WITTENOOM: The Minister, in the first instance, explained that if the proviso were struck out the clause would be dropped, but it was now stated that unless the clause passed with the proviso, the members of the Assembly would not accept the clause. The threat was not so forcible now.

HON. B. C. O'BRIEN: Companies got exemption on some occasions for very trivial reasons, and leases had been locked up for long periods. Small bodies of men working adjacent to a lease might be able to work portions of the lease profitably to themselves, at the same time doing good to the owners. In such cases the Minister should have the right of letting tributors work on the leases.

HON. C. SOMMERS: A mine owner might get exemption through the expenditure of a certain sum of money: why should the Minister have power to allow tributors to work the property. It was unheard of to have tributors forced on to a lease.

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

Ayes	...	...	8
Noes	...	...	8
<hr/>			
A tie	...	...	0

AYES.
HON. A. G. JENKINS
HON. Z. LANE
HON. B. LAURIE
HON. W. T. LOTON
HON. W. MALEY
HON. C. SOMMERS
HON. SIR E. H. WITTENOOM
HON. A. DEMPSTER
 (Teller).

NOES.
HON. J. W. HACKETT
HON. W. KINGSMILL
HON. E. McLARTY
HON. M. L. MOSS
HON. B. C. O'BRIEN
HON. G. RANDALL
HON. J. A. THOMSON
HON. T. F. O. BRIMAGE
 (Teller.)

The CHAIRMAN gave his casting vote with the Noes.

Amendment thus negatived, and the clause passed.

Clause 94—agreed to.

Clause 95—Exemption from labour conditions on coal mines:

HON. Z. LANE moved that in paragraph 2 the words "not exceeding six months" be struck out.

THE COLONIAL SECRETARY: There was no reason why the amendment should be agreed to, although he would not oppose it strongly; circumstances altered very quickly, and perhaps in six months there might be conditions which would prevent the license being granted. An applicant might not want a renewal; there should be a more frequent period for the reconsideration of the position.

Amendment put and negatived.

On motion by the **COLONIAL SECRETARY**, the word "first" in line 11 of paragraph 3 struck out.

Clause as amended agreed to.

Clauses 96 to 103—agreed to.

Clause 104—Proceedings by the Governor on application for forfeiture:

HON. Z. LANE moved as an amendment,

That the words, "and award the whole or any part of the fine to the applicant," in lines 2 and 3, be struck out, and "award out of such fine the expenses legitimately incurred by the applicant," inserted in lieu.

THE COLONIAL SECRETARY: These words occurred in practically every Mining Act in Australia. Recent experience showed a desire in wardens' courts to inflict fines instead of forfeiting. It was therefore necessary not to encourage the jumper, but to encourage the general public to see that the labour conditions were fulfilled.

HON. C. SOMMERS: By Subclause 1 the lease could be declared forfeited, and that would induce a spy to inform. Would not the lease be granted to him after forfeiture, thus encouraging jumping?

Amendment negatived, and the clause passed.

Clause 105—Procedure in case of forfeiture:

HON. Z. LANE moved as an amendment:

That Subclauses 1, 2, and 3 be struck out, and the following inserted in lieu:—"If the Governor declares the lease forfeited the applicant for forfeiture shall have the prior right to the exclusion of all other persons for fourteen days next after the date on which notice of forfeiture is published, and take

possession of and apply for a lease of the whole or any portion of the land comprised within the forfeited area."

THE COLONIAL SECRETARY: The clause left it discretionary with the Governor to award the lease to the applicant for forfeiture. Unfortunately, collusive applications for forfeiture were sometimes made. In one case the applicant was employed by the company who owned the lease, paid by the men who worked on it, and he swore that the men were not working on the day in question. Had the lease been forfeited it must have gone to the applicant who played this part.

Amendment negatived, and the clause passed.

Clauses 106 to 110—agreed to.

Clause 111—Power to resume for residential purposes :

HON. Z. LANE moved as an amendment,

That the figures "48," in lines 3 and 4 of Subclause 1, be struck out, and "96" inserted in lieu.

Much trouble arose through allowing residence on small leases. On a lease of 24 acres there was no room for residents, who sometimes were discharged employees of the company and caused considerable annoyance.

THE COLONIAL SECRETARY: This was an anticipatory amendment, for if the hon. member could not carry the next amendment on the Notice Paper, he would not need this. On a 48-acre lease, or on any lease, it would be almost impossible to find vacant land 25 chains distant from an outcropping reef, ore reduction works, or accumulated residue. The clause as it stood met all legitimate purposes. The land had to be reported on by the State Mining Engineer that it was not likely to be required for mining purposes. The subsequent amendment would be unnecessary. It was only in the case of leases practically unoccupied and which were not required for mining purposes that the clause was likely to be put in operation.

Amendment negatived, and the clause passed.

Clauses 112, 113, 114—agreed to.

Clause 115—Interpretation of terms :

SIR E. H. WITTENOOM: The interpretation of "private land" might have some bearing later on, when it was in-

tended to propose a new clause. Private land was defined to be any land which had been, or might hereafter be, the subject of conditional purchase agreement. That showed that the Bill was retrospective in character.

THE COLONIAL SECRETARY: If the new clause which was to be proposed by the member was carried, then there would have to be several consequential amendments.

HON. J. W. HACKETT: The Bill would have to be dropped.

THE COLONIAL SECRETARY: If such a remark had been made, the hon. member would have said that one was threatening the Committee. If the new clause were carried, certain clauses of the Bill would have to be remodelled, which he could not recommend his colleague to do.

Clause put and passed.

Clause 116—agreed to.

Clause 117—Precious metals the property of the Crown :

HON. W. T. LOTON: The date was fixed as the 1st January, 1899. Why was it necessary to go back to that date?

THE COLONIAL SECRETARY: That was the date of the Land Act controlling the ownership of the baser metals.

Clause put and passed.

Clauses 118 to 134—agreed to.

Clause 135—Applications for mines at a greater depth than one hundred feet :

On motion by the **COLONIAL SECRETARY**, the words in line 2, Subclause 1, "or land held in fee simple not being private land within the meaning of this part of the Act" were struck out, and the words "other land" inserted in lieu.

Clause as amended agreed to.

Clauses 136 to 143—agreed to.

Clause 144—Application of general provisions of the Act—amended by striking out the word "unoccupied" in line 5.

Clause as amended agreed to.

Clauses 145 to 149—agreed to.

Clause 150—Owner of land in vicinity of mining tenement entitled to compensation :

THE COLONIAL SECRETARY moved that in line 4, after "the," the words "lessee or" be inserted. A lessee was not necessarily a miner as defined by the interpretation clause of the Bill, and

in order to include lessee it was thought necessary to specifically mention him.

Amendment passed, and the clause as amended agreed to.

Clause 151—agreed to.

Clause 152—Governor may grant licenses to construct drives through land intervening between tenements:

THE COLONIAL SECRETARY moved that in line 3 the words "in fee simple" be struck out. This part of the Bill dealt with land in fee simple, therefore it was not necessary to have the words in the clause.

Amendment passed, and the clause as amended agreed to.

Clause 153—Petition to bring land under Act:

SIR E. H. WITTENOOM: This and the two next clauses would largely be covered by the new clause which he had tabled. This clause sought to give power to bring within the Bill all land whatsoever of which the fee simple was granted prior to the 1st January, 1899. In other words, the owner of such land could be compelled either to mine on it himself or to allow others to do so. The preceding portions of the Bill dealt with lands alienated since that date.

THE COLONIAL SECRETARY noted the hon. member's remarks. The new clause referred to would affect clauses 154 to 164.

Clause put and passed.

Clauses 154 to 187—agreed to.

Clause 188—Payment for improvements—verbally amended by striking out the word "or" in line 8, inserting "and" in lieu.

Clause as amended agreed to.

Clauses 189 to 198—agreed to.

Clause 199—Compensation for land—verbally amended by striking out the word "value" in line 3, inserting "amount" in lieu.

Clause as amended agreed to.

Clauses 200 to 203—agreed to.

Clause 204—Interpretation:

HON. Z. LANE moved as an amendment—

That the words "alluvial ground or," in line 6, be struck out.

The men who carried away from mines precipitates, alloys, and amalgam, had discovered a means of making the substances resemble alluvial gold. There was too much gold-stealing already, and

without amendment the clause would open the door for much more. Ultimately gold buyers would doubtless have to be abolished. In a recent case one was proved to have opened his premises only between midnight and 2 a.m. True, the law was now being enforced much more strictly than five or six years ago.

THE COLONIAL SECRETARY: The clause as it stood was taken through another place after a hard fight. The Government wished as firmly as possible to put down illicit gold buying and selling; and of this the clause and those which followed were evidence. But we should preserve the right to sell alluvial gold; and he was informed there had been no attempt to trade smelted gold as alluvial. The words proposed to be struck out were on their trial; and if next session the hon. member could show that smelted gold had been traded as alluvial, he (the Minister) would be willing to amend the Act as required.

Amendment withdrawn and the clause passed.

Clauses 205 to 215—agreed to.

Clause 216—Entries to be signed:

HON. G. RANDELL: This was a new departure in regard to gold-mining. There was nothing in the present Act equivalent to it. It would cause considerable hardship if the clause was carried out.

THE COLONIAL SECRETARY: A new clause had been drafted by the Parliamentary Draftsman in reference to this matter, which it was proposed to insert in the Bill.

Clause put and passed.

Clauses 217, 218, 219—agreed to.

Clause 220—Temporary licenses—amended by the word "Minister," in line 9, being struck out, and "Secretary for Mines" inserted in lieu.

Clauses 221 to 225—agreed to.

Clause 226—Alteration of locality or discontinuance thereof—amended by the word "situate," in line 2, being struck out and "established" inserted in lieu.

Clauses 227 to 232—agreed to.

Clause 233—Verbally amended and passed.

Clause 234—Procedure—amended by inserting after "Warden," in line 7, the words "or Mining Registrar."

Clauses 235 to 242—agreed to.

Clause 243—Order for possession—amended by altering “may” to “shall,” in line 6.

Clauses 244 to 280—agreed to.

Clause 281—Lien for wages :

On motions by HON. G. RANDELL, the word “existing” in line 6 was struck out; also after “encumbrance” the words “entered into or acquired after the commencement of this Act” were inserted.

Clause as amended agreed to.

Clause 282—Caveats may be lodged—amended in Subclause 5 by inserting after “shareholder” the words “or miner” and a consequential amendment in Subclause 6.

Clauses 283 to 286—agreed to.

Clause 287—Declaration as to gold for exportation—amended by inserting the words “in respect of any” before “alluvial,” in line 14.

Clauses 298 to end—agreed to.

Schedules (two)—agreed to.

Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at three minutes past 10 o'clock, until the next day.

Legislative Assembly,

Tuesday, 15th December, 1903.

	PAGE
Rabbits Incursion, later Report	2804
New Member (Nelson) sworn	2805
Obituary: Letter from Lady Storer	2805
Questions: Battery at Lennonville	2805
Mining Registrar's Deputy	2805
Battery at Boogardie	2805
Deep-lead Drain, Kanowna	2805
Puddler at Puddington	2806
Bills: Loan, £1,582,000, first reading	2805
Jandakot Railway, third reading	2806
Permanent Reserves Act Amendment, third reading	2806
Metropolitan Water and Sewerage, postponed	2806
Audit Bill (No. 2), second reading, in Committee, reported	2807
Roads and Streets Closure, third reading	2810
Annual Estimates, Public Works, Statement by Minister, Votes and items, progress	2810

THE SPEAKER took the Chair at 2-30 o'clock, p.m.

PRAYERS.

RABBITS INCURSION—LATER REPORT.

MR. R. G. BURGESS (York) craved the indulgence of the House to read some extracts from a letter received to-day by Mr. H. Ponton, of Messrs. Ponton Bros. and Sharpe, from Mr. W. H. Halford, who at Balladonia had on the 7th instant written this letter to his firm, and communicated with the Minister for Lands also. He (Mr. Burgess) had the assent of the member for the district in bringing the matter before the House. The points of interest were:—

I arrived here to-day. *Re* rabbits, 25,000 had been caught in three weeks at Nullabor station; and on the run they are uncountable, 3,740 having been caught in one night. At White Well nearly 38,000 had been caught in a few weeks. Wire netting yards were used in each case. Large numbers of rabbits are lying dead along the Nullabor rabbit and dog-proof fence. The rabbits have ring-barked about five sandalwood trees out of six, stripped a lot of blue bush, left no grass standing except in one place, are stripping limbs of trees and various bush to a height of six or seven feet; and as the supply of sappy bark or green leaves and twigs fails them, they are dying in large numbers, being too many for the feed available. In many instances I saw a dead rabbit for each tree in a clump of four to eight trees. I never saw a green cotton bush on my way from Eucla till I got within a few days' drive of Balladonia. On the famous plain behind the cliffs the cotton bush is all brown and apparently dead, and much of it has its broken taproots towards heaven, its lateral roots having all been cut by the rabbits as if with a knife. Mallee four inches