

**Legislative Assembly,***Tuesday, 7th October, 1902.*

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

**PRAYERS.****PAPERS PRESENTED.**

By the MINISTER FOR WORKS AND RAILWAYS: 1, Canning Railway, traffic and condition; return ordered 25th August. 2, Furniture and fittings for public buildings and offices, Expenditure; return ordered 21st August. 3, Alteration to railway classification and rate book relating to chaff, hay, and straw, and to conveyance of bicycles for officers of the Coolgardie Water Scheme Branch.

By the PREMIER: 1, Copy of permits to construct timber tramways. 2, Retrospective effect of Section 29 of Public Service Act, papers containing the opinions of Crown Law officers.

Ordered: To lie on the table.

**OBITUARY—MR. JUSTICE HENSMAN.**

THE PREMIER (Hon. Walter James): Sir, before the business of the day proceeds, permit me to call attention to the announcement of the death of Mr. Justice Hensman, notice of which came from England by cable this morning. That learned Judge has for 10 years occupied a high and important position on the judicial Bench of this State, having previously served for some years as Attorney-General, and as a member of the Legislature; and during the time he occupied the position of Judge he fulfilled his judicial duties so fearlessly and so ably as to win the respect and admiration both of the public and the practitioners who appeared before him, as also of the suitors

whose cases he determined. I can, without qualification, state that he was an upright and a strong Judge, thoroughly conscientious in his work; a man who neglected no detail and shirked no responsibility. He leaves behind him a judicial reputation which honours the bench of this State, and also the community of which he was a member.

**QUESTION — COOLGARDIE WATER SCHEME, MUNDARING RESERVOIR.**

MR. ILLINGWORTH asked the Minister for Works: 1, Whether there was any truth in the rumour that the Helena Reservoir was likely to fail as an efficient source of supply for the Goldfields water scheme. 2, Whether the Government had any reliable data which would prove that (after allowing for unavoidable waste and the contingency of dry seasons) the Helena Reservoir was capable of supplying 5,000,000 gallons per day for 365 days in each year. 3, Whether, in view of the present anxiety which prevailed on this important matter, the Government would supply the House with reliable information at the earliest possible date.

THE MINISTER FOR WORKS replied: 1, No; because if it is found to be necessary (which appears unlikely for some time to come) the catchment area can be increased before next wet season by including an area which is known to give a good run-off. 2, The actual gauged yield of the catchment area of the Reservoir has been as follows, namely:—For the year ending 30th June, 1899, 3,821 million gallons; 1900, 2,460 mil.; 1901, 9,021 mil.; 1902, 1,365 mil.; the quarter ending 30th Sept., 1902, 225 mil. Assuming that the reservoir had been in existence and empty on the 1st July, 1898, and that five million gallons per day were drawn from it after that date, and also that a sufficient allowance were made for unavoidable waste, including in such evaporations, absorptions, and seepage from the reservoir, and leakage from the mains, the position on the 30th June of each year would have been as follows, namely:—On the 30th June, 1899, the reservoir would have contained 1,060 million gallons; 1900, do. 880 mil.; 1901, do. 1,900 mil.; 1902, 740 mil.; and by the 28th February, 1903, the water would have been drawn down to lowest outlet

level. 3, It is not considered that there is necessity for anxiety in this matter, as it is very unlikely, if the records of past rainfall, and records of the Victoria Reservoir in past years, are taken into account, that a season such as the one just gone through will recur, at any rate in the immediate future, but if the consumption on the goldfields promises to be full at an early date, measures can be taken, as above explained, to insure with reasonable certainty that it will be met.

#### QUESTION—LIQUOR INSPECTION.

MR. HIGHAM asked the Treasurer: 1, Whether he was aware that the excise officers to whom were intrusted the duties of inspecting liquors sold in licensed premises had discontinued doing so. 2, If so, what steps were being taken to have these important duties carried out.

THE PREMIER, on behalf of the Treasurer, replied: 1, Yes. 2, Arrangements are being made and will be completed as soon as practicable.

#### QUESTION—TIMBER MILLS ON WATER CATCHMENT AREAS.

MR. O'CONNOR asked the Premier: 1, Whether it was a fact that the Canning Timber Company were building a mill on the Pickering Brook, which runs into the Mundaring Reservoir. 2, Whether the Government would inquire into the number of mills, and their conditions, built on the Mundaring and Perth Water catchment areas.

THE PREMIER replied: 1, An examination of Pickering Brook has failed to reveal any indications that a mill is being erected thereon. 2, Inquiry will be made in the proper quarter.

#### QUESTION — ARCHITECTS AND EXPENSES, PARIS EXHIBITION.

MR. O'CONNOR asked the Minister for Works: 1, Who were the principal architects that were sent to the Glasgow and Paris Exhibitions. 2, Their individual expenses. 3, Whether either of these senior officers travelled second class, and why.

THE MINISTER FOR WORKS replied: 1, To the Paris Exhibition, Mr. J. H. Grainger, Chief Architect; and to the Glasgow Exhibition, Mr. Geo. Allen, Inspecting officer. 2, Expenses were paid

by the Royal Commissions on the Exhibitions. 3, Not known.

#### QUESTION—CHIEF ARCHITECT, SERVICE, ETC.

MR. O'CONNOR asked the Minister for Works: 1, What was the length of time Mr. Grainger had been in the Government employ. 2, The amount of time absent on (a) State business, (b) holidays, and (c) sick leave. 3, If away on departmental business, the name of the work on which he was engaged. 4, Whether Mr. Grainger had offered to resign during the past nine months.

THE MINISTER FOR WORKS replied: 1, Five years and seven months. 2, (a) 10 months 29 days, (b) 12 weeks, (c) two weeks. 3, The Paris Exhibition, Royal Celebrations, and Inspection of Public Buildings in Eastern States (present business). 4, Yes, a suggestion was made to that effect.

#### QUESTION—SPEAR-PARKER LIBEL INQUIRY.

MR. HOPKINS asked the Attorney General: 1, Whether the Government is following the same methods in the prosecution of the charges against Mr. Justice Parker as characterised the John Davies inquiry, namely, to appoint prosecuting counsel. 2, If so, who holds the brief. 3, Whether the inquiry will be conducted in public.

THE ATTORNEY GENERAL replied: 1, No. There is no prosecution, nor has any charge been made by the Government as in the John Davies inquiry. 3, The question as to whether the inquiry shall be a public one or not rests with the Commission.

#### LEAVE OF ABSENCE.

On motion by the PREMIER, leave of absence for one fortnight granted to the member for North Perth (Dr. McWilliams), on the ground of military service outside the State.

#### AGRICULTURAL BANK ACT AMENDMENT BILL (No. 2).

Message from the Administrator received and read.

Bill introduced by the PREMIER (the previous Bill having been withdrawn

through informality), and read a first time.

#### ROADS ACT AMENDMENT BILL.

##### SELECT COMMITTEE'S RECOMMENDATIONS.

MR. HOPKINS moved that the House resolve into Committee, to consider the amendments recommended by the select committee in the report presented at a previous sitting. Perhaps the Premier would state whether the Government desired that the suggested amendments should be embodied in the Bill *pro forma*, so that the clauses might be reprinted.

THE PREMIER: The amendments suggested by the select committee, most of which were formal, had been carefully considered, and he hoped they would be accepted as far as possible. As to adopting them *pro forma*, the House when in Committee could proceed with the whole Bill in the ordinary way, dealing with the suggested amendments in their order as they arose.

Question passed.

##### IN COMMITTEE.

Clauses 1 and 2—agreed to.

Clause 3—Repeal, first schedule:

MR. HOPKINS moved that the words "or become due or are accrued due" be inserted after "due" in line 12.

Amendment passed, and the clause as amended agreed to.

Clause 4—Interpretation:

MR. HOPKINS moved that the following be inserted after the definition of "Minister": "Naturalised subject means a subject of the King naturalised under the law of the United Kingdom, or of a colony which has become a State of the Commonwealth, or of the Commonwealth, or of a State;" that the word "district" be inserted after "land" in definition of "Occupier"; and that the word "track" be inserted after "bridle path" in line 4 of definition of "Road."

Amendments passed, and the clause as amended agreed to.

Clause 6—The Governor may constitute, withdraw, or abolish districts:

MR. HOPKINS moved that the words "or parts thereof" be inserted after "districts" in Sub-clause 2.

Amendment passed.

MR. HOPKINS moved that in Sub-clause (b), line 3, the word "twenty" be struck out, and "ten" inserted in lieu.

MR. JACOBY opposed the amendment. Why should ten ratepayers have a right to cause so much trouble? More than 10 persons should petition, when it was desired to make a substantial alteration in the boundaries of a district.

MR. HOPKINS: Under the clause the Governor-in-Council had power to do certain things and within stated time. Any 20 persons, according to the clause as printed, might petition the Governor-in-Council for inquiry into the matters stated. The amendment allowed 10 persons to petition the Governor-in-Council. The Bill was supposed to deal with sparsely-populated districts, and not to deal with suburban districts.

THE PREMIER: If on the petition of 10 persons the Governor was bound to hold an inquiry, it gave a small body of persons power to say that certain expense should be incurred. It might be found there was a small body who thought that separation was desirable, and if 10 persons could be found to sign the petition, the Governor must hold an inquiry. It might be desirable not to make the provision compulsory.

MR. FOULKES: Before any alteration was made in the boundaries of a district, opportunity should be given for an inquiry; and there were very few districts in which people were unanimous as to the alteration of boundaries. The power of inquiry should be made compulsory, but the number who must sign the petition might be increased. He would be agreeable to increasing the number who must petition the Governor to 100, if thought desirable.

MR. DAGLISH: The more satisfactory way, where the power of appeal existed, was to make the number who could petition a proportion of the total number of ratepayers. The fixing of an arbitrary number did not work out well where the population varied materially. He suggested that 5 per cent. of the ratepayers should have the right of petition, and on receipt of a petition signed by that number, the Governor should make an inquiry as proposed by the Bill.

MR. HOPKINS: When the matter was discussed by the select committee, it was pointed out by Mr. Sayer that instances often occurred where no person wanted an inquiry held, all being satis-

fied, and it was not desirable that an inquiry should be held where it was unnecessary. The number of ten was to meet the requirements of sparsely-populated districts. If the number "ten" were accepted, the holding of an inquiry might be made optional.

Amendment passed.

THE PREMIER moved that in Sub-clause (c), line 1, the word "shall" be struck out and "may" inserted in lieu. Although an inquiry must be held it did not follow that the Governor's action should follow the result of the inquiry. The object was to see that the Governor-in-Council was satisfied. If the Governor-in-Council thought farther information should be obtained, he could direct an inquiry to be held, but there might be cases in which it was not necessary to have an inquiry, and therefore it was not necessary to go to the expense.

MR. JACOBY: If the Bill was administered properly, and the Governor acceded to the request of any ten ratepayers in one district, he would have to accede to the request of ten ratepayers in any other district.

THE PREMIER: No. The Governor would have to look at the size of the district.

MR. JACOBY: If the amendment were passed, there would be a petition every fortnight from some district or other.

Amendment passed, and the clause as amended agreed to.

Clause 7—agreed to.

Clause 8—Apportionment of liabilities and assets on divisional district:

MR. HOPKINS moved that in line 4, after "Minister," the word "may" be struck out and "shall" inserted in lieu.

Amendment passed, and the clause as amended agreed to.

Clause 9—Townsites to be included in district:

MR. WALLACE: The people should have a voice as to whether a district should be included within a municipality.

MR. HOPKINS: Every town must be within a roads board district, and if desired that district might become a municipality. Clause 6 enabled a portion to be taken from one board and added to another; but persons must at the present time be in the district of some board, and, if they were dissatisfied with that, they

had only to make their case known to have it remedied. The Bill provided for that.

Clause passed.

Clauses 10 to 19, inclusive—agreed to.

Clause 20—Resignations:

MR. HOPKINS moved that the words "by the chairman or secretary" be added.

Amendment passed, and the clause as amended agreed to.

Clauses 21 to 24, inclusive—agreed to.

Clause 25—Electors:

MR. HOPKINS moved that after "being," in line 1, the words "on the day of the revision of the electoral list" be inserted. In compiling the list, it should be stated definitely who was the person entitled to be placed on the roll in respect of a particular property. As it stood before, there might be half a dozen persons in the one financial year in possession of that property, each paying a portion of the rate, and each desiring to be placed on the roll. The select committee suggested that the person in occupation on the day of the revision of the list was the person whose name should be placed on the electoral list.

THE PREMIER: First came the preparation of the roll, then the revision of it. How could we put on the roll when it was prepared the name of a man who might buy a particular property a week after?

MR. HOPKINS: It was only a matter of altering the date. The object was to have a definite date, so that one person should be entitled to be placed on the roll in respect of the particular property; and the select committee thought the date of revision would be the best date to adopt.

THE PREMIER: The preparation of the roll preceded the revising of the list, and how could a person who took possession at a later date have his name inserted in the revised list?

MR. FOULKES: The Bill provided that a list should be made out on or before the 20th January, and the revision court was to be held subsequently to that date.

THE PREMIER: If the list would not be revised until February, how could we say in January who should be entitled to be on the list in February?

MR. FOULKES: The man entitled on the 1st January should be put on the list.

**THE PREMIER:** Say, the 1st of January?

**MR. HOPKINS** altered his amendment to the effect that after "being," the words "on the 1st day of January in any year" be inserted.

Amendment passed.

**MR. HOPKINS** farther moved that after "any," in line 24, the word "annual" be inserted.

Amendment passed, and the clause as amended agreed to.

Clauses 26 to 29, inclusive—agreed to.

Clause 30—Preparation of lists:

**MR. HOPKINS** moved that the word "twentieth," in line 1, be struck out, and "first" inserted in lieu; also that after "day," in line 10, the words "and during the seven days next following" be inserted.

Amendments passed, and the clause as amended agreed to.

Clauses 31, 32—agreed to.

Clause 33—Lists to be published of claims and objections:

**MR. HOPKINS** moved that the word "third," in line 9, be struck out, and "fifth" inserted in lieu.

Amendment passed, and the clause as amended agreed to.

Clause 34—agreed to.

Clause 35—Notice to be given:

**MR. WALLACE:** Was a six-days notice considered sufficient for all cases?

**MR. HOPKINS:** The select committee went through the Bill carefully with representatives of the pastoral districts. Those representatives took no exception to the provision, and thought it adequate.

Clause passed.

Clauses 36 to 44, inclusive—agreed to.

Clause 45—Copies of roll to be supplied:

**MR. HOPKINS** moved that the words "not exceeding five shillings" be added to the clause.

Amendment passed, and the clause as amended agreed to.

Clauses 46 to 50, inclusive—agreed to.

Clause 51—Candidates for election to give seven days' notice to chairman:

**MR. HOPKINS** moved that after "five pounds," line 4, there be inserted "or such lesser sum, if any, as the board may prescribe." This amendment was designed to meet equally the views of representatives of roads boards in pastoral dis-

tricts, who complained that there was already sufficient difficulty in obtaining nominations, and the views of ultra-democrats in suburban districts who were altogether opposed to deposits.

**MR. WALLACE:** The amendment would restrict the area of selection. No deposit should be required. The prospect of depositing five pounds would in many cases operate as an absolute deterrent to candidates.

**MR. HOPKINS:** This amendment had been recommended by the select committee, but he was willing that no deposit should be required.

Amendment by leave withdrawn.

**MR. TAYLOR** moved that in Sub-clause 1 all words after "election," line 4, be struck out.

Amendment passed.

**MR. HOPKINS** moved that the following be added as Sub-clause 6: "Any candidate may, not later than four clear days before the day of election, by writing addressed to the returning officer, withdraw such notice."

**MR. FOULKES:** Candidates frequently found it desirable to withdraw before the day of election, and this sub-clause allowing them to do so would save expense in printing.

**SIR J. G. LEE STEEBE:** If a candidate withdrew four days before election, there would not be time for another candidate to give the seven days' notice required.

**MR. HOPKINS:** In such a case there would be no election.

**THE PREMIER:** No contest could occur unless more than the requisite number of candidates nominated.

**SIR J. G. LEE STEEBE:** Then there would have to be an extraordinary election for the one vacancy?

**THE PREMIER:** No. If there were seven candidates for seven vacancies, those seven would be declared elected.

**MR. TEESDALE SMITH:** Suppose there were seven candidates for seven vacancies, and one candidate dropped out?

**THE PREMIER:** Then there would be no contest, since the seven candidates would be declared duly elected on the day of nomination. Under this sub-clause, a candidate could withdraw four days before the day of election.

Amendment passed, and the clause as amended agreed to.

Clauses 52 to 61, inclusive—agreed to.

Clause 62—Votes to be given in person :

MR. HOPKINS moved that the word "ten," in line 5, be struck out, and "five" inserted in lieu.

Amendment passed, and the clause as amended agreed to

Clauses 63 to 72, inclusive—agreed to.

Clause 73—How deposits under Section 51 dealt with :

MR. HOPKINS moved that the clause be struck out.

Amendment passed, and the clause struck out.

Clause 74—Invalid elections, how remedied :

MR. NANSON : This seemed to conflict with Clause 23, which provided an appeal to the Supreme Court against one irregularly elected, while this clause gave similar jurisdiction to a resident magistrate.

THE PREMIER : Before recommittal the point would be investigated. Clause 23 apparently contemplated a specific charge against a member, while this clause dealt with a general irregularity in the election as a whole.

MR. NANSON : To save expense, both appeals might be to a resident magistrate.

Clause passed.

Clauses 75 to 78, inclusive—agreed to.

Clause 79—Absence of chairman :

MR. HOPKINS moved that the following be added as Sub-clause 2 : "In the absence of the chairman from the district, or in case of the illness of the chairman, the members present at any meeting may elect one of their number as acting chairman during such absence or illness."

Amendment passed, and the clause as amended agreed to.

Clauses 80, 81—agreed to.

Clause 82—Board meetings :

MR. HOPKINS moved that in Sub-clause 2, paragraph (a), line 4, the word "three" be struck out, and "seven" inserted; also a consequential alteration in paragraph (b).

Amendments passed, and the clause as amended agreed to.

Clause 83—Quorum :

MR. HOPKINS moved that the words "at least three members," in line 2, be struck out, and "a majority of the total members of the board" inserted in lieu.

An absolute majority should be present to do the business; four out of seven, or five out of nine.

MR. HASTIE : Too high.

HON. F. H. PIESSE : In country districts it would be difficult to get such a quorum. The average board consisted of seven.

THE MINISTER FOR WORKS : The quorum used to be four, but its reduction to three had been found necessary. The amendment was undesirable.

MR. HOPKINS : There should be an absolute majority present.

MR. HASTIE : If a board consisted of seven members, four would have to form a quorum; and if only three members came to the meeting, having travelled long distances, they would have to go away and important business might be delayed.

MR. TAYLOR : If a board consisted of nine members, three was a rather small number to transact the business. If people were not prepared to perform duties which they undertook, they should not occupy the positions.

HON. F. H. PIESSE : It was the exception to find members of boards not attending to their duties. Most members were regular in attendance. The amendment was to provide for cases in which members were not able to attend when important business had to be transacted.

MR. DIAMOND : Members who stopped away deserved to lose their vote. If three members attended, they should not be punished for the shortcomings of others. As a rule, members of roads boards attended regularly to their duties, and some members had to travel long distances. Three were sufficient for a quorum.

MR. DAGLISH : The Committee should insist on a majority of the members of a board being present to transact business. A board watched over the interests of the ratepayers, and by a hole-and-corner meeting the interests of the ratepayers might be endangered. If three members were present, two would constitute a majority. The Committee would act unwisely by allowing a provision in the Bill which would give the power of a board to two members.

THE MINISTER FOR WORKS : It was impossible for hole-and-corner meet-

ings to be held when the board decided the times and places of meetings, and every member knew when and where those meetings would be held. Although it was well to have a majority of members present, still it was better to insist on the business being done. If the amendment were persisted in it would mean that occasions would arise when members were ready and willing to do the business but a majority of members was not present. If the amendment was carried the Committee would prevent the work of the roads boards being well done at present.

Amendment negatived, and the clause passed.

Clauses 84, 85, 86, 87—agreed to.

Clause 88—Board may appoint committee:

MR. HOPKINS: The select committee had adopted an amendment to strike out in Sub-clause 2 the words "do any act or." The object of the change was to allow a board to delegate any of its powers "to do any act."

THE PREMIER: The meaning of the clause was to do any specific act.

MR. HOPKINS: It was not thought desirable to give a board the power to delegate its powers to a committee to do any act.

THE PREMIER: It was essential that roads boards should have the power to delegate to a committee the right to do certain things; to pass roads, for instance. It was not as if the Bill dealt with bodies who had thousands of pounds to handle. In roads boards as in municipalities, people were found who used their positions for improper purposes; but that would not be stopped by striking out the words. The fear existing that the power of a member would be used corruptly applied just as much to a member of the board as to a member of a committee. If power was given to a board to do a certain act, why should not that board have power to delegate specific duties to a committee? The word "specific" might be inserted.

MR. JACOBY: The suggestion, if adopted, would result in inconvenience to a number of boards, as it was the custom for boards to delegate the passing of roads and minor details to committees.

MR. HASTIE: If the word "specific" were inserted, and a storm occurred which

damaged many roads, the boards could not delegate to a committee the power to see after the work of repairs. They would have to specify every particular road which had been damaged.

THE PREMIER: The board would have to say, by resolution, that they authorised the committee to pass the necessary repairs occasioned by such and such a flood.

MR. HOPKINS said he would refrain from moving the suggested amendment.

THE MINISTER FOR WORKS moved that between "any" and "act," in Sub-clause 2, the word "specific" be inserted.

Amendment passed, and the clause as amended agreed to.

Clauses 89, 90—agreed to.

Clause 91—Minutes of boards:

MR. HOPKINS moved that after the word "and," in line 7, "if found correct shall be," be inserted.

Amendment passed, and the clause as amended agreed to.

Clauses 92, 93—agreed to.

Clause 94—Board to provide office:

MR. HOPKINS moved that the words "or hall," in line 2, be struck out.

MR. HASTIE: Was this clause really necessary? What did it mean? It said that the board should provide and maintain a public office or hall. There were boards that did not own a hall, but found it convenient to meet in the office of the town clerk. Apparently, those boards would, under this clause, be compelled to go into offices of their own. The clause said "shall." The wording might be greatly improved, so as to afford a board an opportunity of renting or taking part of somebody else's accommodation, rather than provide offices.

MR. HOPKINS: The object of the clause was evidently to say that every roads board "shall" provide and maintain a public office, in other words a registered address, a place for the posting of notices. For this reason the select committee, after taking evidence, came to the conclusion that it was not advisable to say every roads board should maintain a hall. There were eighty or ninety roads boards, of which a large number held meetings in agricultural halls, and the select committee did not want to throw on those boards an obligation which would cause a board to come and say, "We would like

a grant of a thousand pounds for a hall." A board could rent an office. All that was intended was that each board should have a proper address.

Amendment passed, and the clause as amended agreed to.

Clauses 95, 96—agreed to.

Clause 97—Governor may place reserves, etc., under control of boards:

MR. HOPKINS moved that the word "commonage," in line 3, be struck out, and "common" inserted in lieu.

Amendment passed, and the clause as amended agreed to.

Clause 98—Governor may exempt roads, etc., from the control of board:

MR. HOPKINS moved that after the word "therewith," in line 2, "or portion of a district which may be required for roads or bridges" be inserted.

Amendment passed, and the clause as amended agreed to.

Clause 99—Powers of board; general management of roads, etc.:

MR. HOPKINS moved that after "passengers," in line 39, the words "and where needed provide passable and suitable side tracks" be inserted.

THE MINISTER FOR WORKS: In some instances it would be impossible to carry out such provision. The words should read "needed and practicable to provide."

Amendment altered and passed, and the clause as amended agreed to.

Clause 100—agreed to.

Clause 101—No road of less width than sixty-six feet to be laid out:

MR. WALLACE: The clause said no road should, without the consent of the Governor, be set out unless the width of such road was sixty-six feet. Did that mean that a road open must be formed sixty-six feet? It was unnecessary to enforce more than a half-chain road in some places.

MR. HOPKINS: It would have been better if the Attorney General were present to explain this point. In a suburban district a road should not be set out as a main road unless it was of the prescribed width of 66 feet.

THE MINISTER FOR WORKS: It did not necessarily follow that the made portion of a road should be 66 feet, but that as set out in the public plan the road should be 66 feet.

Clause passed.

Clauses 102 to 106, inclusive—agreed to.

Clause 107—Board may take materials for road making:

MR. HOPKINS moved that before the word "make," in line 23, "immediately" be inserted.

Amendment passed, and the clause as amended agreed to.

Clauses 108, 109—agreed to.

Clause 110—Persons desiring to place gates across road may apply to board:

MR. HOPKINS moved that the word "may," in line 2, be struck out, and "shall" inserted in lieu.

THE MINISTER FOR WORKS: It would be better to leave in the word "may." The clause said that any person desiring to place a gate across a road "may" apply. If the word were "shall" it became compulsory; and if when a person desired to place a gate across a road he must apply to the board for permission to do so, that might alter his desire. He could not erect a gate until he had the permission of the board; therefore, why make it compulsory on him simply because he had a desire?

MR. FOULKES: It was desirable to enforce on an applicant that he "shall" apply for this permission. If he liked to change his mind, all he had to do was to notify that fact.

MR. HOPKINS: The select committee were aware of the interpretation which had been placed upon this by the Minister for Works; but it was more explicit to say an applicant "shall" apply than to say he "may" do so, and if the word "shall" were inserted, doubtless people would apply.

Amendment passed, and the clause as amended agreed to.

At 6:33, the CHAIRMAN left the Chair.  
At 7:30, Chair resumed.

Clause 111—agreed to.

Clause 112—Board may require land on which there is an excavation to be fenced:

MR. HOPKINS moved that after "notice," line 5, the words, "or such extended time as the board may allow" be inserted.

Amendment passed, and the clause as amended agreed to.



Clauses 113 to 117, inclusive—agreed to.

Clause 118—By-laws:

MR. HOPKINS moved that Sub-clauses 10, 11, 12, 13, and 14 be struck out. These sub-clauses dealt with such matters as the number of wheels on a vehicle and the weight of load, which came within the scope of the Width of Tires Act. To invest roads boards with the power contained in these sub-clauses might result in the passing of conflicting regulations, whereas it was highly desirable that the law in respect of such matters should be uniform throughout the State.

Amendment passed, and the sub-clauses struck out.

MR. HOPKINS moved that the following be added as Sub-clause 25:—

Providing for the annual licensing of and prohibiting the use of any unlicensed bicycle, tricycle, or motor car. But the license fee shall not exceed five shillings per annum, and no person shall be required to pay a license fee in more districts than one.

THE MINISTER FOR WORKS: While in accord with the new sub-clause, it was capable of improvement. To assure that the license fee for a vehicle should be paid in the district in which the owner resided and was likely to make most use of it, the sub-clause should read thus:—

Providing for the annual licensing of and prohibiting the use of any unlicensed bicycle, tricycle, or motor car. But the license fee shall not exceed five shillings per annum, and any person licensed for the district in which he resides shall not be required to take out a license in any other district.

Amendment by leave withdrawn.

THE MINISTER FOR WORKS moved his amendment as indicated.

MR. TAYLOR: Did the sub-clause proposed by the Minister provide for the case of persons owning more than one such vehicle?

THE MINISTER FOR WORKS: The fee would be payable on each and every machine.

MR. TAYLOR: Unless roads boards proposed to make provision for cyclists, the charge was unreasonable. So far as his electorate was concerned, it might be said the roads board was located at the other side of the continent. The sub-clause would work well in centres of population, but it would press hardly on the residents of such districts as Mount Margaret, where the roads were put in

order for vehicular traffic but not for cycle traffic. Moreover, cyclists were not allowed a right of road, having always to give way to vehicular traffic.

THE MINISTER FOR WORKS: A license fee of 5s. per annum would not be unfair, and would give to riders a moral claim to have cycle tracks provided.

MR. HOPKINS: Goldfields and other roads boards desired to make and protect cycle tracks, and to maintain them cyclists were willing to contribute; hence, in the interpretation of "road" the word "track" had been included.

MR. HASTIE: Many such tracks had already been provided, but without the new sub-clause there was no power to protect them from destruction by carts. The license would give wheelmen a status; but the new sub-clause was unsuitable, for it should tax the cycle, not the owner.

MR. FOULKES supported the amendment. The license was desirable also as a means of identification of cycle owners.

MR. TAYLOR: There was no objection to taxing bicycles; but the board should be obliged to provide tracks. Did the license fee of 5s. give the cyclist a vote for the roads board? Evidently not. This was taxation without representation. Would a man with more than one cycle be taxed for each?

MR. HOPKINS: Certainly.

MR. FOULKES: The license fee would be payable in the owner's district, where the owner would usually have a vote.

MR. TAYLOR: No. In Mount Margaret district 30 per cent. of the people owned bicycles, but were not electors of the roads board.

MR. FOULKES: The sub-clause was permissive only. If there were so many cyclists in the hon. member's district, pressure could be put on the roads board to secure fair treatment.

MR. HOPKINS: The amendment sought the introduction of motor cars; and on recommitment it might be provided that any vehicular licensee should have a proportionate voting power on the roads board. To this there could be no objection, especially as all taxpayers contributed to the Government grant, on which the spending power of a board so largely depended.

MR. JACOBY: Would the board have power to insist on licensed bicycles carrying distinguishing marks?

MR. HOPKINS: Yes.

MR. TAYLOR: As all cycles were numbered, the numbers could be registered. Cyclists, who would contribute more to the boards than other vehicle owners, were specially entitled to representation.

Amendment put and passed.

MR. HOPKINS moved that in Sub-clause 33, line 7, the word "rate" be struck out and "charges" inserted in lieu.

Amendment passed, and the clause as amended agreed to.

Clauses 119, 120—agreed to.

Clause 121—Proof of by-laws :

MR. HOPKINS moved that in line 17, Sub-clause 2, the words "and maintain in a clearly legible condition" be struck out.

MR. TAYLOR: These words were necessary. It was no use posting by-laws unless the public could read them.

MR. HOPKINS: The printing and posting of by-laws cost a good deal to a small board. No one read the by-laws, and it was difficult to maintain them in a clearly legible condition. The select committee were satisfied that it would be sufficient if a copy of all by-laws was conspicuously displayed at each and every bridge and jetty to which they had reference.

MR. THOMAS: If by-laws were to be posted, they should be kept in such condition that they could be read.

MR. FOULKES: It was found that in a number of country districts it was almost impossible to guarantee that every notice, particularly in wet weather, should be kept in a clearly legible condition. They were known to well-disposed people.

MR. ATKINS: It would be well to strike the clause out, as it would be silly to put up notices if they were not to be obeyed.

THE MINISTER FOR WORKS: Every roads board would conspicuously display its by-laws on bridges and jetties to which they had reference, and would try to maintain them in a legible condition.

Amendment passed.

MR. THOMAS: Why should not this clause be struck out?

THE PREMIER: The honest defendant never claimed that the by-laws were

not displayed. The defence that by-laws were not posted and kept in a legible condition was always raised by the man who knew all about them. The by-laws might be knocked down or torn down.

MR. ATKINS: Would it penalise the board if the clause were struck out.

THE PREMIER: The provision to have the by-laws posted and maintained protected the honest man.

MR. HOPKINS: It was right that by-laws should be posted, but it was absolutely impossible to always maintain them in a clearly legible condition.

MR. TAYLOR: The Premier and the member for Boulder practically admitted that it was a fraud to post by-laws, because no one read them. Boards did not wish to take responsibility in maintaining their by-laws in a legible condition.

Clause as amended passed.

Clause 122—Extended powers as to by-laws relating to heavy traffic :

MR. HOPKINS moved that the words "the width of the tires, or" in line 5 be struck out.

Amendment passed, and the clause as amended agreed to.

Clauses 123 to 125, inclusive—agreed to.

Clause 126—Government may grant money to boards :

MR. HOPKINS moved that Sub-clause 3 be struck out. The Sub-clause interfered with the financial operations of the board. Sub-clause 2 regulated the grants made for specific purposes.

Amendment passed, and the clause as amended agreed to.

Clause 127—Rate book and valuation :

THE MINISTER FOR WORKS suggested a series of amendments, which were read. He said the first part of the clause should stand as sub-clause 1. He moved that lines 5 to 10 of the clause be struck out, and the words "Annual and capital value of such land" be inserted in lieu.

MR. JACOBY said he wanted to strike out the word "capital" and insert "unimproved."

THE PREMIER: Would it not be wise, as this was somewhat contentious, to pass on to other clauses, report progress, and members would then see on the Notice Paper the amendments to be proposed.

**MR. HOPKINS:** This was on the Notice Paper now.

**THE PREMIER:** The amendment now before the Committee was not the same as that on the Notice Paper. He understood there would be another amendment. This was one of the most important if not the most important clause in the Bill, and it might cause confusion and trouble. He suggested that it should stand over, and other portions of the Bill be proceeded with.

**MR. HOPKINS:** The amendment as read by the Minister for Works was exactly what the select committee had wished to move, but they were pushed for time when the report was being framed. Probably it had become involved.

**MR. THOMAS:** It was word for word as on the Notice Paper.

**MR. HOPKINS:** The select committee sought to make the process of valuation under the Roads Act the same as under the Municipal Act. The question of introducing unimproved land value was another view of the matter. Certain members were favourable to that, but they did not wish to imperil the passage of the Bill by introducing that provision.

**MR. JACOBY:** Being anxious for the Bill to be framed in the form asked for by the Roads Board Conference, he had some difficulty in understanding why the select committee ignored the question of rating on unimproved value. The only two witnesses examined on the matter had declared emphatically in favour of the principle; and the chairman of the Roads Board Conference, delegated by the conference to express to the select committee the views of the executive, referred to this principle and advocated it. The Roads Board Conferences for the past four or five years, and the Agricultural Conference for several years past, had been continually asking that power should be given to rate on the unimproved value, and it seemed to him time that such power was given. Mr. O. L. Haines, chairman of the Roads Boards Conference, was strongly in favour of optional valuation. In the Swan electorate, an area of 37,000 acres held by one person, and surrounded by the holdings of fruit-growers and farmers paying up to £10 each per annum in rates, con-

tributed nothing to the advancement of the district. The man developing his land should not be penalised for the benefit of holders of large unimproved areas. There was reason to believe that all roads boards throughout the State were in favour of optional valuation. Surely boards might be allowed to rate in the manner best suited to their circumstances. He hoped members would allow the amendment to be embodied in the Bill.

**MR. HOPKINS:** The member for the Murray (Mr. Atkins) had just furnished him with particulars of an unimproved estate sold recently for £50,000. Under this Bill, that estate would pay in rates £178 per annum. The contention of the last speaker (Mr. Jacoby) therefore was beside the point, as was also the argument based on the case of the Midland Railway Company, which had been freed from payment of rates by an amendment passed in error. While strongly in favour of rating on unimproved land values, he recognised that roads boards could not adopt such a system straight away. Before adopting it they must make sure that under it their revenues would be conserved. Moreover, there were many road districts in which every landholder was improving his property. The provision suggested would only cumber the Bill. Land-holders outside the boundaries of municipalities who might be desirous of adopting the system of rating on unimproved land values could petition to be included within the boundaries of a municipality. Certainly municipalities could not be anxious to adopt the system, or they would have asked for the necessary power long ago. The basis of valuation in the Bill was reasonable, and had been followed ever since municipal government was established in this State; therefore members should hesitate to discard this provision for other provisions of which the financial results could not be foreseen.

**MR. HASTIE:** Many roads boards, although striking a rate, did not collect it; whilst this Bill would force boards both to strike and collect rates. Why should not boards be given the option of rating on either the unimproved or the capital value of land? The value of land in most districts depended mainly on those holders who spent most time and

money in improving their properties. Improved lands and unimproved lands should equally pay their fair quota of rates.

MR. HOPKINS: If the Committee felt disposed to enter into the question of rating on unimproved land values, better adopt the Premier's suggestion to postpone the clause.

THE PREMIER: The better course would be to stand by the select committee's suggestion.

MR. JACOBY: As there was a large body of public feeling in favour of the amendment proposed, it might be well to leave the clause for fuller consideration at a later stage.

On motion by the MINISTER FOR WORKS, clause postponed.

Clauses 128 to 136, inclusive—agreed to.

Clause 137—Appeals to the board:

MR. HOPKINS moved that after the word "due," in line 3 of Sub-clause 3, "and payable or any instalment thereof then payable" be inserted; also that the words "in the form or to the effect of the eleventh schedule" be added to Sub-clause 4.

Amendments passed, and the clause as amended agreed to.

Clauses 138, 139, 140—agreed to.

Clause 141—Board may make and levy rates:

MR. HOPKINS moved that in line 1 the words "may from time to time" be struck out, and "shall in every year" be inserted in lieu. The select committee thought the time had arrived when every board should strike a rate, though it was provided the Governor might exempt any partially settled district where rating was undesirable. The Government subsidy should be based on the local contributions. He farther moved that after the word "land," in line 4, there be added "provided that the Governor may exempt any district from the operation of this section for such time as to the Governor may seem fit, but the Minister shall place before Parliament particulars of every exemption granted, and the grounds thereof;" also that all words after "annual," in line 6, be struck out, and "rate in respect of which would not amount to two shillings and sixpence" inserted in lieu.

Amendments passed, and the clause as amended agreed to.

Clauses 142, 143—agreed to.

Clause 144—Recovery of rates by distress:

MR. THOMAS: How did Sub-clause 2 affect men living on gold-mining leases? It apparently empowered the board to recover from the leaseholder.

MR. HOPKINS: That was right. Municipal ratepayers paid all the rates, while men on the leases paid nothing, as might be seen at Kalgoorlie, Boulder, and Nannine. Was that reasonable? It was but fair that the owner should be liable if occupants of his land did not pay. Of the 14,848 persons in the Hannans electorate, according to the last census 6,679 were on the Assembly roll, showing that the population were principally adults; and of these nearly all were living on the leases, only 347 being ratepayers. Municipal boundaries should long since have been extended to include such outsiders.

MR. THOMAS: The object of opening the discussion was to point out to those who protected labour interests that the possible effect of the clause might be to force those living on leases to leave them.

MR. HOPKINS moved that the following new sub-clauses be added: "(3.) A warrant of distress may be in the form or to the effect of the thirteenth schedule. (4.) The chairman may include in any one warrant any number of persons liable to pay rates. (5.) The fees prescribed in the fourteenth schedule shall be payable on every distress."

Amendments passed, and the clause as amended agreed to.

Clauses 145 to 156, inclusive—agreed to.

Clause 157—Amount that may be borrowed:

MR. HOPKINS moved that, in line 2, the words "ordinary income of" be struck out, and "amount of general rates collected by" be inserted in lieu.

Amendment passed, and the clause as amended agreed to.

Clause 158—agreed to.

Clause 159—Ratepayers may demand a poll:

MR. THOMAS: In the earlier portion of the Bill the word "twenty" was struck out, and "ten" inserted in lieu. Why was not a similar amendment proposed in this clause?

MR. HOPKINS: The clause was satisfactory as it stood. There was no analogy between the previous amendment and that suggested in this clause. If 20 people could not be found to object to a loan, then it was just as well that the money should be borrowed.

MR. FOULKES: This clause dealt with large numbers of people, whereas the earlier clause which had been referred to dealt with sparsely-populated places.

Clause passed.

Clause 160—agreed to.

Clause 161—If a majority against loan, board prohibited from borrowing:

THE PREMIER moved that the first word of the clause, "if," be struck out.

Amendment passed.

THE PREMIER moved that all the words after "taken," in line 1 to the end of the clause, be struck out, and the following inserted in lieu: "Unless a majority of ratepayers on the electoral roll for the district vote in favour of the loan being incurred, the board shall not borrow the money."

MR. TAYLOR: What was the object of providing that a majority of members on the electoral roll should vote? Why not a majority of the ratepayers?

MR. HOPKINS: This amendment was strongly advocated by all those interested in roads boards. The opinion which he held was that when roads boards reached the stage that they wished to borrow money, they should take on themselves municipal government.

MR. FOULKES: It was important for roads boards to be enabled to borrow; but the responsibility of a loan should not be cast on the ratepayers for a number of years by five or ten persons. Before roads boards were enabled to borrow, at least one-half the people in a district should be favourable to a loan.

Amendment passed, and the clause as amended agreed to.

Clause 162—agreed to.

Clause 163—Power to levy special rate:

MR. HOPKINS moved that in line 4 the words "and sixpence" be struck out. This amount would limit the levying of a special rate to one shilling instead of one shilling and sixpence in the £. The curtailment was the result of representations made to the select committee by people who were examined and who were deeply interested in the measure. It was thought

that if the ordinary rate was 1s. 6d. in the £ the special rate should not exceed 1s.

Amendment passed, and the clause as amended agreed to.

Clause 164—agreed to.

Clause 165—Property to be fenced if board direct:

MR. HAYWARD: In the northern districts cultivated fields were not fenced. The expense of fencing was so great that the owners were not in a position to carry out the work. It did not affect the general public whether roads were fenced or not.

MR. HOPKINS: This provision was only permissive, and the select committee saw no reason why they should ask that the clause be eliminated. The owners of land made the roads boards, and it was not likely that the representatives of the landowners would ask for a road to be fenced if it was opposed. He had no strong feeling about the clause.

THE PREMIER: Part VII. of the Bill only applied to districts mentioned in the 14th schedule. It applied only to such of those districts as the Governor directed. The districts mentioned in the schedule were, most of them, suburban local board districts.

Clause passed.

Clause 166—agreed to.

Clause 167—Financial year:

MR. HOPKINS moved that the following new sub-clause be added:—"3. In such case the Governor may, by notice in the *Government Gazette*, make any necessary consequential change in the dates prescribed by this Act for giving any notice or doing any act or thing."

Amendment passed, and the clause as amended agreed to.

Clauses 168 to 174, inclusive—agreed to.

Clause 175—Annual financial statement:

MR. HOPKINS moved that after the word "board," in line 3, "in the form prescribed by the Minister" be inserted.

THE MINISTER FOR WORKS: The words proposed to be inserted would come in better after "summary."

MR. HOPKINS agreed to the suggested alteration.

Amendment as altered passed.

MR. HOPKINS farther moved that after the word "district," in line 20, the

words "within thirty clear days of the completion of such audit" be inserted.

Amendment passed, and the clause as amended agreed to.

Clauses 176 to 179, inclusive—agreed to.

Clause 180—Governor may remove auditor from his office:

MR. FOULKES: The committee had not made any special suggestions with regard to the appointment of auditors; but they had heard a good deal of evidence. In some cases the position of affairs was not satisfactory. The time had come when the Government should appoint an auditor to go round and pay surprise visits to see that the funds and the accounts were in a proper position. It was only a suggestion on his part. It would bring a great number of roads boards up to the mark.

THE MINISTER FOR WORKS: The Government had considered the phase of the question which had just been mentioned, also whether it would be advisable to appoint an auditor such as the hon. member had suggested. If it were possible to get an auditor who had also some slight knowledge of engineering, so much the better. The point the hon. member raised would not be lost sight of.

HON. F. H. PIESE: An audit should be carried out. No doubt something should be done to make a dual appointment of this, with a view to economy, and if it were properly carried out it might work well; but he was afraid it would not. As to auditing, there should be surprise visits, or something should be done with a view to insuring the carrying out of the work more satisfactorily than in the past.

MR. HOPKINS: It was desirable there should be a permanent auditor, not only in connection with roads boards, but municipalities. An inspector should have power to enter the office of a roads board and demand the books; and even by a cursory examination he might ascertain whether they were being kept up to date or not. His services would be valuable to all roads boards and to municipalities. It was not often that an engineer was found who was also an accountant.

Clause passed.

Clause 181—Provision for repayment of disbursements of board or members:

MR. HOPKINS moved that the words "when the ordinary income of a board exceeds one thousand pounds a year," in lines 1 and 2, be struck out; also that all the words after "Act," in line 6, be struck out.

Amendments passed, and the clause as amended agreed to.

Clauses 182 to 203, inclusive—agreed to.

On motion by the MINISTER FOR WORKS, progress reported and leave given to sit given.

#### ASSENT TO BILLS.

Messages from the Administrator received and read, assenting to the following Bills: City of Perth Building Fees Validation, Railway and Theatre Refreshment Rooms Licensing Act Amendment, Explosives, Widow of late C. Y. O'Connor Annuity, Supply (£500,000).

#### FREMANTLE HARBOUR TRUST BILL.

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

#### MINES DEVELOPMENT BILL

##### SECOND READING.

THE MINISTER FOR MINES (Hon. H. Gregory), in moving the second reading, said: It is scarcely necessary to appeal to members to assist me in shaping such a Bill as will render some assistance to the mining industry. The importance of that industry is generally recognised. Mining is admittedly a source of prosperity not only to the artisan and the trader, but to every inhabitant of the State. No one can fail to be struck by the great advance of Western Australia during the twelve years which have elapsed since the discovery of gold. The increase of our population and the growth of Perth and Fremantle have been marvellous, whilst the period has also been marked by the foundation of factories and the attainment of our agricultural and pastoral industries to a solid prosperity. I am justified in saying that all this progress has been due to the development of the gold-mining industry. Up to the present, our goldfields are main-

taining their great records; but, nevertheless, it is well known that in many districts the Government can render the mining industry such assistance as will result in greater prosperity than might otherwise be achieved. In this connection I must point out that the purview of the Bill includes not only gold-mining, but also copper, tin, and coal-mining. The measure has been brought forward for the purpose of assisting not only the gold-mining industry, but also any other mineral industry existing in this State. Possibly better legislation and closer administration than it is possible to provide by a Bill of this sort are required in connection with the mining industry; but I consider that undoubtedly there is need for this Bill, which will provide assistance for districts deserving of encouragement. The Government have for years past taken action in various directions for the development of the mining industry—such directions as the erection of public batteries, crushing for the individual miner, and the granting of bonuses; and I think it is time that legislation were passed bringing these activities thoroughly under parliamentary control. I have no desire that this country should repeat the experience of Victoria. I do not intend to ask the House to vote any large sums of money for the purposes of this Bill, by which, nevertheless, some assistance can be given to our mineral industries. I believe the sums still in hand, which sums will appear on the Estimates, to be sufficient for the needs of the current year. I do not propose for one moment to ask the Legislature to make disbursements in the shape of bonuses. I say distinctly that any advances to be granted will be in the nature of loans. There is to be strong opposition, I understand, to this Bill. Various members will tell us that we ought not to make the State a sort of lending machine for the benefit of those engaged in the mining industry. As I said before, I have no desire that this State should emulate the achievements of Victoria in that respect. I should like to quote from the Victorian *Hansard* certain observations made by Mr. Foster, the Minister for Mines of the day, in introducing a Mines Development Bill in 1896. Having pointed out that in 12 years Victoria had expended over

£800,000 in trying to assist the mining industry, Mr. Foster proceeded:—

During the years 1884 to 1889 the sum of £96,711 was advanced, as it was called, but it was really a free gift, no security whatever being taken or even asked for.

I have no intention of asking the House to do anything of that sort. Any advance to be made under this Bill will have to be covered by security, and the Government will take good care that no dividend shall be declared or disbursements made by a borrower until the amount of any loan obtained, together with five per cent. per annum interest, shall have been returned to the State. Mr. Foster proceeds:—

Indeed, it was only in 1889, three years after the establishment of the prospecting boards, that something like security was supposed to be taken from the companies to whom money was advanced by the State. The repayments were supposed to be insisted on before dividends were paid to shareholders, and I am constrained to say that in a great number of cases the security taken or the documents drawn were scarcely worth the paper they were written on.

Mr. Foster also says:—

It is now generally considered that, as the money is gone, it should be forgotten and written off. In some cases it is almost regarded as impertinent to ask for the return of the money advanced, and I begin to think that the opinion of the public is that those advances ought to be written off, and that we should commence afresh.

Thus it appears that out of £800,000 odd devoted to an endeavour to assist the mining industry, only very little had been usefully expended. With that experience before us, we should use every possible precaution before granting any advance whatever. Hon. members will notice that the Bill is divided into five parts. Part I. deals with the granting of advances to mining companies for pioneer mining, and I should like members to observe the interpretation of "pioneer mining":—

Pioneer mining means carrying on mining operations at places where the expenditure of large sums of money extending over a considerable period of time will be necessary to test or develop the mine.

MR. THOMAS: What is your interpretation of "large sums of money?"

THE MINISTER FOR MINES: No interpretation of large sums of money is given by the Bill; but these are the circumstances under which the Govern-

ment will, as a sort of last resource, grant to companies which have expended large sums of money, loans in order to enable them to proceed with development work.

**MR. ILLINGWORTH:** Would a mine be a "pioneer mine" after a lot of money had been spent on it?

**THE MINISTER FOR MINES:** At present, I merely wish to point out the distinction between Part I. and Part II. of the Bill. The latter part deals with small advances up to £200 to be made to individual miners or parties of miners developing prospecting shows. Hon. members will observe that under Part I. a company applying for an advance must show the object for which that advance is sought. The loan may be expended in carrying on pioneer mining, in procuring, erecting, and connecting machinery, plant or appliances for such purpose, or in providing other works and things which in the opinion of the Minister may be necessary for such purpose. While there are many instances in which to advance money to a company to assist in carrying on pioneer mining would be bad, there are many other instances where a small advance for the same object would prove of undoubted assistance. Clause 6 deals explicitly with the method of making applications. The fullest possible particulars have to be given by a company applying for an advance, and the class of work on which the advance is to be expended has to be specified. Before any loan can be granted by the Minister the property has to be inspected by the Government Geologist, the State Mining Engineer, or some other professional officer of the Mines Department, and that officer must report favourably on the property. I wish this point to be distinctly understood, for it does away in a great measure with the possibility of political influence being used for the purpose of obtaining advances on mining properties. Before the Minister can grant an advance on a mining property, a responsible officer of the Mines Department must have reported favourably. Moreover, that officer is bound to give a full description of the property and a statement of his reasons for recommending the granting of an advance. Under Clause 7, Sub-clause (c), the officer must "state whether . . . there

is reasonable probability of such mining operations proving to be of a remunerative character." The officer must be thoroughly satisfied that the making of an advance by the Government is justifiable. The Minister, being fortified by such a report, may, with the approval of the Executive Council, advance to a mining company by way of loan a sum of money not exceeding £1,000. However, with a view to satisfying themselves even more fully that the persons applying for a loan are convinced of the value of their property and consider it worth developing, the Government insist that, before any instalment of an advance is made, those persons must expend a sum of money equal to one pound for every pound they are to receive by way of loan from the Government. For instance, if they apply for £1,000, and are to receive the money by instalments of £100 each, the company will first have to spend £100 in farther development, and the Government will then advance £100; and before any farther instalment can be paid the Government will have to be satisfied that the £100 already advanced and the £100 provided by the company have been properly expended. Before making such advances the Government have to obtain a mortgage or lien on the assets of the company. In the Bill of last session we proposed that the Government should have a first mortgage; but that is not here insisted on. If an advance be made, the Government, if they consider circumstances justify their so doing, may take a second mortgage. Clause 10 provides that no disbursement can be made by the company to its shareholders until the whole of the money advanced has been repaid to the Government. Should the company fail to make these repayments, the Minister will be in a position to exercise, if he think fit, the rights of an ordinary mortgagee, by taking possession of the property. Part II. deals with advances to miners for prospecting, and is similar to Part I. The responsible officer will first have to examine and report upon the mine for which it is desired to secure the advance. A description of the property has to be submitted to the Minister, giving full information in regard to it, with a report from the responsible officer stating whether he considers it worthy of an advance; and in



this case also the mortgagor, the prospector, will have to provide £1 for every £1 advanced by the Government. This he can furnish in the shape of labour and material, so long as the value of such be equal to the sum advanced by the Crown. The total amount to be advanced will be £200; and by this means we can enable any person to carry on development work, for his proportion of the expenditure can be represented by labour. I have not provided in this part of the Bill a clause similar to Clause 10, regarding the repayment of the money; for I think such provision can better be made in the regulations. In many cases it would be impossible to insist that before any disbursement should be made by the mortgagee the advance should be repaid to the Government; and I think that in the agreement made under Clause 18, the Minister can arrange that certain sustenance allowances shall be granted from any gold won to the person obtaining the advance until he repays the full amount to the State. Part III deals with the establishment of crushing, ore-dressing, cyaniding, and smelting plants; and at present this is from a departmental view the most essential part of the measure. For the past few years we have been erecting State batteries and cyanide plants, and so far we have had no legal authority for any rules issued.

MR. THOMAS: Have you not agreements?

THE MINISTER FOR MINES: We cannot very well have an agreement with every person with whom we do business. We require that regulations in respect of our State batteries shall have the force of law. In the matter of State batteries, I think we are far ahead of any other Australian province. There is no State that has adopted such a method as ours for assisting leaseholders, and it has now become so successful that I do not think that there is any chance of this class of work being stopped. I feel satisfied that owing to the fact that these batteries are doing such good work, both directly and indirectly, Parliament will in future continue to advance moneys for this very legitimate purpose. I have here a list showing the good work done by the various batteries. We have now at work some 15 plants, and have distributed amongst the leaseholders interested over

£446,000. Nearly half a million pounds has been distributed amongst the leaseholders by the public batteries of this State; and we have to consider not only the large area of leasehold ground which these people occupy, the large number of men they employ, and the large amount they pay in customs and other taxation, but the fact that they are keeping all this wealth in the State, that it is distributed among a well-deserving class of the community, people who are settling in the country, and who retain in our borders the wealth of our mines. We should go even farther with our public batteries. These plants, which some four years ago were not paying, are now on a very solid basis. Last year they showed a small margin of profit, and for the past three months a profit of over £1,000; and I think before the end of year we shall be able to pay interest on the whole of the amounts expended. That is all the State has ever desired; and I think I can assure the House that at the end of the financial year we shall have placed these batteries on such a basis that they will be able to pay not their own expenses only, as they never did in the past, but interest on the whole of the moneys expended on them. We desire to go farther. Last session a motion was carried that the Government should consider the advisableness of providing a smelting plant at the Phillips River. We have a tin-dressing plant and cyaniding plant working in many parts of the State, which have given back some £20,000 worth of gold to the people; and moreover, we give the people the exact net value of what we recover, and the State has not the slightest chance of losing sixpence on the deal. All the money is paid into the Mint, and we refund the whole of the amount received from the treatment of the ore, less the cost of crushing. Clause 20 brings forward the State Mining Engineer and the Government Geologist. Wherever any such plant is to be erected this can be done only where recommended by these officers. Then in Part IV. comes the question of assistance to public bodies for boring. I should like members to consider this part of the Bill, because a great many applications have been made to me of late for boring in different parts of Western Australia; and

I can assure the House that if I tried to carry out all the works proposed, some hundreds of thousands of pounds would be required. It is here suggested that in certain parts of the country this work shall be carried out by municipal councils, roads boards, miners' associations, and other public bodies, and that when the State steps in it shall pay a proportion of the cost not exceeding one-half. In Clause 24 it is provided that where the Minister thinks the work is in the general interest of the State, the whole of it may be paid for by the Crown. I wish specially to point out with regard to Clause 22 that certain applications have been made to me for boring, with a request that the State should do the whole of the work, though I do not think the State should do the whole when we have private enterprise offering to come in and do that work instead of the State. But in such work as that done lately at Kanowna, where the Government have erected a pumping plant at the Deep Lead, with a view to draining a very large area of alluvial ground, there I think the Government were justified in doing the whole of the work. Then again, at Lake Darlôt it has been reported there are extensive alluvial flats. Should the Government feel justified in doing any boring there, I say we might well pay the whole of the expense. But when we deal with wealthy communities, and the local bodies admit that boring would enhance the value of their districts, then those districts should pay some proportion of the cost. This is a question which should be fully discussed, and hon. members should give me to understand whether or not the full expense should be borne by the State. I say, where we find private enterprise willing to carry out this work, it is no part of the duty of the State to interfere. Clause 25 provides that when such work has been undertaken by the Crown, the Crown shall have the right to reserve certain areas of Crown land; and there is a novel principle introduced, that where the Crown has expended a certain sum of money, and reserved an area, then before any loan is granted the Minister may compel any person whom he may allow to take up this land to pay a proportion of the cost of boring. In Part V., Clause 27, power is given the

Minister to drain any mining area, or to assist mining by sinking or cross-cutting for various kinds of ore. These are very essential provisions. But on farther consideration of Sub-clause (c) of Clause 27, I fancy the permission given is rather more than I desire; and when we go into Committee I shall move that this sub-clause be struck out. In Sub-clause (d) power is given the Minister to provide means of transport for miners wishing to prospect unproved country. This will involve a very small expenditure, and will enable the Minister to provide, on occasions, the better class of prospectors whom we have known for many years on the fields, and who have not been fortunate, with some sort of outfit for prospecting unproved country. I much regret that some time ago, when an application was made to me for a couple of camels, I had no power to comply, because of the fact that during the previous session the House threw out a motion which would have made the necessary provision; and I think some such power should be given the Minister, so that we may help people who in this matter deserve help, men who have for years been trying to develop the country. I say we shall not be going too far if we grant the Minister this small power.

MR. PIGOTT called attention to the state of the House.

[Bells rung and quorum formed.]

THE MINISTER FOR MINES: I was pointing out that in Sub-clause d of Clause 27 a new power is given to the Minister, and I do not think it is one that will be abused. I hope the House will agree to the clause forming part of the Bill. Farther provision is made in Clause 28 that in the month of August every agreement entered into and all moneys advanced shall be the subject of a report, and this report will be placed on the table of the House so that members will know exactly what advances have been made by the Minister and what work has been done by the money allocated by the vote. Power is given also to make the necessary regulations, and I hope that the powers provided by the Bill will be given to the Minister. I have much pleasure in moving the second reading of the measure, and I hope members will carefully consider the two matters of importance that possibly there

may be objection to. The one is the precautions to be taken before any advance is made. Anyone who likes to read the history of the granting of advances in Victoria will say that every precaution is necessary. We are not in a country where mining is on the decline; the industry is on the up-grade, and we are not placed in a position in which we have to spend large sums of money to resuscitate that industry. Mining I am satisfied will continue to grow. There are many small districts which have possibly been scamped over too quickly in the past, and I feel satisfied that with a judicious expenditure of small sums of money we shall enable those districts to get back their old vigour and become producing places again. I have much pleasure in commending the Bill to the House. I know some members think some of the clauses are too strict and that the Bill is not half liberal enough. Until we see how the Bill works, we are justified in making the measure as strict as possible so that we shall make no mistakes in the early stages. I beg to move the second reading of the Bill.

MR. J. L. NANSON (Murchison): I have listened with great interest to the speech of the Minister for Mines in moving the second reading of the Bill; and I only regret that a measure of such importance to the greatest industry of the State should be unfolded in a House of so small proportions, and that at one time during the speech of the Minister it was necessary to call your attention to the fact that there was not a quorum present. It seems to me in a Bill of this kind dealing with the mining industry, and which is intended to afford a substantial measure of assistance to that industry, that the least we might have expected was the presence of a larger number of members representing the mining industry than was seen in this House to-night while the measure was being unfolded by the Minister for Mines.

MR. HOPKINS: You are pretty regular, are you not?

MR. NANSON: The Minister explained the provisions of the Bill so ably and clearly, that I regret a subject of this kind should have been deemed apparently of so small importance that on one occasion during his speech the Minister was not able to secure a quorum of mem-

bers present. I take it the Bill is very much on the lines if not absolutely identical with a similar measure introduced last session, but which was not carried. The Minister tells me that the Bill is not so strict as the one introduced last year. I can only say, that being the case, the Bill introduced last year must have been one of unusual severity.

THE MINISTER FOR MINES: The one last year was more on the lines of the Victorian Act.

MR. NANSON: I am one who believes that in experimental legislation, because this is experimental to a large extent, it is better in the initial stages, if we err at all, to err on the side of severity. There can be no doubt this House is never unwilling, where it is necessary to assist an industry, to render the conditions of the granting of advances more easy than is at present contemplated in the Bill, if it be found necessary to do so in the interests of the State as a whole. I confess, taking some of the provisions in regard to loans, it does seem somewhat unlikely that these provisions will be availed of; but that is a point on which I suppose we can only learn by experience. If it should be found that the provisions of the Bill relating to advances to mine owners are not availed of, it may be necessary for the House to go a step farther and consent to amending legislation that will render greater assistance to mine owners. We have already on the statute-book a very admirable measure for making advances to agriculturists, and during this session it is proposed by the Government that the measure shall be still farther liberalised. I am aware that in regard to advances on mines we are not on the same footing as in regard to advances on agricultural properties. There can be no doubt that whatever provision you may put into a Bill of this kind, if it should happen—and mining as we know from our experience is a somewhat uncertain pursuit—that a mine does not answer expectations, the chance of the Government ever seeing their money back is of a very slender description indeed. I do not think the country will very much begrudge some very small amount of loss each year in developing mines, if on the whole it be found the Bill is doing good work, doing what we so much want in this State at

the present time, the opening up of new properties and generally the keeping of the mining industry in a healthy condition, in a condition that will inspire investors with a considerable amount of confidence. It will show that if they on their part are prepared to take large risks, the Government on its part, so far as it is possible for the Government to do so, will afford them some aid. The only danger perhaps is that while on the one hand by legislation of this kind we are affording valuable aid to the mining industry, on the other hand, by passing Bills imposing all sorts of restrictions on mine owners, we may be doing far greater injury to the industry than we can make up with legislation of the kind now before the House. However, that I suppose is a risk that must be taken, and I only mention that when during the course of this session we come to other measures dealing with various industries, we should endeavour not to go too far in surrounding the infant industries of this State with all kinds of restrictions which make it necessary for the mine owner or manufacturer or any employer of labour, and not only a manufacturer, a mine owner, or employer, to have such a knowledge of the law that would almost qualify him for a position in a lawyer's office. That seems to be one of the great dangers we have to face in this State, that in order to get some reputation for doing business each session we pile up Bill upon Bill until we have a huge edifice of legislation which, instead of helping forward the industries of the State, is exercising a check in quite an opposite direction.

MR. HOPKINS: That is the best thing you have said since you started.

MR. NANSON: With regard to the provisions of the Bill, they no doubt will be discussed more in detail when we reach the Committee stage. I was very glad indeed to notice a modest sub-clause towards the end of the Bill, which had escaped my attention until the Minister referred to it, in which provision is made for giving assistance to prospectors to go out into the back country in the hope of discovering new finds. When we remember what magnificent work was done in the State some years back in opening up the Eastern Goldfields, I think we cannot but regret that the bold pioneering spirit manifested to such

an extent in those days should not be equally manifest at the present time. No doubt that spirit is still present in the country, or if it is not present to an equal degree it can at any rate be attracted here if the Government do something to let it be known they are willing to have our unexplored country, that is unexplored in the sense that there are no big mines, tested more than has been done. Although that occupies a very small space in the Bill, it is one of the most valuable features of the measure. In a provision of that kind a great deal depends on the Minister who is in charge of the Mines Department; but I am glad to state my own belief, sitting on this side of the House in direct opposition to the Government, that the Minister for Mines in the conduct of the department undoubtedly has shown that he is fully seized with the necessity of pushing the industry forward in every legitimate manner. I feel quite confident, although on this side of the House we differ occasionally from the hon. member in matters of policy, when we come to the administration of a Bill of this description I think the hon. member may be said to be acting in the interests of the country. If we find that he does make mistakes in administering aid of this description, he can rest assured we shall not hesitate to point out to the House what the mistakes are. I have very much pleasure in giving a general support to the Bill, and I hope it will meet with a better fate than was experienced by the Bill of last session, and that the measure will be passed in such a form that it will render substantial assistance to the mining industry.

MR. F. ILLINGWORTH (Cue): I desire also to express my satisfaction at the introduction of this Bill and the objects which it seeks to attain. However, I am disappointed that the Bill has not been more liberalised even since its introduction last session. It seems to me that too much limitation surrounds the proposal of helping the pioneer miner. In the first part of the Bill a company may apply to the Minister for an advance by way of loan. Most of the pioneering mining is of a character that does not show much security. There seems to me to be too much of an effort in the Bill to look for security rather than for

development or discovery. The object we desire to have attained by this measure, and which the Minister is interested in, is to get our mines that have been started developed, and also to discover other mines. Dealing with this first class of mining, the condition of the mine when it requires help is probably when it has only a whip on it, possibly only a windlass; that and a blacksmith's shop, with perhaps a few tools, constituting the whole possible security on the lease. I hope I am incorrect, but these conditions all seem to indicate that before a company can get any assistance from the Government it will have to be in possession of a considerable amount of what the department regards as valuable security. When a mine has gone that far, when it has been so far developed that it has attained a security upon the surface in the shape of some kind of machinery or plant, it has, it seems to me, gone perhaps farther than what could reasonably be called the pioneer stage. There are a great number of mines on our fields which have been taken up by men who have worked down to perhaps, say, the water level, or some other obstacle in the way, and they want assistance. They want assistance to tide over the difficulty for the time being, and I would like this Bill to provide some assistance for mines in this direction.

THE MINISTER FOR MINES: Does not Part II. do that?

MR. ILLINGWORTH: Yes; but, dealing first with this part of the Bill, if a mine is in a position to give these securities, it strikes me that the mine will be so far developed as to be not exactly the kind of mine we should endeavour to consider—the mine taken up by some hardy pioneers, and worked with the little money they have to a certain depth, and which has practically no security, possibly only a windlass on it. That very often is the mine we want to assist in order that it may be thoroughly tested. We could look for instance, not very long ago, to mines in the Lennouville district—the members of the district will remember them. Here are mines that have turned out to be immensely valuable, which had nothing at all on the surface, and still required help and development. They remained for years practically undeveloped, because the owners could not get the assistance

necessary. Of course, in time the holders impressed outside companies with the value of their properties, and the properties have been taken up by outside companies. I would like to see some effort made that when our old pioneer men get on to good country they should be assisted to get the gold out of the mines themselves and not be compelled to sell to the first company that comes along. Some of these mines were sold for very small sums of money by the original discoverers, whereas a little help would have enabled them to get the gold themselves, and perhaps they might have been in possession of the mines to-day. However, that is a matter very largely of administration, and I take it for granted that the Minister will treat this Bill with a little elasticity, and will not demand such security as these clauses, Clause 6 particularly, appear to point to, as shall make the Minister dead sure, before making an advance, that he is going to get his money back again. We cannot treat mining exactly on those lines. We do not treat agriculture simply on those lines, for we make advances on what the ordinary money-lender would not consider satisfactory security. We must take some kind of risk of the same sort, if we are going to assist our miners. Then I am very pleased to see in this Bill what has very often been agitated for in this House and out of it, that is that some assistance is to be given in the way of deep boring. Part II. covers a considerable area of ground, and may be made exceedingly useful. The applicant may get a considerable amount of help; but even here we are asked to give a great deal of security, the Bill providing that no instalments shall be paid to any miner until the Minister is satisfied that for every pound to be advanced such miner has, out of his own resources, after making such application, actually and properly expended in mining operations on the mine held by him a sum of one pound in work, labour, or material. This perhaps is not so difficult. I think most of the miners would be able to show they have expended the money, and perhaps a good deal more; and if the Government propose to take into view the actual expenditure upon the mine itself, and look upon that as so much guarantee that the borrower is in deep earnest and

satisfied with the prospect of his mine, so far good. But we must be prepared to consider this phase of the subject, that notwithstanding his expectation, that expectation may be disappointed, and all that we may have as a security when all is over is simply a hole in the ground. I am prepared to take a good deal of risk in that direction, and it seems to me that the condition here suggested is a sufficient one. I think that when a man has proved his *bona fides*, his faith in his ground, by expending a good deal of money and hard work upon it, and he still desires to spend more, we may give him the help that he asks for. Part III. opens out a new phase. It is simply the continuance of the principle of the public battery. This public battery question was entered upon with considerable doubt by a good many members of this House. I believe a good many members thought it was possible, and indeed probable, that we should never see the money again; but I think time has shown that with good management these batteries have been made to pay. But that is not the main thing after all. They have been made a means of great usefulness to the mines and the men who most needed them. The districts have turned out an immense quantity of gold, and that gold has gone into the hands of pioneer men, and has been a great help to the district and to the individual. This Part III., I take it, is intended to extend to a considerable extent the principal idea of the operations of the public battery. It relates to ore dressing, to cyaniding, to dealing with tailings, and smelting, and I presume dealing with other metals, principally copper. We have always had to debate in this House the question of assisting the copper mines, and I think that under this clause the Government will be able to give substantial assistance to those districts that are particularly worthy of our attention. Coming to the question of boring under Part IV., there may be a good deal of difference of opinion; but I notice that this portion of the Bill is also framed upon the same lines of a rather overweening desire to obtain security and get the money back. That is a very good and laudable position to take up; but I am not quite sure that it is the most effective and most desirable for our mining industry, to assist a public

body in boring. Take, for instance, the district I know best, my own district of Cue. First of all, the mines were taken up by the pioneers, those who came first to seek for alluvial gold, and afterwards took up reef country. They worked a good many reefs until they exhausted their resources. Then they tried to sell their mines, and succeeded, in a great many cases, in selling them to English companies, who held them for years, but eventually either wasted their own capital, or neglected to put in sufficient capital, and ultimately forfeited those holdings. Those holdings have been taken up locally, and men have put almost their last shilling into a good many of the mines. Some of them now, I am glad to say, are going successfully; but others, at present, are not so successful. Those are the men who should be helped, and whom I would like to see helped under the first part of this Bill. Then we come to the proposal of boring, and I think we shall have to take upon ourselves the whole of the responsibility of boring. I notice that the Minister seems to desire that someone should undertake to pay a portion of the cost.

MR. PIGOTT called attention to the state of the House. He thought this sort of thing accounted for what occurred a week or two ago. We had passed a Bill on the second reading unanimously, and tried to throw it out again in Committee. A quorum ought to be kept in the House.

THE SPEAKER said he wished the hon. member would keep a quorum.

MR. PIGOTT said he had done his best to do so.

[Bells rung, and quorum formed.]

MR. ILLINGWORTH (resuming): I was remarking that to be effective, the Government will have to undertake the whole responsibility of boring. A bore is put down in the centre of a district, and the whole line is tested by that bore. It does not seem to me to be a right thing to expect that the people who have a piece of ground on which the bore is put down should be called upon to take the responsibility of the expense of that bore, or even of half the expense. We want our districts to be tested by boring for deep leads; and I want the Government to undertake the responsibility of the bore itself. I think they are perfectly

right in suggesting that the ground which they themselves test should be under their control; but a proposal for certain persons to undertake a portion of the cost means that some company will get the first and final benefit of the bore. Of course, it will be so far useful to others upon the line, if they strike gold; but they get by far and away a greater advantage than the cost. No company will contribute a proportionate amount of the cost unless a bore is put down upon their own ground. I think the Government should select the ground. Of course, they would have to follow their geological guides in this matter; but I do not think they should lose control of the bore, and the benefit it will be to the whole district, simply in a desire to get a portion of the money back. And the company that will propose, and the individuals who will propose, to assist the Government, will only come in because they are to get the first and most direct benefit from the bore. Of course, in almost every district may be found a company prepared to bear a portion of the cost of a bore put down in its own ground; but I think the better course will be to let the Government Geologist select the most suitable place for testing the whole line of reef or the whole line of country. The Government may then keep control of the ground, and when the bore is down the whole district will get the information at once; whereas if the bore be put down on a company's ground, that company may withhold the information, to suit its own purposes, for some considerable time perhaps. I am inclined to believe that such might be the case. In connection with the share market we know the value of getting information even a few hours earlier than other persons. I think the Government might, at any rate in districts such as I have mentioned, districts which have struggled for years, in which the local people have spent nearly their last shilling, undertake at the expense and under the control of the State to put down test bores.

THE MINISTER FOR MINES: Clause 24 gives power to do that.

MR. ILLINGWORTH: Possibly so. The whole construction of the Bill, however, is first security, secondly to get as much money as possible expended by the borrower, and thirdly to get the State

money back as quickly as possible. I do not object to this from a financial point of view; but, nevertheless, I consider the character of the Bill less liberal than it ought to be. The proposals of Clause 27 are, to my mind, the most valuable in the Bill, and those which will be most freely availed of. I do not think Part I. will be largely availed of; but Clause 27, if administered in a liberal and earnest manner, can be made to do a great deal of valuable work for the State. It is not reasonable to suppose that the country which lies behind our present gold discoveries does not contain just as good gold mines as have already been discovered. We know that we have good gold at the far end of the State. We know the line on which gold is found. The general information in our possession may reasonably lead us to suppose that gold runs through the State from Kimberley to Esperance. A great area of undiscovered country yet remains, and my desire is to encourage those pioneers to whom the member for the Murchison (Mr. Nanson) has already referred, to the fullest possible extent in their explorations. Under Clause 27, Subclause (d), the Minister will be able to send out exploring parties, or to help exploring parties to get camels and provisions in order that they may do six or twelve months' direct exploring.

MR. NANSON: That clause will want amending.

MR. ILLINGWORTH: Perhaps; but just now we are only at the second-reading stage. No doubt many minor amendments which may be moved will be accepted by the Minister. I wish now to express my conviction that the greatest amount of good which this Bill can do will be done under Clause 27 in the sending out, equipping, and helping in the equipment of parties to make discoveries. The next greatest good which the Bill will accomplish is in connection with deep boring in every district which affords reasonable geological encouragement. The other portions of the Bill will, I believe, prove helpful; though not so helpful as one might desire. I think we shall have to recognise that the Bill involves an appreciable degree of risk so far as the repayment of money is concerned; but I consider that the State should be prepared to incur a certain degree of risk; not an excessive degree, of course, but

nevertheless the State should be willing to speculate to a certain extent in discovery of the kind here in view. That money expended in sending out parties into the back country to find new goldfields is money well spent, even if the expenditure be resultless in nine cases out of ten, cannot be doubted. The tenth discovery will more than repay us for all the fruitless expenditure. And so in connection with boring. Bores may prove unsuccessful in many cases, but if success follows but a few the total expenditure will be more than recouped to the State. I hope the Bill will pass with some amendments; and I trust that when it has passed the Minister will administer the measure in all its details liberally, and that he will earnestly set to work to assist our pioneer miners in the fullest and freest sense. I congratulate the Minister on his introduction of the Bill, and on the clear manner in which he placed its provisions before the House.

**MR. J. M. HOPKINS (Boulder):** As a member representing a goldfields constituency, presumably I should go down on my knees and say, on getting a little Bill like this, "For that which we are about to receive, may the Lord make us truly thankful." The measure represents one of the small concessions being extended to the Eastern Goldfields. Immediately a petty concession of this nature is made, the leader of the Opposition stands forth to elaborate on the great and splendid things which are being done for the goldfields, and to animadvert on the circumstance that the whole of the goldfields members are not present to take in like sucking doves what the Minister for Mines has to say in introducing the measure. This kind of thing comes with a very bad grace from the hon. member. I am not aware that he has adorned the Opposition benches during the whole of this sitting. During last session, not a member was present on the Opposition side for sitting after sitting; and yet we find the leader of the Opposition lecturing members who attend from the time the House assembles until it rises. Turning now to the measure, I see no reason why it should cause consternation in the breasts of even those members whose whole ambition begins and ends within the limits of an agricultural constituency,

and who fail to recognise that there is anything else which can be of as much service to the State as the erection of a rabbit-proof fence. The federal constituency of Kalgoorlie and Coolgardie, with a population of some 73,000 people, under existing conditions contributes something like one and a half millions sterling to the revenue of this country. In return for that revenue, those people are favoured with the present Bill, which is produced to show what a very dear consideration they are to the hearts of such people as the leader of the Opposition. I have gone through the Bill as carefully as I can during the brief time at my disposal. I agree with the leader of the Opposition in the statement that Bill after Bill is piled on the table. I go even farther, and say that the leader of the Opposition, like a good many more members, does not know much about those Bills. Apparently, the goldfields members are expected by the leader of the Opposition to rejoice greatly at the benefits likely to accrue to the mining industry from the introduction of a measure of this kind. So far as I can see, the Bill has been so drawn as to meet the requirements of the House; and it is, I suppose, a primary function of every Government to draw its Bills in such a fashion. This House is, and always has been, dominated by a section of the community with which the leader of the Opposition is closely allied; therefore the introduction of such a Bill as this is not a matter for wonder. What does the Bill provide for? The advancing of a maximum of £1,000 to a class of company which, in many instances, spends as much as £1,000 in half a day. No doubt such advances will go a long way to assist the development of the mining industry! Under Clause 26 we find that—

The Minister may purchase any boring plant and accessories that he may deem necessary, and may hire such plant in accordance with the regulations.

Under Clause 27, Subclause (d)—

The Minister may advance or expend money in order to provide means of transport for miners to prospect unproved country.

My own view is that a large fund should be placed at the disposal of the Minister for the purpose of equipping prospectors—the kind of prospectors who went out in the early days, the path-makers, the



people who opened up the interior of this country. Those are the men whom we should assist to go out into the country that is not yet prospected, country which, for want of funds, is being neglected. Have we not seen it time and again, and do not we know that it is the custom of the country, to place not land agents only but horses and guides also at the disposal of persons who seek to take up agricultural land? Yet when there came before us last session a proposition that the Minister for Mines should be empowered to supply camels to a prospecting party which wished to follow the proposed route of the Transcontinental railway, it was pooh-poohed. Anything for the benefit of agriculturists is cordially entertained. [MR. TAYLOR: Such as limelight shows.] But when it comes to opening up auriferous country, what takes place? The members representing agricultural constituencies have the assurance to take mining members to task for not being in their places after a long sitting such as we have had to-night. [MR. MONGER interjected.] The hon. member interjecting represents a district which has been very sadly neglected, and which, if intrusted to the paternal care of the leader of the Opposition, will receive the liberal patronage it has received at the hands of Governments in the past; that is, no patronage whatever. It is encouraging to see the leader of the Opposition talking against an insignificant Bill of this sort, which, when all is said and done, will leave in the hands of the Minister the power to expend, how much? If the leader of the Opposition be sincere, we shall have an opportunity, when in Committee, of making some liberal provision for developing the industry; and I hope we shall then find in him as much sincerity as he displays over questions of rabbit-proof fencing, tick prevention, and others which appeal so strongly to the agricultural interest. It seems to be the rule here that when a Bill is thrown on the table, no matter whether members have had time to collect any statistics dealing with it, they are supposed to stand up and deliver long orations on the subject. For my own part I am better pleased to deal with such matters in Committee, where they can be treated in a business-like manner, and turned to some advantage for the country.

MR. A. E. THOMAS (Dundas): Last session I dealt with the matter of this Bill, when the Minister brought in a Bill which he says was considerably stricter than this. As regards Part I., I have looked through both Bills, and cannot find any difference.

THE MINISTER FOR MINES: The measure of last session provided for a first mortgage as security.

MR. THOMAS: I do not find any difference, save that "miner" will include a man holding a mineral lease.

THE MINISTER FOR MINES: Then you have not read both Bills; for there is a difference.

MR. THOMAS: I have both here. The Bill of last session showed on the face of it that it was intended to help other than gold-miners, because it used the words "mineral, oil, coal," etcetera, in various places; and apparently it was by a clerical error only that the word "miner" was interpreted to mean the holder of a miner's right, instead of being made to include mineral licensees also. On the Bill of last session I devoted myself almost entirely to a criticism of the first part of the measure, referring to advances to companies; and it is that part to which I intend to devote most of my remarks this evening. The Minister has stated that the Bill is to assist the mining industry, and this appears on the face of the draft. I am glad to see that the Government are at last doing something to assist mining beyond reducing the freight on manures, wire fencing, and explosives; that they at last bring in a Bill which, if it confer only a paltry benefit on the gold-fields, will, at any rate, do something to assist them, do more to assist them than anything else which the Government have introduced this session; and I sincerely trust Ministers will not follow the course they adopted last session, of allowing the Bill, when the session was half over, to go down to the bottom of the Notice Paper, so that it should not come on for discussion again. I hope they will see that this Bill has a chance of going into Committee, so that we may make it a good, passable measure, a measure which will give to the industry the benefit which I am sure the Minister honestly intends to confer. Last session I most heartily congratulated him on his

good intentions, and I do so again to-night; but I would point out that the first portion of the Bill is altogether too strict. "Pioneer mining" is defined as "carrying on mining operations at places where the expenditure of large sums of money, extending over a considerable period of time, will be necessary to test or develop the mine." I think that might be stretched to permit the farther development of a mine already in existence. I take it that is the Minister's intention, so that in such case plans and sections of a mine could be prepared, because the mine is partially developed. I represent a company which did have an advance from the Government of this country for deep-sinking, granted, I may say, long before I was a member of this House, or ever had any intention of becoming a member. Prior to that advance, the then Minister for Mines (Hon. H. B. Lefroy) and myself visited the mine and went through it together. We came to a mutual arrangement as to the agreement necessary to protect the State, so that he might advance the money, subject of course to the condition that the Government Geologist should be sent there to report, and should pass the mine as being one in which the money could worthily be spent. The conditions laid down by the Minister—proposed, I think practically without exception, by myself, in a letter which I wrote him to open up the negotiations in the first instance—were that the company should find one-half of the money for sinking the shaft; that the Government should have the right of inspection at any time; that they should be able to look at all the company's books to see that they were not being deceived as to the expenditure; that they should have a lien on the lease; that no money should be returned from that lease to the shareholders of the company until the Government had had repaid to them the amount of their subsidy, *plus* interest at the rate of five per cent. per annum.

MR. HOPKINS: Was there not an insurance policy over the manager?

MR. THOMAS: That was a "fair deal." My company had spent close on £200,000 in hard cash. It was a question of sinking a shaft to pass through a poor zone, in order to see if the reef became valuable as it sank. I then pointed out to Mr. Lefroy that if we

went down with the shaft and found nothing at all, the company would have lost all they put into the mine, together with the sum they advanced pound for pound with the Government for testing the mine to a farther depth; so that the Government if nothing had been discovered would have lost the half they put up, and their half only, but against that would have to be deducted the amount of rents received from the property whilst the mine was kept on expressly by the subsidy, and also the Government would have gained the direct revenue from the customs and the indirect revenue from the population employed by the mine, for if the mine had closed down the men would have had to leave the country or wait for other avenues of employment to be opened up. I would like to see liberal provisions of that sort in the Bill now before us. Instead of that, we find the Government wish to hedge this subsidy, bonus, grant, or something, around with every possible difficulty. To make sure I have the right Bill, it states in Sub-clause 5 of Clause 8:—

The company shall pay to the Minister interest on the amount of the advance, calculated from the dates of the payment of the respective instalments, at the rate of five pounds per centum per annum, by half-yearly payments, on dates to be specified in such agreement.

The prior sub-clause says:—

The company has properly expended, in mining operations on the mine, all previous instalments advanced by the Minister, and has paid all interest (if any) due on any such instalment.

The procedure under this Bill would be that a company who had got practically to the end of their tether, finding it necessary to raise money somewhere to help them over their difficulty, would see if they had a chance of infusing new life into the mine by applying to the Minister for help. The Minister would send the Government Geologist or State Mining Engineer into the district to report, and if that report were favourable the Minister might then be prepared to grant the advance, and the company would have to put up a similar amount. The advance would be doled out in small amounts at such times as the Minister directs, and before the next instalment could be made, interest on the previous one would have

had to be paid, and the amount of such advance is limited in any case to the sum of £1,000. Interest is added at the rate of five per cent. per annum, payable before any other instalment can be made to the company. In return for this advance of £1,000 at the outside, at a good rate of interest, the Minister requires that he should have a first mortgage or lien on everything belonging to the company except the uncalled capital. The company have to give a mortgage on their machinery which is erected, and which in some cases amounts to scores of thousands of pounds.

**THE MINISTER FOR MINES:** Not the first mortgage.

**MR. THOMAS:** No; it is not the first mortgage, because wages come first, but outside of wages the Minister for Mines claims to have a first mortgage.

**THE MINISTER FOR MINES:** There might be a prior lien.

**MR. THOMAS:** Then it is optional whether the Minister will grant any bonus at all to the company, because as members told us last session there is something very Jewish about the Bill. There is no improvement as to advances to companies made in this measure—no advantage over the Bill of last session, which was pretty severely handled in this House by the member for Guildford, the present Minister for Works. I do not think I will read his remarks to the House, but I would like the hon. member to read them himself.

**MR. MORAN:** Give us a few selections from them.

**MR. THOMAS:** The member for Guildford said:—

I anticipated we should have a Bill that would really do something to encourage mining development, and especially to assist the *bona fide* prospector who has done so much for this State and deserves so well at our hands. I have looked through this Bill, thinking it possible that it might contain some clauses which would assist the prospector, and something that might assist mining development. I have looked for it carefully and with the best interest, but I regret to say I have been very much disappointed. I can find nothing in the Bill that will assist mining development, and certainly nothing that is even calculated to assist the prospector.

**MR. HASTIE:** What are you reading from?

**MR. THOMAS:** From *Hansard*.

**MR. HASTIE:** Whose speech?

**MR. THOMAS:** The Minister for Works. I am now finding fault with the provisions of Part I., and I am backing up my statements with remarks made last session by no less an authority than the Minister for Works. To back me up in my statements I will read this:—

I have no wish to deal out anything but what is perfectly fair criticism, and I hope that will be recognised, but the Bill seems to have been prepared without any great amount of care, and apparently with a considerable amount of haste.

The first part of the Bill purports to afford some assistance to mining companies. Sub-clause 2 of Clause 8 says:—"The Minister may, in the name and on behalf of His Majesty, enter into an agreement with such company undertaking, subject to this Act and the regulations, to advance by way of loan to such company any sum or sums not exceeding in the whole one thousand pounds." Subject to an inspection by the Government geologist and a full report as to the value of the mine, the state of the machinery, and a general description of the whole property of the company, the company can make application for an advance under that clause, and the Minister may enter into an agreement with the company, and on the making of the agreement the Minister at once has a first and paramount charge over and upon all the property, assets, and undertakings of the company other than the uncalled capital, to secure the due payment of all moneys advanced and the interest thereon. Then, for every £1 advanced, such company, according to the agreement, have to spend £1 for every £1 advanced; therefore, if a company intend to apply for an advance of £1,000 in two instalments of £500 each, first of all the company have to enter into an agreement with the Minister by which the company give up the whole of their tangible securities; the whole of the assets then belong to the Minister. Having parted with the whole security, the company have to spend £500 of their own before they can obtain £500 from the Government. Even if that difficulty were surmounted, when the company have obtained the £500, they would then, to obtain the remaining instalment of £500, have to spend another £500 out of their pockets. I do not complain so much about this, although it points to the fact that it would be of no assistance to a company in distress, and unless a company be in distress they are not likely to go to the Government for assistance on these very hard terms. Even if there had been a mortgage over the machinery supplied to the mine, the holder of the mortgage is not protected, as the security becomes of no value, because the Government can step in and take a first and paramount charge.

The Minister for Mines: For the advance, that is all.

**MR. RASON:** I am perfectly aware of that, but I am also aware of the powers given to the State on the failure to pay the advance.

The State can enter, seize the mining property, and sell it by public auction or by private contract.

So on right through the speech, condemning wholesale the proposal which the Minister introduced, as far as the first part of the Bill was concerned, to help owners to develop their mines in time of difficulty.

**THE MINISTER FOR MINES:** Those objectionable portions have been removed from the Bill.

**MR. THOMAS:** Nothing of the sort has been done. The Minister has the right of reply, and he can then point out to me where those objectionable features have been removed. I have both Bills before me, I have gone through them line by line, and I cannot find out where this measure is amended in the direction the member for Guildford wished last session, and which I also wished. I say unhesitatingly a man could go to a bank, even the hardest bank in existence, and get better terms than the Minister offers under this Bill. It is absurd on the face of it that a company should give a mortgage over the whole of its assets, its property and everything else, and in return the Government should only advance a paltry sum on most excellent security, at a rate of interest in advance of which many banks would lend money if on similar security. It has been stated that they would not ask it of the Minister if they had a lot of machinery on their property. I claim that this would be just the time when they might want it. I was stating an instance where I was myself interested. In that we had mining machinery erected on the property to the extent of about £30,000 worth. We had spent £200,000 on that mine, and we had come to the end of our tether. The market happened to be bad at that time, and money could not be raised except on the most ruinous and extortionate terms; therefore, considering it was of such vital interest not only to ourselves but to the district, to the country, and to the mining industry, we applied to the Government to go with us pound for pound in sinking a shaft to see if we could find an improvement in the value of the ore which would allow us to put more men on that property. The Government would have made a good deal out of it had good ore been struck.

The company undoubtedly would, too, but the company would have refunded that money *plus* all interest, and the Government would not have lost that money excepting the shaft had gone down and proved that payable ore did not exist and the company had had to stop.

#### COUNT-OUT.

**MR. PIGOTT** again called attention to the state of the House.

[Bells rung; quorum not formed.]

**THE SPEAKER:** I have counted the House, and there is not a quorum of members. The House stands adjourned (11.4 o'clock).

### Legislative Council.

*Wednesday, 8th October, 1902.*

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

#### PRAYERS.

#### PAPERS PRESENTED.

By the **MINISTER FOR LANDS:**  
 1, Western Australian Government Railways—Alteration to Classification and Rate Book. 2, Municipality of Northam—Amendment of By-law No. 20, Section No. 9. 3, Roads Act, 1888—By-laws of the Upper Irwin Road Board. 4, Land Act, 1898—Regulations restricting cutting of Timber. 5, Stock Diseases Act, 1895—Amended Regulations *re* importa-