

**AYES.**  
 Hon. R. G. Burges  
 Hon. E. M. Clarke  
 Hon. C. E. Dempster  
 Hon. J. W. Hackett  
 Hon. A. Jameson  
 Hon. W. T. Lorton  
 Hon. M. L. Moss  
 Hon. B. C. O'Brien  
 Hon. C. A. Piessé  
 Hon. G. Randell  
 Hon. J. E. Richardson  
 Hon. R. Laurie *Teller*.

**NOES.**  
 Hon. T. F. O. Brimage  
 Hon. J. D. Connolly  
 Hon. J. T. Glowrey  
 Hon. A. G. Jenkins  
 Hon. W. Mauley  
 Hon. C. Sommers  
 Hon. G. Bellingham  
*(Teller)*.

Question thus passed, and the amendment not insisted on.

Preamble, Title—agreed to.

Resolutions reported, and the report adopted.

### ADJOURNMENT.

The House adjourned at 9:50 o'clock, until the next day.

## Legislative Assembly,

Wednesday, 17th December, 1902.

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THE DEPUTY SPEAKER took the Chair at 3 o'clock, p.m.

### PRAYERS.

### QUESTION—LANDS NEAR RAILWAYS, COMPULSORY IMPROVEMENTS.

HON. G. THROSSELL asked the Premier: 1, Whether during the ap-

proaching recess he will consider the advisableness of introducing a Bill providing for the compulsory improvements of large unimproved landed estates suitable for agricultural settlement existing within 20 miles of a public railway, to the same extent as now obtains in our existing land laws for Government selectors. 2, Whether he will also consider whether such measure should or should not include the large estates held by absentee companies and corporations.

THE PREMIER replied: The matter will be looked into.

### QUESTION—WATER SUPPLY, MURCHISON GOLDFIELDS.

MR. HOLMAN asked the Minister for Works: 1, Whether, in view of the difficulty in obtaining a wholesome supply of water on the Murchison, an officer will be sent up to report as to the best means of securing a permanent supply. 2, Whether the Minister will use every possible means to make provisions for and push on a work or scheme whereby a permanent and wholesome supply of water will be secured for the Murchison goldfields.

THE MINISTER FOR WORKS replied: 1, An officer is stationed at Day Dawn, whose work it is to supervise the construction and maintenance of the water supply works on the Murchison, East Murchison, and Yalgoo Goldfields. The water on these goldfields is obtained mostly from wells, and is fairly plentiful and fresh in quality; so much so that there does not seem to be any necessity for a comprehensive water supply scheme. 2, Provision has been made for an expenditure during the present financial year of a sum of £3,000 on the water supply of the Murchison district, and, in addition to this, there will probably be large expenditure in connection with water supplies for mining purposes, improvement of stock routes, and general maintenance of existing water-supply works.

### QUESTION—RAILWAY AXLE-BOXES.

MR. HOLMAN asked the Minister for Railways: 1, What are the patented names of the axle-boxes in use on the Government railway lines. 2, Whether the patent axle-boxes (a large percentage

of which are alleged frequently to run hot) were introduced into the service by Mr. Rotheram. 3. Whether instructions have been issued to prevent the fitting of any more rolling-stock with the axle-boxes recommended by Mr. Rotheram.

**THE MINISTER FOR RAILWAYS.** replied: 1, "Wilson's" and "Beuther's" are the only patents. The present standard axle-box is the same pattern (not patent) as used now and for many years in New Zealand with success, but an alteration to facilitate examination and oiling has been made by Mr. Rotheram, and found to be an improvement and satisfactory. There are also a miscellaneous lot of different type axle-boxes running, which are gradually being brought to standard type. 2, No patent axle-boxes have been introduced by Mr. Rotheram. 3, No. Answered by 1 and 2.

#### ROBB'S JETTY TO WOODMAN'S POINT RAILWAY BILL.

Introduced by the MINISTER FOR WORKS, and read a first time.

#### HEALTH ACT AMENDMENT BILL.

##### SECOND READING.

**THE COLONIAL SECRETARY** (Hon. W. Kingsmill), in moving the second reading, said: This is a small Bill, and has for its object the amendment of Section 179 of the principal Act, which deals with the rate to be imposed throughout municipalities for pan service. It is found by making the rate payable annually, and in advance, a certain hardship is imposed upon small municipalities; therefore it is proposed under the Bill to make this charge payable in instalments as may be directed by the municipalities to which it has effect, and at the discretion of such municipalities. I fancy this will insure a better collection of the rate, and will also be of convenience in the adjustment of accounts where tenants are constantly shifting from any particular house, and their tenancy is of short duration. This is all that is contained in the Bill, and with these few explanatory remarks, I beg to move the second reading.

Question put and passed.

Bill read and passed.

##### IN COMMITTEE, ETC.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Read a third time, and passed.

#### RABBIT PEST BILL.

##### COUNCIL'S AMENDMENTS.

Schedule of four amendments made by the Legislative Council now considered in Committee.

No. 1, Clause 13—Strike out the whole:

**THE PREMIER:** Where there were waste lands of the Crown affected by the fence the Government could, by existing machinery, sufficiently protect the country; therefore he moved that the amendment be agreed to.

Question passed, and the amendment agreed to.

No. 2, Clause 29—Strike out the second paragraph:

**THE PREMIER:** The second paragraph of the clause provided that the signs of rabbits existing on the land was *prima facie* evidence that the owner or occupier failed to perform his duty under the Bill: it was *prima facie* proof that no steps had been taken to carry out the duties imposed by the clause. The Council objected to the second paragraph as unnecessary, considering the proof of the non-destruction of rabbits was otherwise procurable. In order to save the Bill he moved that the amendment be agreed to.

Question passed, and the amendment agreed to.

No. 3—agreed to.

No. 4, Clause 45, line 2—After the word "fence" add "without the license in writing of the Minister":

**THE PREMIER:** The clause originally penalised any person who sold or was in possession of rabbits or rabbit skins. He moved that the amendment be agreed to.

**MR. BUTCHER:** The Premier had promised to look into the matter of the mesh.

**THE PREMIER:** The Minister for Lands informed him that the  $1\frac{1}{2}$  inch mesh was that adopted in New South Wales; hence its adoption here.

Question passed, and the amendment agreed to.

Resolutions reported, and the report adopted.

# ROADS ACT AMENDMENT BILL.

## COUNCIL'S AMENDMENTS.

Resumed from the 12th December.

No. 38.—Add the following clause, to stand as No. 127:—

Any person in occupation of any portion of the surface of a gold-mining lease or mineral lease shall be deemed an occupier, and liable to be rated in respect of such occupation, notwithstanding any want of title to occupy the same.

But if such person does not reside on the lease with the consent of the leaseholder and in connection with the purposes for which the lease was granted—(a) Section 152 shall not apply, nor shall the leaseholder be under any liability in respect of the rate in default of payment by such occupier; and (b) payment of rates by such occupier shall not affect the liability of the leaseholders to be rated and to pay rates in respect of the lease.

**THE PREMIER:** The new clause proposed was the same as that before the House when we dealt with the Coolgardie Water Scheme Reticulation Bill; and during the discussion members thought it desirable to strike out the second paragraph. The corresponding paragraph in this new clause also should be struck out to be consistent. He moved that the amendment be agreed to, with the exception of the second paragraph.

Question passed, and the amendment as amended agreed to.

Nos. 39 to 43:

**THE PREMIER:** These amendments had been on the Notice Paper of this House, but had been overlooked. They were valuable machinery clauses, and he moved that they be agreed to.

Question passed, and the amendments agreed to.

Resolutions reported, and the report adopted.

A committee, consisting of Mr. Jacoby, Mr. Hopkins and the Hon. Walter James, drew up reasons for disagreeing to certain of the amendments, as follow:—

No. 13, Clause 99.—This clause as printed requires that the works therein referred to must be carried out under the direction of the Minister or an officer authorised by him. The amendment would render it compulsory upon roads boards to employ an engineer, in addition to submitting to the control of the Works

Department. This would cause needless expense, but no corresponding benefit.

No. 19, Clause 126.—The effect of this clause is that the rateable value of unimproved land is to be taken at £7 10s. per cent. of the capital value. In the existing Roads Act, 1888, Section 86, it is provided that land unoccupied for six months shall be valued at one-tenth of its full fair value in fee. The Bill, therefore, makes a substantial reduction from 10 per cent. to 7½ per cent. By Section 327 of the Municipal Act, 1900, Subsection (e), the same percentage is adopted as that proposed by the Bill, namely 7½ per cent. The amendment made by the Council would seriously interfere with the revenue of those boards which have levied rates, although such boards approve of the 7½ per cent. basis. Moreover, it is submitted that the reduction from 10 per cent. to 7½ per cent. is a substantial one, which should not be further increased to the detriment of roads boards and the discouragement of improvements.

No. 21, Clause 127.—This clause allows a roads board to adopt a system of rating which will not penalise improvements. The rates so levied would press equally on all, and improvements effected would not throw an additional burden on the ratepayer who effected them. The system would secure a more equitable incidence of taxation. It is, moreover, a question entirely for the ratepayers, through the board, to decide whether this system should be adopted or not.

No. 23, Clause 142.—Depends upon 127, and as it imposes a stringent safeguard in connection with Clause 127 is an additional reason for the acceptance of the latter clause.

No. 26, Clause 152.—The amendment does not appear to be necessary, and would encourage delay beyond eighteen months, and also cause uncertainty by fixing an uncertain date upon which proceedings should be taken.

No. 27, Clause 158.—This clause only applies to certain specified districts, all of which desire the clause, and it cannot be extended to any other districts that do not desire it. The general rates collected by a board are not large in amount, and to limit the borrowing as suggested would largely destroy the value of the clause. In the past the absence of

borrowing powers has led to the premature formation of municipalities, and any attempt to unduly restrict the roads boards' powers would defeat its object by leading to the establishment of a municipality with larger borrowing powers and the extra expense of administration thereby entailed. Special attention should be called to the safeguards provided by Clause 162, which requires the affirmative votes of an absolute majority of the rate-payers on the roll before money can be borrowed, and also to the fact that a  $2\frac{1}{2}$  per cent. sinking fund is required.

No. 32, Clause 187.—This clause as printed embodies the existing law (*see* Section 74 of the Roads Act, 1888). The amendment, which restricts the operation to fences erected by the board, would interfere with Section 166 in those cases where the fence was erected by the owner; in such cases the board would have to insist upon a "refencing" if the existing fence were in a state of disrepair. The existing law has not worked a hardship, and should be retained.

No. 38, New Clause.—The first paragraph is accepted. The second paragraph is thought inadvisable, as tending to give a sort of legal title to those persons who squat on leases without legal authority and in contravention of the terms of the lease. The paragraph tends to encourage rather than to discourage this illegal squatting.

Reasons adopted, and a message accordingly returned to the Council.

#### RAILWAYS ACTS AMENDMENT BILL.

##### COUNCIL'S AMENDMENTS.

Message from the Legislative Council, received at a previous sitting, now considered:—

With reference to Message No. 26 from the Legislative Assembly, returning the Railways Acts Amendment Bill on the grounds that the Legislative Council had not the power to make amendments, but should have suggested them to the Legislative Assembly under the "Constitution Act Amendment Act, 1899," the Legislative Council informs the Legislative Assembly that the Bill in question is an amendment of the Railways Act, 1878, which cannot be looked upon as a Bill coming under the provisions of Section 46 of the Constitution Act Amendment Act, 1899.

The clauses amended by the Legislative Council affected only the machinery provided for the purposes of carrying out the provisions of the Act.

If the Legislative Council accepted the position taken up by the Legislative Assembly they would, for example, be precluded from making amendments to the Constitution Act Amendment Bill, as the argument set out in Message No. 26 from the Legislative Assembly would equally apply in the case of that measure.

The Bill and the Schedule of Amendments are returned herewith.

THE PREMIER (Hon. Walter James): Members would no doubt remember that in this Bill we had one clause that dealt with the salary of the Commissioner, fixing that salary at £1,500 per year and charging it on the Consolidated Revenue Fund. That clause was one which required the production of a message from the Governor before it could be considered by or passed in this House. That became necessary under the terms of the Constitution Act, Section 67, which provided that—

It shall not be lawful for the Legislative Assembly to adopt or pass any vote, resolution, or Bill for the appropriation of any part of the consolidated revenue fund, or of any rate, tax, duty, or impost, to any purpose which has not first been recommended to the Assembly by message of the Governor during the session in which such vote, resolution, or Bill is proposed.

By virtue of that section of the Act a message from the Governor had to be introduced, and then by reason of that section the Bill was sent forward to the Council and they made amendments. None of those amendments directly or indirectly affected Clause 5 of the Bill or any of those provisions in the Bill the existence of which rendered it necessary to have a message from the Governor. By Section 66 of the Act provision was made that—

All Bills for appropriating any part of the consolidated revenue fund, or for imposing, altering, or repealing any rate, tax, duty, or impost, shall originate in the Legislative Assembly.

So far as the particular clause was concerned, the existence of that clause of the Bill rendered it necessary whilst that stood there that the Bill should originate in this House. That being the position, it had been necessary to introduce the Bill in this House. While the clause stood there, Section 46 of the Constitution Act applied. That section dealt with the different methods in which the Council treated, firstly, a Bill in the ordinary sense which did not affect appropriations

of revenue, or which did not alter, impose, or repeal any rate, tax, or impost; and, secondly, a Bill which did affect revenue. The section defined the two different methods. It said:—

In the case of a proposed Bill which, according to law, must be originated in the Legislative Assembly, the Legislative Council may at any stage return it to the Legislative Assembly with a message requesting the omission or amendment of any items or provisions therein: and the Legislative Assembly may, if it thinks fit, make such omissions or amendments, or any of them, with or without modifications.

In the case of a Bill which must originate in the Assembly, the duty of the Council was not to make amendments but to make suggestions. In this instance amendments had been made, and the Bill was returned to the Upper House pointing out the provisions of these sections, and suggesting they had no power to amend; that their duty was to suggest. Members would see if they turned to the message we were now considering, No. 46, the Legislative Council pointed out that if the Assembly's interpretation of this section were a correct one, it would be quite incompetent for the Council to consider even a Constitution Bill and make amendments, because in the schedule of a Constitution Act we had certain appropriations which affected revenue. The question which arose at present was this: Were we to say that a Bill any one section of which affected revenue was of such a nature that no amendments could be made in that Bill by the Council, or were we to adopt the practice and lay it down that the Legislative Council were free to make their amendments so long as they did not touch those clauses which were money clauses, or did not touch other clauses which directly or indirectly affected those clauses? He submitted that we should not be departing from the privileges of the House if we took up this stand, and said that in a Bill containing a clause which rendered it necessary for a message to be introduced the Council should be free to make their amendments so long as they did not directly or indirectly affect or interfere with the clauses which came particularly within the privileges and jurisdiction of the Assembly. This question had arisen in South Australia. He had not before him the terms of the Bill under

which it arose, but in that case they contented themselves by dealing with all amendments sent down, and placing on record a resolution that they did that having regard to the fact that none of the amendments directly or indirectly affected or interfered with the money clauses. He proposed in this connection to adopt that course, and ask the House to place on record the fact that we passed to the consideration of these amendments only because they did not directly or indirectly alter or interfere with those clauses of the Bill which came within the operation of Section 66. He begged to move:—"That inasmuch as the amendments made by the Legislative Council do not interfere with, alter, or affect those clauses of the Bill which come within the scope and operation of Section 66 of the Constitution Act, 1889, Mr. Speaker do now leave the Chair, and that the House do now resolve itself into a Committee of the whole for the purpose of considering the said message."

MR. F. ILLINGWORTH (Cue): As a means of getting out of a difficulty, perhaps the motion proposed by the Premier was the best; but we ought to recognise the fact that it was a means of getting out of a difficulty because that was the action taken in the case cited by the Premier. The true procedure however was to print in italics all these clauses. In all cases where a Bill of that character was sent from the House of Commons to the House of Lords, the clauses were printed in italics and regarded under the British Constitution as blanks, and left to the entire control of the House of Commons. A mistake had been made in the printing. All these clauses should have been printed in italics, and no doubt the Legislative Council would have recognised the ordinary practice and not have considered them at all, but have regarded them as blanks, leaving this House to fill them up. He wanted to suggest to the Government that in all cases of this kind that course should be followed. For instance, in the Constitution Act Amendment Bill, the schedule and other parts of the Bill were distinctly money provisions. If it were deemed wise to place such provisions in the Bill, the course which was pursued in the British Parliament ought to be adopted. In

most cases, however, it was better to bring in a separate Bill dealing with the money phases of a question. The British practice was to print money clauses in italics, and any clause italicised was treated by the House of Lords as a blank to be filled up by the House of Commons. As we had failed in this respect we might perhaps look on the matter as an oversight or a printer's error; and if we placed on record our protest as proposed, we might in the present instance accept the motion proposed by the Premier. However, it should be on record that such was not the ordinary practice, and not a practice we ought to follow, and that its adoption in this instance was not to be considered as a precedent. He would not like to subscribe to the Premier's suggestion that another place was at liberty to alter any clauses of a money Bill so long as such clauses left untouched the actual money provision. Such a precedent was dangerous, and likely to lead to difficulty between the two Houses. We could not too distinctly and too constantly affirm the position that the Legislative Assembly had sole control over money Bills. If we departed from that rule, we should certainly create difficulties for ourselves and for another place. So long as it was clearly understood that in the present instance we were agreeing to the correction of a small mistake or printer's error—after all it was a mere oversight or printer's error, in a large measure—and that we were not establishing a precedent, he would consent to the motion: otherwise, he would feel bound to protest.

MR. C. J. MORAN (West Perth): It was almost impossible to conceive of a money Bill which would not contain some clauses of a non-monetary character, some clauses which might be construed as not affecting the direct question of money. Therefore, the principle laid down by the Premier might become dangerous. There were the preamble and title and all sorts of things to which the Council might take exception.

THE PREMIER: But we guarded against that in this motion, which affirmed that "inasmuch as the Council's amendments did not directly or indirectly affect or interfere with," and so on.

MR. MORAN: A general Railway Bill was, after all, not a policy Bill, but a

machinery Bill. The insertion of the clause providing Mr. George's salary was a mere accident: it might have been better to omit the salary. There was no reason why the salary should have been provided by that Bill, any more than why it should have been provided at the head of the Railway Estimates.

THE COLONIAL SECRETARY: But the creation of the office created the necessity for a salary.

MR. MORAN: The whole of the Estimates created salaries. Although every civil service appointment was governed by some statute, nevertheless Estimates of revenue and expenditure were brought down for the purpose of providing salaries. At this stage, when the question had arisen what form the government of this country should take in three or four years' time, we could not stand too firmly on our privileges. The Upper House, after all, had done fairly well; it had not been asleep; it had let the country know that its members were alive.

MR. ILLINGWORTH: The Council had gained some points, too.

MR. MORAN: Members of another place had thrown out important measures. Whilst we might admit that they had the right to do so, and that the delaying of certain measures for a year or so was not incompatible with good government, still we ought not to go out of our way to yield to another place one jot or tittle of the ancient privilege of the people's House to control all Bills dealing with money. He would not oppose the motion, but he did not subscribe to the doctrine that another place was entitled to alter any clause of a money Bill apart from what might be termed the actual money clauses. To concede such a principle would really mean that we opened the door to a process of haggling over every non-monetary clause with the object of defeating a Bill.

THE PREMIER: But it always rested with us to insist.

MR. MORAN: True, the last resort was always with us, and we could go to the people.

MR. ILLINGWORTH: But in such circumstances the responsibility of rejecting a Bill was thrown on us.

MR. MORAN: That responsibility would be accepted, if necessary. At this

late stage of the session, when it was distinctly for the good of the country that we should get laws passed, when the Estimates had still to pass the Upper House, it was not desirable to enter into a conflict with that Chamber. He did not, however, subscribe to the dictum that the Upper House had a right to deal with the non-monetary clauses of a money Bill.

Question put and passed.

#### IN COMMITTEE.

Schedule of five amendments made in the Bill by the Council now considered.

Nos. 1, 2 -agreed to.

No. 3—Clause 22, strike out the whole :

**THE COLONIAL SECRETARY :** This clause referred to animals trespassing on railways. Various members of this House had considered that the clause ought not to be included in the Bill. He moved that the amendment be agreed to.

Question passed, and the Council's amendment agreed to.

No. 4—New clause (12): "Section 3 of the Railway Servants Act, 1887, is hereby repealed":

**THE COLONIAL SECRETARY :** The section referred to provided that all appointments, fines, and dismissals of railway servants mentioned in the schedule to the Act should be subject to the approval of the Governor. The classes of employees referred to included permanent-way men, porters, gangers, plate-layers, locomotive drivers, and so forth. He moved that the amendment be agreed to.

**MR. MORAN :** This amendment was serious, inasmuch as it utterly removed from Government control all classes of railway servants. Was this measure of sufficient importance to the welfare of Western Australia to justify us in accepting the Council's amendment? He did not see why railway servants should be under the control of one man any more than other classes of State employees should be. He took this exception particularly as he did not altogether approve of the *personnel* of the Railways Commission. Apparently, however, there was not the slightest use in attempting to contest the issue at this stage.

Question passed, and the Council's amendment agreed to.

No 5—agreed to.

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

#### KALGOORLIE LIGHTING AND POWER SPECIAL LEASE BILL.

#### IN COMMITTEE.

Clauses 1, 2, 3—agreed to.

Clause 4—Settlement of disputes :

**THE MINISTER FOR MINES** moved that in line three, after "therein," the words "or between the lessee or any local authority" be inserted. This would give the Minister control in any dispute that might arise.

Amendment passed, and the clause as amended agreed to.

New Clause :

**THE MINISTER FOR MINES** moved that the following be inserted, to stand as Clause 4:—

*Lessee to Erect Workmen's Cottages.*—The lessee shall covenant to erect on the portion of the land demised described in Part II. of the schedule, to the satisfaction of the Minister, at least fifteen workmen's cottages for the *bona fide* residence of the employees of the lessee. The rent to be charged for each cottage shall not exceed six per centum of the cost of building, together with the rates and assessments of any local authority. Such portion of the land demised shall be used for no other purpose whatsoever.

**MR. JOHNSON** protested against the clause being passed, on the ground that it would be against the best interests of the employees of this company. Experience in the past, where cottages were supplied by companies, showed that considerable trouble occurred over the wages. On the Eastern Goldfields there was a recognised union rate of wages, irrespective of concessions given; but the employees of this company were to work below the union rate because they were supplied with cottages to live in. The majority of men working on the eastern fields had residence areas on which they were compelled to live. If miners neglected to live on their leases they forfeited the right to them. If a man did not want his residence area, he could transfer it or sell the improvements, and a man would be compelled to do this if he accepted work with this company, because the man would have to live in one of the company's houses. A grave injustice would be done to the employees, and he entered his protest, as he believed

this was a step to undermine the unions on the fields.

**MR. HOPKINS:** At the present time a house erected anywhere in the locality of this company's property, at a cost of £100, would realise in rent, without difficulty, £26 a year. A house costing £100 to erect would return a rental of 15s. a week; whereas if the company erected cottages they could only charge six per cent. on the total cost. If a man had a residence area he could obtain from the Minister six months' exemption, and during that six months could sell his property if he had no use for it. During the six months a man could let his house for 12s. 6d. a week, while he would be paying the company 2s. 6d. a week for a similar cottage.

**MR. ATKINS:** The members of the select committee thought they did the employees on the Eastern Goldfields a good turn by preventing the company charging an exorbitant rent for their cottages. At first it was intended that no rent should be charged, but that the men should pay rates and taxes only. Subsequently it was thought the company should get six per cent. for the money expended in the erection of the cottages. It was in the interests of the men the clause was being inserted. The company would be prevented from dealing unfairly with the men.

**MR. JOHNSON:** There was no doubt the members of the Committee thought they were doing good to the employees, but from past experience it was not in the interests of the men to supply them with cottages. It would mean that the company would undermine the union rate of wages. The Railway Department would not pay the ruling rate of wages to the employees, because certain concessions were given in the shape of cottages which were represented as worth 200 per cent. more than their value. About 18 months or two years ago there was some trouble in Kalgoorlie with the railway employees: at the time he was secretary of the Trades and Labour Council, and found the only way to settle the difficulty was to throw aside the privileges. The department agreed to pay the ruling rate and not force the men to live in the cottages. He now found that the Railway Department had gone back on their word, and were

paying absolutely less wages than before the trouble occurred.

**MR. F. REID:** In the old country it was usual for companies to erect cottages for their employers, and make them live in them. This system was a menace to the workers in the old country, because owners insisted on their cottages being occupied by the workers. If a man was employed by a company and was not occupying one of the dwellings belonging to that company, he was given to understand his services would be dispensed with in a short time if he did not rent one of the company's dwellings. If a man was the owner of a residence he had to give it up and rent one of the company's cottages. That practice had been carried out in an unmerciful way in the old country. When there were labour troubles, men with their families were turned out of the employers' cottages in the middle of winter when the ground was covered with frost and snow; and employers in the old country were no different from employers elsewhere. Employers were not philanthropists: their object was to obtain dividends. He objected to the iniquitous system attempted to be placed on the workers in Kalgoorlie. It was to be hoped this system would not be carried to any great extent in this country: it existed at one time in New South Wales.

[At 4.15, business suspended for 15 minutes.]

**THE MINISTER FOR MINES:** There might be room for cavil, were it not for the proviso that the company should charge only 6 per cent. The employees would be housed close to the work, and the fact that they paid rent for their dwellings would prevent the scheme becoming an excuse for the reduction of wages. If the company charged more, the lease would be forfeited. The new clause was the outcome of the select committee's report, and had been drafted in the interests of the employees as well as of the company.

**MR. HASTIE:** The select committee might have studied the subject before introducing a complete innovation on the goldfields. Mining companies did not supply any workers but foremen with cottages; yet this new company, paying



about the same rate of wages, was anxious to house these men. Why? The clause gave rise to grave doubts as to its efficacy. In places where it had been the custom for employers to supply workmen with cottages, sooner or later the employee became practically the slave of the employer or of his foreman, unless the employee were a single man. There would be a rule that the workman must quit the cottage the moment he left the company's service; that was the experience everywhere. Even if the company gave a week's notice, as suggested, was that sufficient? This system, wherever in vogue, was unpopular, and if its establishment here were prevented, no harm would be done. The company said it was necessary for it of all companies on the fields to have its workers living on its ground, subject to its conditions. Would anyone believe that to be the real reason? Few people gave the true reason for acquiring land. Probably the concession was asked because the management of the company were accustomed to similar conditions in England, and were unaware that here they were unnecessary; or else they wished, after using this ground for some time for their workmen, to get it for some other purpose. He opposed the clause.

**MR. JOHNSON:** The Goldfields Trades and Labour Council, the strongest body of workmen on the fields, had written him that the Lighting and Power Company were importing engine-drivers from America at less than the ruling rate of wages. When the plant was started competent engine-drivers and firemen were engaged on the fields, but the wages did not suit the company, being either £4 or £4 10s. The letter stated men were being brought here at 12s. per day by the power company. With this the tramway company had nothing to do. The power company had already started to reduce wages; and the clause was the thin end of the wedge with a view to farther reduction. Do not give this company the power to undermine the unions of the Eastern Goldfields and to trample the workers under foot. This was the truck system, which the Committee should not countenance. The right to provide workmen's cottages would become a lever for the reduction of wages.

**THE MINISTER FOR MINES:** Whether or not the clause was struck out did not matter to him. If it were, he would confer with the select committee as to whether the schedule should be amended. That the committee's recommendation was in the interests of the workmen he was satisfied; but if the Labour members as a body considered it detrimental to those interests, the members of the select committee would not press the clause.

**MR. ATKINS:** Better not give the power company the second lease. The select committee understood from the company that this extra piece of land was needed for the men to live on. If the men's representatives, or some of them, thought the men ought not to have such residences, let the provision be struck out. On the select committee which agreed to the clause was a Labour member; and the clause was proposed in the belief that it was to the interest of the workers, the company having represented that it wished, for convenience sake, to have the men close to their work. A lease for 99 years had been promised by the Government, and the select committee, in order to make better terms, recommended the new conditions.

**MR. MORAN:** The object of the member for Kalgoorlie (Mr. Johnson) was to prevent the company from getting power to build houses on the land; but would the hon. member carry that to its logical conclusion, and prevent the company from buying land to build on?

**MR. TAYLOR:** The select committee were evidently desirous of doing what was fair in recommending that a second lease be granted on the new conditions; but it was not the desire of Labour people on the Eastern Goldfields that cottages should be erected on this land by the company; therefore it would be better not to grant to the company the second lease, because by doing so the same kind of evils as were created in the Eastern States would be created here by a company erecting cottages for its workpeople, and then having a certain control over those workpeople, to be exercised at times when there might be differences between the company and their employees.

**MR. HOPKINS:** The portion of land which the committee recommended for a second lease was a portion which had

previously been eliminated from the block by the Minister for Mines in granting an area for the use of the company's business. If members were not agreeable to the granting of the second lease on terms recommended by the committee, then it would be better to cut off the corner of land in question and proclaim it for residential lots, in which case any person could take up the land and build on it without regard to the company. As to the recommendation made by the committee, the company were required to charge not more than 6 per cent. interest on the capital outlay. Assuming that a cottage of the description desired would cost £100, the company could charge not more than £6 a year, equal to 2s. 4d. a week, for one of those cottages, and the workman occupying it would pay 2s. 4d., as compared with 10s. or 15s. a week he was now paying for occupying a house of that description in the same locality; so if the clause were to be struck out, the alternative should be to proclaim residential lots, and the company's workmen might have preference in taking up those lots. This ought to meet the case.

**MR. DIAMOND:** The opposition to the clause was unreasonable, and he was surprised at the Labour party opposing it. The company were compelled to erect 15 workmen's cottages and let them to their workmen at a rental equal to six per cent. on the capital cost. For a cottage costing £200 the rental would be £12 per annum. No workman on the goldfields could get such a cottage at double or treble the rent. There was nothing to compel the workmen to take the cottages.

**MR. REID:** The company would do that.

**MR. DIAMOND:** The company were compelled to do certain things, while the workmen were compelled to do nothing. The men had the option of taking the cottages at a rental of six per cent. on the capital invested. The whole thing was a storm in a teacup. If there was anything in the clause which would force the workmen to take the cottages he would oppose it, but the advantage was all on the side of the workmen. If he were the attorney for the company he would like to see the clause struck out.

**MR. HASTIE:** There was a danger in this practice growing up on the goldfields. The idea was a new one in Western

Australia, and one that wherever enforced had been unfortunate to all parties concerned. The clause was so much waste paper, because it could not be carried out. On the Eastern Goldfields hundreds of mining covenants with severe regulations were entered into; but the Minister could not enforce the regulations to the letter. This company might spend £100,000 or £150,000, and if they did not carry out their rules and regulations to the letter in regard to a few workmen's cottages, would any Minister dare to forfeit the lease? If the clause were inserted the company could charge 60 per cent. or 100 per cent. on the capital value of those cottages. People had got on so well on the Eastern Goldfields in the past without erecting workmen's cottages, that there was no special reason why this company should erect cottages. No doubt the company would like their employees to be near their work, and it was stated that the workmen possessed special skill. The company would be able to get these men with special skill so long as they paid sufficient wages. He was surprised that the chairman of the select committee thought members doubted the *bona fides* of the committee, who had acted no doubt in a manner which they thought was in the interests of the men and the company. The member for Hannans had been blamed for not getting the agreement altered; but he was only one member of the committee. We should not do anything to introduce this system of workmen's cottages on the goldfields.

**MR. HOPKINS:** The Minister evidently was not disposed to modify the amendment. Mr. Crocker, the employer for the company, distinctly stated there was no desire to charge rent; all they required was that the tenants should pay the local rates and taxes. To that extent he supported the company. The six per cent. business was a subsequent addition. The rates imposed by the local governing body would be against the occupier; therefore all this House need do was to strike out the second paragraph, and say no rent was to be charged for the cottages at all.

**MR. P. STONE:** There was no reason why the company should be prevented from building cottages for their workmen, but to charge only six per cent. seemed

unfair when one recollected the rents which were charged on the goldfields at the present time. The workmen would be willing to pay rates for the cottages to keep on the municipal roll. People were always willing to pay the rates, but when rate day came round the tenants were gone. The Government built cottages along the railway lines for the use of the employees, and those who had no cottages paid 1s. a week rental to be allowed to camp along the railway line.

MR. MORAN: If he were the representative of the company he would not be bound down by any Bill. He would build the cottages and make his own terms as to the rental. He would say that men should not work unless they lived in the cottages; or, he would buy up land, build cottages, and make the men live in them. His advice to the company was to build cottages on the special lease and charge what they liked for them.

MR. JOHNSON: If the first portion only of the lease was granted the company could not erect cottages and let them to the men. Companies got at their workmen when they could; they did not care a rap for the men, all the company wanted was dividends. The Labour members were unanimous on this question. The member for Hannans was a member of the select committee, in which there was a difference of opinion, and the select committee agreed to the clause because they thought they were doing something in the interests of the worker. Labour members were sure the committee were doing something against the interests of the workers.

MR. F. REID: The clause would work great injustice to the workers in the Kalgoorlie district. As few hon. members had much experience of this system, he must explain that in the Newcastle district of New South Wales, in the early days of the A.A. Company, the colliery company erected dwellings for their workers; but the system was found to be so faulty that the houses were afterwards disposed of to the men. Both parties felt so keenly the injustice of the system that it was abandoned. The member for South Fremantle (Mr. Diamond) advocated the system. Had the hon. member seen the system in operation?

MR. DIAMOND: Yes; in Moonta and in Kadina.

MR. F. REID: That the system had existed in Moonta was sufficient to condemn it for all time; for every man who came from Moonta admitted it was the worst system in the world. The proprietors of the Moonta copper mines owned not only the dwellings, but the workmen, body and soul. The men did not want this system instituted here. The hon. member said no influence could be brought to bear on the men to compel them to live in the cottages. When the Mines Regulation Act was passed to abolish Sunday labour, it was claimed that men were not compelled to work on Sunday; but it was obvious that there was no necessity to compel them, for if a man would not work on Sunday he found he was not wanted on Monday morning. It would be the same with these cottages. If a man had a home of his own and neglected to take an unoccupied dwelling belonging to the company, his services would no longer be required. In the interests of liberty and justice, and as one who had seen this system working in the old country, where hundreds of families were turned out on the roadside in the middle of winter, he declared this kind of thing should be avoided here.

Question (that the new clause be inserted) put, and a division taken with the following result:—

Ayes	...	...	16
Noes	...	...	9
<hr/>			
Majority for	...	...	7

AYES.	NOES.
Mr. Bath	Mr. Daglish
Mr. Butcher	Mr. Hastie
Mr. Diamond	Mr. Holman
Mr. Gregory	Mr. Johnson
Mr. Hayward	Mr. Oate
Mr. Hopkins	Mr. Pigott
Mr. Jacoby	Mr. Reid
Mr. James	Mr. Thomas
Mr. Kingsmill	Mr. Taylor (Teller).
Mr. Monger	
Mr. Moran	
Mr. Rason	
Mr. Stone	
Mr. Throssell	
Mr. Wallace	
Mr. Higham (Teller).	

Question thus passed, and the clause inserted.

New Clause—Supply of electric power or light to local authorities:

THE MINISTER FOR MINES moved that the following be inserted as Clause 5:—

The Council or Board of any Municipality or road district situated within three miles of the land demised (hereinafter referred to as

the "local authority") may, by notice in writing, require the lessee to supply electric power or light at the lowest rates charged for the time being by the lessee to any consumer taking an equal supply under similar conditions. On such notice being given, and an agreement being entered into by the local authority to take electric power or light, and to pay the cost of the installation, the lessee shall, within six months thereafter, or within such extended time as the Minister may allow, afford the required supply.

This gave the right to supply power and light to local authorities. Should any dispute arise, it would be determined by the Minister.

**MR. HASTIE:** Why was the limit three miles? Was there any objection to five?

**THE MINISTER FOR MINES:** The Boulder and Kalgoorlie municipalities and the Kalgoorlie roads board district were included in the three miles radius, and the supply was not needed for outside places.

**MR. TAYLOR** moved that the word "three" be struck out, and "five" inserted.

**MR. JOHNSON:** The Committee would be doing its duty if it threw out the Bill. The company were getting too much cheap land, with power to employ their men as they thought fit, for a term of 99 years. He supported the amendment. The top end of Kalgoorlie would not be within the three miles radius.

Amendment passed.

**MR. TAYLOR:** Within the last few hours serious objections had been raised to this concession. He therefore moved to report progress with a view to discussion to-morrow night.

Motion put and passed on the voices. Division called for.

**MR. HOPKINS:** Before the motion was put he had risen to speak.

**THE CHAIRMAN:** Such a motion could not be debated.

**MR. HOPKINS:** In the Federal Parliament it had been debated for many hours.

**THE CHAIRMAN:** This wrong impression had been frequently corrected. The motion that the Speaker leave the Chair could be debated, but this motion could not.

Division taken with the following result:—

Ayes	...	...	...	7
Noes	...	...	...	18
				—
Majority against			...	11

**AYES.**  
 Mr. Hastie  
 Mr. Holman  
 Mr. Johnson  
 Mr. Reid  
 Mr. Taylor  
 Mr. Thomas  
 Mr. Daglish (Teller).

**NOES.**  
 Mr. Atkins  
 Mr. Bath  
 Mr. Butcher  
 Mr. Diamond  
 Mr. Gregory  
 Mr. Hayward  
 Mr. Hopkins  
 Mr. James  
 Mr. McDonald  
 Mr. Monger  
 Mr. Pigott  
 Mr. Rason  
 Mr. Stone  
 Mr. Throssell  
 Mr. Wallace  
 Mr. Yelverton  
 Mr. Higham (Teller).

Motion thus negatived.

Clause as amended put and passed.

Schedule:

**THE MINISTER FOR MINES:** In order to make the schedule agree with amendments passed, he moved that all the words after "service," in line 1, be struck out, with a view to inserting other words.

**MR. HASTIE:** This was a curious way of doing things. We had been discussing an innovation for giving the company a piece of land, not for their business but for erecting houses on it. Could the Minister state definitely how much land was required for the purpose of the business, and how much was to be leased for erecting cottages?

**THE CHAIRMAN:** The land set forth in the proposed schedule was 16 acres 1 rood.

**MR. DAGLISH:** How much land was necessary for the business requirements of the company? It seemed an outrageous proposal to grant to the company more land than was required for business purposes, and to be given without limitation as to the number of cottages to be erected. The company might go in for land-jobbing by building cottages and letting them. It was said of course that they could not charge more than six per cent. on the capital outlay; but we also knew it was practicable to drive a coach and six through almost any Act of Parliament, and consequently there would be no real control over the company. The company might use the powers against their workmen when it was convenient for the company to do so, or they might make deductions from the workmen's wages. Six per cent. interest over and above all charges was not a bad return on property. He was opposed to land-jobbing by any company.

MR. ATKINS reminded the Committee of the history of this question, and of the terms made with the company since the negotiations commenced. This Bill had been brought in to legalise an arrangement made between the Government and the company; and it was only on the understanding that the company would erect workmen's cottages that the additional two acres was recommended to be granted.

MR. JOHNSON: It was not fair for the Minister to propose a new schedule which had not been placed on the Notice Paper.

THE MINISTER FOR MINES: If it were desired, he would report progress and place a plan on the table to-morrow.

MR. HOPKINS: The select committee had made certain recommendations which were clearly expressed and definitely understood by the goldfields members, and the schedule would not be more understood when it was printed than now. Members knew the area of land which was to be leased to this company. He objected to reporting progress, as it was manifest that there was a desire to try and obstruct the matter so as to defeat it at a later stage.

THE PREMIER: Members should not overlook the fact that certain cables had passed and certain correspondence had taken place between the Government and the company, which placed the Government in a different position from that of dealing with a fresh matter.

MR. TAYLOR: In every case members were told that promises had been made.

THE PREMIER: In view of the promises made the Bill was introduced, and members should realise that an inquiry had been instituted by a select committee, the members of which had examined the spot and made recommendations. The House now should be guided by the recommendations of the select committee, and should leave the questions of detail to be settled by the Minister. All members need concern themselves about was whether 16 acres was too much to grant to this company or not.

THE CHAIRMAN: The schedule stated that Part I. consisted of 16 acres 1 rood, and Part II. consisted of two acres two roods seven perches.

MR. HASTIE: It was unfair for the Premier to say that members were obstructing.

THE PREMIER: That was not stated by him.

MR. HASTIE: The select committee had come to a fair conclusion, but they had gone out of the ordinary course in making their recommendations. It was an innovation which should not be allowed to go through.

THE MINISTER FOR MINES: When this schedule was handed to him he did not notice that it contained the area of land to be leased. He only received it at the last moment. He would prefer to place a plan on the table so that members would understand what land was leased. He moved that progress be reported.

Progress reported, and leave given to sit again.

#### BREAD BILL.

##### COUNCIL'S AMENDMENTS.

The Council having made amendments to which the Assembly disagreed, and on three of which the Council insisted, the same were considered, in Committee.

No. 4—Clause 9, strike out the clause.

THE COLONIAL SECRETARY: In connection with this measure, another place had not shown much "give and take," nor were their reasons for insisting on their amendments fit and proper. They stated that Clause 9 was so vague and indefinite as to be practically unworkable, and not in harmony with similar clauses in the Bread Acts of the United Kingdom, Victoria, and South Australia. The reading of Clause 9 would refute the charges of vagueness and indefiniteness. The Council admitted the existence of similar clauses in the countries mentioned. The Victorian and South Australian clauses were practically copied from the Bread Act of Great Britain. Our Clause 9 provided that every person who sold bread should constantly carry a correct beam and scales, with proper weights, so that bread might be weighed in the presence of the purchaser, a justice of the peace, or an inspector. The Victorian Act, No. 1067, Section 14, provided that every baker or seller of bread, or a person employed by him, should constantly carry a correct beam and scales, with proper weights, in

order that all bread sold might from time to time be weighed in the presence of the purchaser. The South Australian Act of 1891, now in force, provided in Section 13 that every seller of bread or his employee should constantly carry a correct beam and scales, with proper weights, or other sufficient balance, in order that all bread sold or delivered might, when required by the buyer or his servant, be weighed in his presence. Our clause was absolutely in harmony with these; and the Council's reason for disagreeing with our objection to their amendment fell to the ground. Another place had evidently some unexpressed antipathy to the Bill. The question arose whether it was better to sacrifice this part of the Bill or to lose the whole. Personally, he considered the balance left should pass into law; and possibly by exercising more rigid supervision over bakehouses, and by the periodical weighing of bread, the spirit of the Act might be satisfied. To test the feeling of the House he moved that the Council's amendment be farther disagreed with.

**MR. JACOBY:** The clause could not harm any honest baker, and it should be insisted on. There must be an occasional conflict between the Houses; and as we were absolutely right, insist on our clause. The action taken elsewhere was taken in the interests of people who wished to defraud. There was, perhaps, more dishonesty in connection with baking than with any other source of food supply. The reasons advanced by another place for disagreeing with the clause turned out to be absolutely untrue. Of this fact the majority of Upper House members should have been made aware by the Government.

**MR. MORAN:** It was suggested the Bill was unimportant. If so, let the other Chamber take the onus of throwing out the Bill, which sought to protect the consuming public. Why should another place go out of its way to give, for disagreeing with a clause, reasons not based on fact? He opposed the amendment, and would rather see the Bill go by the board.

**MR. McDONALD:** The deputation of master bakers with whom he had waited on the Minister did not press for the striking out of Clause 9, but asked the Minister to inquire whether the law

in New South Wales permitted the inspector to enter the bakehouses at any time between certain hours and confiscate the whole batch of loaves if a certain number were found to be under weight. The bakers of Perth and Fremantle were willing to have that system introduced here; but the carrying of scales on the cart was a dead letter.

**THE COLONIAL SECRETARY:** No, it was not; it was strictly enforced in New South Wales and Victoria. The members of the deputation of master bakers had stated that the carrying of scales on carts in the Eastern States was a dead letter. That was not so. He (the Minister) had promised to make inquiries, and that if he found it was so he would not press the clause. With that promise the deputation were satisfied. The inquiries showed that scales must be carried on carts in New South Wales and Victoria, so that bread might be weighed in the presence of every customer if so required; and the law was strictly enforced. Hence he could only suppose that master bakers would offer no objection to this clause, which was highly necessary for the sake of its deterrent effect on unscrupulous bakers.

**MR. McDONALD** said he had not been in the House when the Minister made his explanation, or he would not have opposed him.

**MR. HOPKINS:** Not long ago the butchers of the Eastern Goldfields issued a fiat that for the future the butchers' carts were to carry neither scales nor knives. This clause should be insisted on, and its operation subsequently extended.

**MR. PIGOTT:** If only because of the childishness of the reasons sent down by another place, the clause should be pressed.

**THE CHAIRMAN (Mr. Illingworth):** Standing Order 315, which governed the situation, read:—

If the Legislative Council shall return a Bill with any of the Assembly's amendments on the Council's original amendments disagreed to, and shall insist on its original amendments, stating the reasons for so doing, or shall agree to the Assembly's amendments thereon with farther amendments, the message returning the Bill shall be ordered to be printed, and a day fixed for taking the same into consideration, which shall be in a committee of the whole Assembly; and the Bill shall then be

finally passed, or laid aside, according as the Assembly may agree or disagree to the requirements of the Legislative Council, unless the Assembly determines to request a conference.

**MR. HOPKINS:** Have a conference.

**THE CHAIRMAN:** A conference between the two Houses suspended all business until the conference had been decided.

**MR. MORAN:** That would be undesirable, in view of the weighty matters in difference between the two Chambers. Besides, persons who could send down reasons such as we had received this afternoon would be incapable of reasoning at a conference.

**THE PREMIER:** No doubt the Council's amendment could favour none but dishonest bakers. No honest baker would ask for it, and the speeches of the member for Cockburn Sound (Mr. McDonald) and the Colonial Secretary showed that the master bakers who spoke on behalf of the trade as a whole were prepared to accept this provision as to scales if it were found to be operative in the Eastern States. The provision was found in the Bread Act of the old country, and in the statutes of all the Eastern States which had followed that Act. Why should there be special provision in this State? In this session there had been several instances of amendments made by the Council which were entirely unwarranted. But he was more inclined to accept a Bill which would be a distinct advance on existing legislation than to reject a Bill because of differences which, though important, were not sufficiently important to justify our wrecking the whole measure. He hoped that in the next session more consideration would be given to this House generally than had been the case during this session. There was too much inclination at present to regard Bills coming from this House with scant courtesy and scant respect. Whether that would be amended before a general election was a question for consideration, but it must be amended. He said emphatically that any clauses in a Bill forwarded from this House to another place were entitled to earnest consideration. The other Chamber had no right to condemn them with superior air, and had no right to take up our Bills and clauses with an assumption that they were matters for the expression of their superior wisdom or their superior opinion.

When a Bill was passed through this House, it represented the opinion of this House and was entitled to the respectful consideration of the other Chamber. In connection with this Bill, reference to the Standing Orders showed the effect of our maintaining the position which this Chamber had taken up would be that the Bill would be laid aside. He looked upon that with regret, because apart from this clause, the Bill represented a distinct advance on existing legislation, and it was a scandal that in this State we had no Bread Act, whereas in all the Eastern States there was an Act of this character, and in England there had been legislation of this kind for upwards of 70 years. He believed this amendment was made in the Bill, not because of an objection to the particular clause, but with the idea that by insisting on this amendment the whole Bill would be lost.

**MR. PIOTT:** What reason had the Premier for saying that?

**THE PREMIER:** No particular reason, but he could hardly conceive that this House, after taking the stand it had on this question, would consent to eliminate from the Bill a clause existing in all similar legislation, and which could operate only against the dishonest baker and in favour of the honest baker. He did not think that any provision for weighing bread in a shop or bakehouse would be sufficient protection to purchasers, whereas by insisting that scales be provided so that a customer might see the bread weighed on demand, that would be a deterrent against dishonesty, and if bakers knew that the purchaser could insist on the bread being weighed in his presence there would be considerably less selling of light bread than was the case now. He looked on the clause as important for that reason; and though the clause might not appear sufficient in itself to justify the overthrow of the whole Bill, yet it was the more important when we could point to the fact that a provision like this existed in all other Acts of the kind, and that it could operate only against dishonest bakers and in favour of honest traders. This being so, the best course was to lose the Bill rather than accept this amendment.

**MR. HASTIE:** The Premier pretended to be much surprised at what the other

House had done in this matter; but so far as one could see, they had not done anything unusual with reference to this Bill—nothing more than what was done with many measures sent from this House during the present session. During the last three or four months this House had not been allowed to pass any legislation unless approved of by a few people up there; and the member of the Upper House who particularly objected to this clause had said that he and a few who were with him were assured that their views were more in accordance with public opinion than were the views of members of this House. This Bill had been sent back to us simply because this House had the impudence to differ from the superior persons who governed in that Chamber. He hoped members here would not accept the Bill in this emasculated form: and it would be better for this House to abandon the Bill for this session, hoping that the other Chamber would be in a better frame of mind next session.

MR. DAGLISH urged the Premier to take a definite attitude on the question. This was not a question of the particular Bill, but of the power of this House; and as long as this House allowed itself to be overridden by another place, so long would this kind of conduct be continued in that other place. It was not a question of the value of this provision or the value of the whole Bill, but whether this House was to sink its power and its individuality as a Legislative Chamber. We had seen right through the session that every time a valuable measure was sent from this House to another place, it was treated with very scant consideration.

THE CHAIRMAN: HON. members should be careful not to make remarks reflecting on another place.

MR. DAGLISH: Having the highest respect for another place, he would take an early opportunity of expressing that respect outside this Chamber.

Question passed, and the Council's amendment not agreed to.

THE COLONIAL SECRETARY moved that the Chairman do leave the Chair.

Question passed, and the CHAIRMAN left the Chair. [Bill thus arrested.]

# CEMETERIES ACT AMENDMENT BILL. SECOND READING.

THE PREMIER (Hon. Walter James), in moving the second reading, said: This is a Bill to amend the Cemeteries Act passed in 1897. Clause 2 provides for difficulties that have to some extent arisen, where the trustees or the recognised head of any religious denomination desire to have set apart a portion of a cemetery for the burial of persons of the same religious denomination exclusively. At present everything rests in the absolute discretion of the cemetery trustees. There is a definition also as to the extent of the power given to trustees of religious bodies. These bodies are anxious, firstly that they should not be in the absolute control of cemetery trustees, and secondly that whatever right they have should be fixed by the statute. Clause 2 provides: "The trustees of any cemetery, at the request of the trustees or recognised head of any religious denomination, shall, by an instrument in writing, set apart a portion of the cemetery for the burial of persons of the same religious denomination exclusively." There is in the schedule to the Bill a form to be used in such cases, and it is the same form as is now used in connection with the Karrakatta Cemetery. The clause farther provides that the parties may agree to such other covenants and provisions as the Minister may approve. The most important part of that clause is in the last paragraph, which says: "Either party may, in case of disagreement, appeal to the Minister, whose decision shall be binding upon the parties and final." The effect of that will be to avoid friction between the trustees of a cemetery and the religious bodies, by enabling an appeal to be made to the Minister, if the trustees are acting unfairly towards any religious body by attempting to apportion to them an undesirable site, or to unduly limit the area they have, or in other way to act in a manner which religious bodies may think unfair. Personally, I think that power is very desirable, because we know how strong is the feeling among religious bodies in regard to the allotment of burial spaces in a public cemetery. By Clause 3 we enable cemetery trustees to make by-laws for undertaking funerals and prescribing the charges to be made, for the annual



license of undertakers, prescribing the license fee to be paid, prohibiting any unlicensed undertaker from undertaking or conducting any funeral in the cemetery, regulating the charges of licensed undertakers for undertaking and conducting funerals, also enabling the trustees to cancel an undertaker's license for breach of any bylaw. This is a most important clause, and will entirely recommend itself to members of this House, for it is extremely difficult when any person or trustee finds he is charged excessively in an undertaker's bill, as no one cares in such case to go into a court of law to dispute the charge. In many cases undertakers' bills are too high. After this clause is passed, if any complaint is made of excessive charges, the cemetery trustees will be able to insist on a regular scale of charges being imposed. Clause 4 amends the first paragraph of Section 29 of the Act. Under the Cemeteries Act as it stands, the only power the Governor has to appropriate moneys passed by Parliament is to appropriate those sums for the purposes of a cemetery by way of salary. We strike out Subsection 1 of the Act, and put in its place this new subclause, which says: "The Governor may direct that out of any moneys appropriated by Parliament for the purpose, such sums of money as he may think fit shall be paid to the trustees of any cemetery for the establishment, maintenance, and management thereof." That is a necessary provision, usual in all those Acts which create boards. Then in Section 32 of the principal Act we strike out words relating to the amount to be allowed as salary to the trustees, and we deal with the question of salary or fees in Clause 6. There we say: "Every trustee shall receive a fee of ten shillings and sixpence, or of such other amount, not exceeding one guinea, as the trustees may prescribe, for his attendance at every ordinary meeting of trustees he may attend. Such fees may be paid out of any moneys at the disposal of the trustees. The yearly abstract of accounts rendered pursuant to Section thirty of the principal Act shall state the fees paid to each trustee." That is a clause which will commend itself to members. In those cases where there is very little work for trustees to do, indirect control can always be exercised to penalise those

who charge unduly high rates, by not making use of their services. Clause 7 provides that the trustees may, by order in writing, permit the exhumation of any body buried in the cemetery, for the purposes of burial in another part of the cemetery. This is to make clear the power of removal from one grave to another. The cemetery trustees must have this power, and there is no such power in the present Act. Clause 8 makes it clear that the coroner has power to order the exhumation of bodies; and as there has been some doubt in regard to the coroner's power in this matter, the clause will make the intention clear. Clause 9 enables the Governor, with the consent of the trustees of any disused burial ground appointed under an Act, to vest such ground in the trustees of any public cemetery appointed under the principal Act. That, of course, cannot be done except by an order of the Governor-in-Council and the consent of the trustees when necessary. Clause 10 enacts that "Every disused burial ground vested in trustees under this Act shall be deemed a cemetery within the meaning of the principal Act, but no burial shall be permitted therein without the order of the Governor in each case." That leaves the law as it is now. By Clause 11 the Governor may direct that out of any moneys appropriated by Parliament for the purpose, such sum as may seem fit may be paid to the trustees for the upkeep and repair of any disused burial ground vested in them under this enactment. This Bill has been before the Karrakatta Cemetery Board and before the heads of the religious bodies. I move the second reading.

At 6:34, the DEPUTY SPEAKER left the Chair.

At 7:30, Chair resumed.

Question put and passed.

Bill read a second time.

IN COMMITTEE, ETC.

Clause 1—agreed to.

Clause 2—Portion of cemetery may be set apart for any religious denomination:

MR. HIGHAM: Did the clause mean that one portion of a cemetery might be fenced off from the remaining portion?

**THE PREMIER:** The principal Act of 1897 provided for the setting apart of any portion of a general cemetery for a denomination, but the clause did not give the trustees the right to do as they liked. The trustees had the power not to allow the dead of one denomination to be buried in that portion belonging to another denomination.

Clause passed.

Clause 3—Amendment of 61 Vict., No. 23, Section 14:

**DR. O'CONNOR:** Could the trustees prescribe the charges to be made?

**THE PREMIER:** Yes; they could make by-laws.

Clause passed.

Clauses 4 to 11, inclusive—agreed to.

Schedule, Preamble, Title—agreed to.

Bill reported without amendment, and the report adopted.

Bill read a third time, and transmitted to the Legislative Council.

#### LOAN ESTIMATES.

##### IN COMMITTEE OF SUPPLY.

Resumed from the previous sitting.

**CLASS I., Departmental, £65,375 6s. 8d.**  
—agreed to.

**CLASS II., Railways and Tramways.—**  
*From General Loan Fund, £1,096,626 12s. 11d.—agreed to.*

*From Loan Suspense Account, £294,273 7s. 1d.:*

Item—Purchase of land for railway, Cottesloe to Fremantle *via* Rocky Bay, £35,000:

**MR. FOULKES** asked for information.

**THE MINISTER FOR RAILWAYS:** This represented the total amount spent in acquiring the land on the Cottesloe-Fremantle *via* Rocky Bay line. The Government had done what any prudent man of business would do under the same set of circumstances. It was not intended to proceed any farther in the matter at present, but if nothing more were ever done, if the railway were never constructed, this purchase would be a profitable one to the State inasmuch as undoubtedly the land could be resold at a profit; but looking ahead it was undoubtedly a good piece of business in the interests of the State.

**MR. FOULKES:** The Committee were entitled to more information. We had a repetition of what took place the other evening when one Minister who was practically responsible for an item on the Estimates was in the Chamber, yet another Minister who had nothing to do with incurring the expense gave an explanation. In this case the Minister for Railways gave the Committee some information, but he had really nothing whatever to do with the purchase, the Colonial Secretary and the late Premier were really responsible for this expenditure. It might be interesting for the Committee to have a short history of how the expense was incurred. He had before him information, which he hoped was reliable, provided by the Government in reply to a motion which was carried on August 27th last. Briefly the facts were that in March, 1898, Sir John Forrest gave verbal instructions to Mr. C. Y. O'Connor to examine the country in the neighbourhood of Rocky Bay to determine the feasibility of constructing a high-level crossing over the river. Mr. O'Connor spoke to Mr. John Muir, the engineer for railway construction, and Mr. Muir took the matter into consideration. At any rate he spoke to Mr. O'Connor about it, and Mr. O'Connor, judging from the report, heard what Mr. Muir said, but made no report to the Government, who he supposed dropped the whole question, attaching no importance to it. It might have been a passing idea going through the Premier's mind, but nothing farther took place. No written report was ever furnished by Mr. O'Connor or any engineer to the Government with regard to the railway or the crossing over the river at Rocky Bay. The report which he had from the Railway Department said that so far as it was known the only report furnished prior to the 18th August was a verbal report by the inspector of engineering surveys to the late Engineer-in-Chief. Before that time the Forrest Government had been considering a scheme for dealing with the Fremantle sewerage, and a surveyor, Mr. Lunt, who had something to do with that scheme, was asked to prepare a rough plan of the route of the railway through that district. Mr. Lunt did not prepare a proper plan or survey, but he used the plans of the drainage scheme for the work. He (Mr.

Foulkes) did not know if plans suitable for a drainage scheme would do for a railway; it seemed to him they were not suitable, but this showed the rough-and-ready way in which the matter was prepared. Mr. Lunt prepared a rough plan in December, 1898, and the report which was received from the Railway Department was that the only survey made was the extension of the Fremantle sewerage contour survey. That showed it was a rough plan prepared from a sewerage scheme. That plan showed the routes, and there was a plan on the table of the House which was a copy of Mr. Lunt's rough plan. Mr. Lunt's rough sketch showed two routes, but the officer did not express any opinion whatever with regard to the routes, leaving it to the Government or Parliament to decide which route was best. One route was 34 chains shorter in distance than the other. The plan was prepared four years ago, and at that time there were not so many houses in the district as now; there had been an increase of population since. On the one route there were 20 houses and on the other something like 500 or 600. The red line showed the Cottesloe Beach route, and the land all on the western side practically belonged to private owners. Before the land was bought by secret purchase, the Government land agent estimated that the land on the Cottesloe route could be bought for about £5,000, and the land on the other side for something like £9,300. If the line was to cross the river at Rocky Bay and made to join at Cottesloe, a branch would have to be constructed from North Fremantle to Cottesloe station in order that people in that locality might be able to get on the main line; therefore, all those who wanted to get to Perth or districts east of Perth would have to change at Cottesloe station for the main line. Even if people went to Fremantle, they would have to do the same or walk a long distance. It would be an expensive thing to construct and work a branch line for that traffic, practically requiring a double staff of servants with various expenses, and imposing great hardship on people and much delay. People who wanted to live in a suburb would not be likely to select one where they would have to change trains to get to and from their homes. A station was built at Cottesloe Beach in 1895, and

to show how population had grown around that station since then he informed members that in 1898 the receipts for that station were £3,032 19s. for passenger traffic only; in 1899 the receipts were £3,496; in 1900, £3,635; in 1901, £3,917; and in 1902, up to June the receipts were £4,613. This increase of population and revenue would give a good idea of the extent of population and the rapidity of increase in that locality. Three-fourths of these people were of the working class, and they had built shops and houses in the vicinity of the station; consequently their interests would be interfered with. The Government began the purchase of this land secretly in May of this year. The original verbal instruction given to the Engineer-in-Chief was that he should report on the cost of erecting a railway bridge over the river in the neighbourhood of Rocky Bay, and to show the feasibility of obtaining a high-level bridge there. The Government land agent began purchasing the land in May last, and one would have expected that before this operation was ordered by the Government they would have taken the trouble to find out what would be the probable cost of a bridge and the conditions which must accompany a high-level railway bridge over the river for enabling shipping to pass under. He was told on good authority that to enable ships to pass underneath a high-level bridge, it would be necessary that the height be not less than 135 feet above the water, that being the ordinary standard height for a high-level bridge to permit ships with high masts and high funnels to pass under. The engineer's report was that the greatest height at which a bridge over the river for railway purposes could be constructed would be 93 feet or 95 feet above the water level; so the result was that if a bridge was built there it must be a swing bridge, and it must involve enormous cost. A fresh Government had come into power since the Leake Government began the purchase of this land, and some of the present Ministers might be more cautious than previous Ministers. Another fact was that no inquiries had been made by the Government as to the probable cost of the scheme. He believed the engineer had reported that to put a swing bridge suitable for carrying heavy traffic over

the river would cost from £150,000 to £200,000. That had been found out since the land was purchased. He believed there had been no reports given by engineers previous to the purchase of the land: he was told so on reliable authority. Another interesting point was that since the question was mooted the people living there could not afford fanciful schemes of this kind to be prepared without examination, and they had been inquiring with regard to railway routes between Perth and Fremantle. Members would see on the wall of this Chamber a plan prepared by an ex-Government engineer, showing a fresh route between Perth and Fremantle, on the south side of the river; and that engineer reported to the effect that a railway line on that side could be built at less cost than would be necessary for the proposed swing bridge over the river. This fact showed how rash were the Leake Government in buying this land before they obtained reports from engineers as to the probable cost of the work which they contemplated. They went about the business with the greatest secrecy, and would not trust even the Under Treasurer to sign cheques in payment for work done, nor would they trust the Auditor General. It had been suggested that the reason why they kept the matter so secret was that they did not want the owners of land in the district to know that such a scheme was in contemplation. There was another reason, perhaps, and it was that the Leake Government felt so certain that if the people of Fremantle and the suburban districts of Claremont and Cottesloe became aware that such a scheme was contemplated, the whole district would be up in arms against it; so the Leake Government rushed the scheme through with the greatest secrecy. About three weeks ago the present Minister for Railways gave a pledge to this House that the Government would not take any farther steps in regard to this scheme without the consent of Parliament being first obtained. He (Mr. Foulkes) was relying on that promise, which would no doubt be kept. He hoped that the experience in regard to this and other instances of putting the country to a large expenditure of money without the consent of Parliament would have some

effect, and be a lesson to every Government and to the country in regard to the danger of entering into expenditure without the consent of Parliament. The facts mentioned he had obtained from official reports, and he had tried to state them impartially. He appealed even to the staunchest supporters of the Government to bear these facts in mind, and see that justice was done to this district, and that no more secret transactions in regard to railways should be tolerated by this House.

MR. ATKINS: A few months ago his attention was drawn to the proposed bridge. As to buying land secretly, he thought the Government were right in the course taken, but as to the cost of the bridge and the necessary approaches, he believed this work would cost about £200,000. If a large expenditure was to be incurred in removing the two bridges now crossing the river near Fremantle, then when those impediments were removed he hoped no attempt would be made to put another impediment across the river by building a bridge like that now proposed. If a bridge were constructed there, a ferry would also be required for enabling people to cross to and from Fremantle and North Fremantle. A railway could be made from Fremantle along the south side of the river to Perth, reaching the Perth station within a few chains of the distance on the north side of the river; and the line would join the South-Western Railway at Burswood or Victoria Park, and would open up what was practically a new district for settlement. This was a good scheme; the other was not. The country had advanced rapidly in development and population during the last 10 years; and assuming that it went on at the same rate during the next 10 years, we should require to use the river up to Perth for the shipping that would come here; therefore we hoped no attempt would be made to block the river with any fresh bridge. Certainly the Government should not spend £200,000 to make a bridge a mile and a half farther up the river than the present railway bridge. More room in Fremantle harbour was required already, and when the river was once open by the removal of this obstruction it would be one of the finest waterways in the world, and afford deep

water for shipping up to the Narrows at Perth. There would be no difficulty, he believed, in getting 25ft. or 30ft. of water all the way up to Perth Water, and he hoped hon. members would have "saved" enough to see what an advantage it would be to keep the river open when once the bridges were removed. He had no interest in the river nor in land adjoining it; therefore his statement should be considered as unbiased. This was one of the finest chances this country could have of making a big harbour cheaply, and he asked members to say that no more money should be spent on this project until a comprehensive scheme was placed before Parliament with all necessary information. In many parts of the world waterways were being utilised and developed; as instance the Manchester Ship Canal, which was one of the best schemes in the world of its kind, and was paying handsomely, as he knew from persons concerned in it.

MR. DIAMOND: This question had two phases; firstly the purchase of the land, and secondly the reason for that purchase. Looking at it as a commercial transaction, he did not hesitate to say it was childish, that the prices paid were far in excess of what should have been paid, and that the commission paid to the Government land agent was eight or nine times more than any ordinary agent would have expected for the work. He did not expect that the State would suffer any loss in regard to the value of the land; but the speculation was entered into wildly, although as an asset the land would probably be worth 20s. in the £. But as to the reason for the purchase, the idea was begotten in foolishness, conceived in childishness, and born in idiocy. A railway must be made on the south side of the river, sooner or later; but the object for which this land had been purchased was a scheme of the character he had described. The reasons for the scheme were that the harbour should be extended, and that a place for a dock should be obtained. But what were the facts? For the last six months, Fremantle harbour had more than six times the accommodation required; for the last three months it had more than eight times the accommodation required; and to-day in that harbour the shipping was not occupying one-twentieth of the

accommodation available. He made the statement with a full sense of responsibility, that the harbour to-day afforded more than ten times the accommodation actually required. As to the question of a dock, he maintained fearlessly that there was a magnificent site for a dock in the harbour. One reason against it was that if the dock were made in the present harbour, an enemy's cruiser lying in the roadstead could bombard a ship lying in the dock. The common sense of members would induce them to say that if we were to keep our dock free from that danger, it would be necessary to keep an enemy's cruisers entirely outside of Rottnest; and, in fact, if an enemy's cruiser could bombard any ship in the harbour, it could bombard Perth. Nine-tenths of the people of Fremantle were in favour of the opinion he was expressing now, that they did not wish to keep the river closed. Practical people in Fremantle were of opinion that if the bridges had to be taken away for opening the river to shipping, there was no reason why another bridge should be built two or three miles up the river for carrying railway traffic to the south side. With regard to a swing bridge, such a bridge could be built at Fremantle suitable for the whole of the road and railway traffic, also for allowing the river to be opened up for ships as far as Perth, or up to Guildford if necessary. If it was necessary to construct the dock up the river, ships could then go to that dock. An article in a leading newspaper the other day, in dealing with this question, dismissed the swing bridge in one sentence; the writer stating that the delays to shipping would be so great that it had put the question of a swing bridge out of court. Some of the greatest water thoroughfares in the world were spanned by swing bridges. The swing bridges over the river at New York carried ten times the traffic which was ever likely to be carried across our river. One of the greatest swing bridges was at Rouen, in France, which spanned the Seine and carried 20 times the traffic any bridge here would have to carry. Ships did not expect to pass through a swing bridge at any moment. If the whole of the shipping that had come into the port of Fremantle within the last year had to pass through a swing bridge at Fremantle, it would not amount to

more than two or three ships per diem. With ordinary modern appliances, shipping could be brought up to the swing bridge, passed through, and the bridge closed again in a minute and a half to two minutes. If a swing bridge of the description he had mentioned was constructed, it would leave the river absolutely as free as if no bridge were there. To talk about going two or three miles up the river to put a level bridge across to cut the harbour in two pieces was absolute folly. The present leader of the House, in his loyalty to the late Premier, had done a little more than if he had been called on to make a decision on his own account. The Fremantle people did not want to block the river if it was necessary for the shipping to go up the river. At present it was absolutely childish to talk about that. If shipping had to go up the river, then there was no reason why the harbour should be ruined. There was no reason why the people of North Fremantle should be ruined, for after all they were deserving of some consideration. The Committee should not deliberately destroy the vested interests of North Fremantle. It was not necessary to make the people of North Fremantle or of South Fremantle suffer, because the whole of the State could be served without this ridiculous and absurd scheme which was put forward. The member for the Murray had spoken about the Manchester Ship Canal. He would ask the hon. member to read up the question of the Manchester Ship Canal, and he would find it was a tremendous financial failure. The shareholders were not likely to get their money back and they had never yet received a dividend. All the bridges across the Manchester Ship Canal of any importance whatever were swing bridges. Only one or two high-level bridges to carry foot passengers crossed the canal, and even a small canal crossed the Manchester Ship Canal by means of a swing bridge. The people of Fremantle were not parochial; they did not want to close the river up. If it was necessary that the work should go on, it should go on; but that was no reason why the port of Fremantle should be destroyed and the cost of handling goods doubled and trebled. There would be a six-mile shunt between the north

side and the south side of the harbour, which would increase the cost of handling the goods and not decrease it.

MR. MORAN : The opening up of the Swan River was not at issue on this vote. We had to deal with the matter as a responsible Parliament who were supposed to discuss matters of interest and expenditure and to authorise a Government to proceed, with the consent of Parliament, to raising money and spending it on public works. Whatever the future might have in store for the Swan River, whatever relations Perth and Fremantle might bear to the maritime importance of Western Australia, would not be affected much by the vote of £35,000. It would be vain for any person or body of persons to endeavour to stand in the road of national progress: if it be destined that Perth should become the maritime centre of Western Australia, nothing would prevent that happening. The question at issue was of greater importance than a mere matter as to whether a swing bridge would better open up the Swan River. He intended to divide the House on this matter. This was the first time in the history of responsible government that a departure of this importance had been made by a Government from the principles of responsible government. It was a flagrant outrage, and should meet with the severest condemnation of members. We should express in no uncertain sound our disapproval of the action of any Government, without authority from Parliament, spending £47,000 to initiate a public work which ultimately must mean the expenditure of a million of money. That was what presented itself to Parliament as being the gravest consideration in the matter, and the only one worthy of consideration now. He was told the Government had made a good deal; that the Government could retrace their steps by selling land. What did that mean? It meant that in future any Government, without the consent of Parliament, could go forth and purchase one million pounds worth of land, perhaps from a friend, and if it was disputed, the land could be put up and sold by auction to realise what the Government had given for it. He was told that it was necessary for the Government to proceed cautiously with a

view of circumventing the wily land-owner. Was it wise that the Government should be pledged to a scheme before any responsible officer had given a report as to the feasibility of that scheme? We should have to carry out enormous public works in Western Australia in the future, and should it be a principle that a Government, before calling on any expert engineer, should purchase any quantity of land and then tell the country that it was wanted for a public work? Where would that lead us to?

MR. HOPKINS: Where did the other system lead Victoria to?

MR. MORAN: Did the hon. member wish to take up the position that any Government was entitled, without parliamentary sanction, to go farther and initiate a public work?

MR. HOPKINS: That was not what he stated.

MR. MORAN: Let members look back and ask themselves what was the universal practice in British countries in connection with the parliamentary expenditure of a country. A public work was bruited abroad by the people. A political party arose and took as its manifesto a public works policy. That was announced to the country, but that party did not, without the consent of the people and without the consent of Parliament, construct those works. The Government went to Parliament and stated in the Address-in-reply what works it was intended to carry out. There was a general discussion on the Address-in-reply, and in many instances Governments were defeated at that stage. The people expressed their will for or against the party. Should the Address-in-reply be carried, that was a sort of general approval of the policy of the Government. Each proposal then came forward in the shape of a Bill. Again, members were given a full and complete opportunity on the first reading, on the second reading, on the Committee stage, on the third reading, and at the report stage to discuss the matter. At every stage the people's representatives were asked to approve of the proposal. Next came the Parliamentary vote, and this was the most sacred right of the people, the right of supply. Works were set down on the loan schedule, and members were asked to give their approval to the votes.

All this had been reversed for the first time in Western Australia by the present Government, who had taken on themselves to enunciate a monstrous policy, not very well defined, but to do something towards the building of a bridge, and involving the opening up of the Swan River. In future over this work the people would take sides, and when the money was available and the necessity occurred, the work would be proposed. Through the industry of the member for Claremont, members were shown that no report was made on the scheme up to the date of the purchase. Had such a thing been heard of before? Here was a proposal which carried on the face of it much to recommend it, but there would be many proposals for this nation which would in time come forward and be discussed by Parliament. It was very questionable for the mere saving of a sum of money to uproot the whole system of parliamentary government. Should members sit by and see that done? Members on the Opposition side might one day have the honour of occupying the Treasury benches, and those on the Government benches might then be in Opposition; then with a proposal like this before members this Chamber would ring with denunciations. The members of the present Government when in opposition denounced Form J, but the members of the present Government had out-jayed Form J, and had flouted Parliament. This land had been purchased, and now a very flimsy defence was put forward that the land was worth more than what had been paid for it. The land would not be worth that amount if the House next year refused to sanction the scheme. Would any one tell him that the members of the Government who had purchased this land had such a wise prevision of the future that they could see into the wants of the country for some years hence and say that the scheme would be adopted? The whole thing was irregular. It was a violation of the fundamental principles which this Chamber had charge of. He refused to be drawn into a discussion as to whether Perth or Fremantle should be the seaport. We were struggling and grasping at the present time to carry on the public works policy, and it was out of court to talk about a scheme of this kind. The

country would have all it could do to get enough money to finish the Coolgardie Water Scheme and the Fremantle Harbour Works. He would move as a protest, in order that he might not by his vote be said to give his sanction to this irregularity, that the item be struck out. If the item be struck out the Government might sell the land for more than had been given for it. Then the State would benefit; but he was not going to find the ways and means of getting the Government out of a hole if the item were struck out. If the Government had in view a scheme for opening up the river he would be glad, if the proposal was brought forward, to consider it with a view of carrying out the work when money was available. He had heard the action of the Government compared to a notable instance in British history, the world-famed action of Lord Beaconsfield in the purchase of the Suez Canal shares without the sanction of Parliament. There was no analogy between the two cases. Lord Beaconsfield hearing that one of the largest shareholders in the Suez Canal happened to be in Paris spending money lavishly, and very much in need of more money, and having heard that this shareholder had a tremendous quantity of bonds in the Suez Canal for sale, sufficient to give the holder the control of the Canal, saw the opportunity of purchasing the bonds for the benefit of the Empire. It was an opportunity which might never occur again; it was the psychological moment for him. Lord Beaconsfield went to Rothschild and asked for a loan of four millions sterling to purchase these bonds, the conditions being that if his action was not afterwards approved of by Parliament, Rothschild was to be the owner of the shares, and not the Empire. Parliament sanctioned Lord Beaconsfield's action. The cases were not analogous. He (Mr. Moran) might quote the speeches of the Premier and other members of the Government in defence of the principle which he was initiating. He had thought the Premier would never have consented to such an action, holding as he did such strong views of the rights of this Chamber. With absolute confidence he submitted to the Committee that members should mark their disapproval at this stage of the spending of money without the approval of the House.

He moved that the item be struck out.

**THE MINISTER FOR RAILWAYS :** The hon. member had asked the Committee to regard the item not from the point of merit or demerit, but because there had been a flagrant outrage of the privileges of Parliament, because the expenditure had been incurred without parliamentary authority. The hon. member said this was the first time such a disgraceful thing had occurred, and he asked the Committee to show disapproval of such a high-handed action. One was surprised the member for West Perth should have said that this was the first time there had been any unauthorised expenditure. He had heard the hon. member praise a previous Government for their noble and high-spirited action in undertaking necessary public works, and not waiting and delaying those works until the approval of Parliament was obtained. The hon. member praised a previous Government for recognising the responsibilities which they owed to the country. In the year 1896, £493,000 worth of public works were undertaken without the authority of Parliament.

**MR. FOULKES :** That was for pressing works.

**THE MINISTER FOR RAILWAYS :** It was not an "outrage" then, it was a question of necessity. Apart from the merits or demerits of the scheme, were the Government justified in thinking the interests of the State demanded that the Leake Government should make a purchase of this kind in as secret a manner as they could? It must be familiar to members of the Committee that this State had already lost thousands upon thousands of pounds in not acquiring land when they realised that in future it would be necessary to acquire that land, but had allowed time to go by and had only acquired the land when it was absolutely necessary. He could give instances in Fremantle where land had been required for the Harbour Works, costing thousands of pounds, when the land could have been obtained for hundreds if it had been purchased in time. Undoubtedly there was at Fremantle land urgently required for the harbour works which could have been acquired on a similar plan for a few pounds. Now it



would cost thousands, the present price being prohibitive. The statement that there were no designs and no estimates for bridges was not quite correct. Any one who visited the Works Department could see a large number of designs and estimates for bridges of various styles and for different railways in connection with this scheme.

MR. FOULKES: Prepared after the land was bought.

**THE MINISTER FOR RAILWAYS:**

No; they had been in existence for years. This was not a question of the merits or the demerits of the scheme as a scheme; and the Committee had been assured that the Government did not intend to proceed farther in the purchase of land or in carrying out work of any kind without parliamentary approval. What would have happened if, instead of purchasing land as the Government did, the approval of Parliament had first been asked? There would have been an increase in price of 50 and perhaps 100 per cent. To acquire the land at a reasonable price, the course adopted had to be pursued. The Committee must ask themselves, was the land bought in good faith and so as to involve the State in the least expenditure? The answer must be in the affirmative; and then, though as a general principle it was undoubtedly wrong to spend large sums without parliamentary approval, this was an exceptional case in which the action of the Government was justified by the result.

MR. FOULKES: The Minister mentioned several designs and estimates for a bridge which had been prepared before the purchase. In October last the hon. member was Minister for Works but not for Railways, and it seemed his answers to questions as Minister for Works were different from what he would have given had he been Minister for Railways. At that time he (Mr. Foulkes) asked "whether any verbal or written reports with regard to the routes were furnished to the Government by any Government engineer or surveyor prior to last July." True, he was wrong in asking that question from the hon. member as Minister for Works; and it now appeared that members must take the utmost care as to the Minister to whom a question was put, for it did not

follow that the same reply would be given by two Ministers. Surely that was not a correct attitude for a Minister to assume. The Minister suggested that anyone visiting the department could get some information; but much would depend on whether one went to the Railways or the Works Department. As the Minister emphasised the importance of buying this land without the knowledge of the owners, thus saving the country several thousands, one would think this valuable innovation was worthy of continuance; but since this purchase in May last the Government had resumed fresh land by the ordinary process. Why had not such lands been purchased secretly? Apparently when it suited the Government to resume lands legally, that was done. They resumed land in some instances and in others bought it secretly. These different courses were unfair. One or other practice should be adhered to. It did not appear which was the better; but all knew it was dangerous to allow any Government to make such secret purchases. If the amendment were passed, Ministers would have to raise the £47,000 amongst themselves; and whether they could refund such a sum was doubtful. However, though the Minister had not apologised, he had promised not to do anything of the kind again without parliamentary authority. That promise was satisfactory. No doubt the Government would do better now that there were two fresh Ministers in the team, who were perhaps more cautious than the older members. With the transaction the present Minister for Lands had nothing to do; and though the other Ministers had not excused themselves, they had probably received a sufficient lesson.

MR. PIGOTT: Any amendment to reduce this item he would oppose. In secretly purchasing this land the Government doubtless felt that they were acting wisely and obtaining the property more cheaply than would have been possible by resumption. It was a poor objection that they had upset the principles of responsible government. Whether the purchase were wise or unwise, the fact that the Government took responsibility on themselves proved they had the courage of their opinions. He did not think the bargain was a bad one.

If the Committee struck out the item, the Government should resign rather than submit to that course; and if anything would induce him to support the Government, it was the action they had taken in this case.

MR. MORAN by leave withdrew his amendment.

MR. JACOBY moved that the item be reduced by £100.

MR. HOPKINS: This item illustrated the abuse which might creep into the administration of the finances of the country, whilst it also exemplified the necessity for having a Government in which Parliament had sufficient confidence to trust them with an undertaking of this kind. It would have been preferable if the Auditor General had been taken into the confidence of the Government: and if he was not a capable and trustworthy officer, action should be taken to remove him.

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

Ayes	...	...	...	6
Noes	...	...	...	22
Majority against				16

AYES.	NOES.
Mr. Butcher	Mr. Atkins
Mr. Foulkes	Mr. Bath
Mr. Jacoby	Mr. Daglish
Mr. Moran	Mr. Ewing
Mr. Stone	Mr. Gregory
Mr. Diamond (Teller).	Mr. Hastie
	Mr. Hayward
	Mr. Hicks
	Mr. Hopkins
	Mr. James
	Mr. Johnson
	Mr. Kingsmill
	Mr. McWilliams
	Mr. Pigott
	Mr. Purkiss
	Mr. Quinlan
	Mr. Rason
	Mr. Reid
	Mr. Taylor
	Mr. Thomas
	Mr. Throssell
	Mr. Higham (Teller).

Amendment thus negatived.

#### Harbour and River Improvements :

MR. MORAN asked the Minister in charge how much of the estimated total expenditure had already been spent.

MR. PURKISS asked for explanation as to the "suspense account," and why the same items appeared in the "suspense account" and in the "general loan fund account." He could not understand the distinction, nor the reason for similar items appearing under the two headings.

THE MINISTER FOR WORKS explained that of the total estimated expenditure, a portion was taken from the general loan account, and that the balance, £649,932, was debited to the suspense account temporarily. The practice of having a suspense account was one which had been long continued, and there was no novelty in the present arrangement, except in the mode of showing how similar items were apportioned as between the two accounts. Portion of the Savings Bank funds were made available for loan works, until a loan authorised by Parliament was actually raised; then the loan having been raised, the amount so taken from Savings Bank funds would be repaid, and that money would become available for future use in the same way if necessary. If the market were to take a favourable turn, the amount charged to suspense account could be recouped from the flotation of an authorised loan. The actual expenditure from Loan Estimates hardly ever came near the estimated expenditure, for reasons which members generally would understand. As to the amount of loan funds available at present, a sum of £1,300,000 was actually in sight, and the Treasurer had stated on the previous evening that he did not anticipate any difficulty in providing half a million locally, if it were necessary.

MR. MORAN: How much had already been expended.

THE MINISTER FOR WORKS: About one-third of the amount.

MR. MORAN: Without authority.

THE MINISTER FOR WORKS: No. This happened every year. The Government could not leave all the works at a standstill until the Estimates were passed.

MR. MORAN: The authorisation asked for by the Government was £2,213,000, and the Minister had said it was proposed only to spend probably £1,800,000. In other words, the Committee were asked to authorise the expenditure of half a million of money which was not to be spent, the reason given for that being that last year about a like sum was authorised by Parliament but not expended. That was rather a large margin to ask for authority to spend, half a million pounds which would not be required. The Minister informed him that about £800,000 had been raised against outstanding authority

that was by the sale of locally inscribed stock. He presumed, therefore, that authority was exhausted. The available amount now was less than that sum. We were told that half of the expenditure authorised had already been expended by the Government without authority.

**THE MINISTER FOR MINES :** The works were authorised.

**MR. MORAN :** It was to be presumed that £500,000 had been spent without the authority of this Chamber. At this late end of the year it was just as well that the Loan Estimates should be brought in, or the whole amount would have been expended without the sanction of Parliament. It was to be hoped that in future the Revenue Estimates and the Loan Estimates would reach Parliament much earlier. The Estimates of revenue and expenditure had received the sanction of the House six months after the money had begun to be expended. We were considering the Loan Estimates six months after one-third of the amount had been expended. It was a great pity the Government did not take authority to raise sufficient money in case the loan market became favourable during recess. The Government at the present time had sufficient authorisation to carry them up to April or March. By the time Parliament met again, the money would be exhausted and the authority exhausted. The country would then be in financial straits if public works were carried on in a vigorous manner.

**Item—Fremantle Harbour Works (including wharf sheds), £97,491 13s. 6d. :**

**MR. THOMAS :** When would the expenditure on the Fremantle Harbour Works cease? Here was a sum of £97,000 and later on a sum of £22,000 appeared, making a total of £120,000 on these Estimates for this work.

**THE MINISTER FOR WORKS :** The future expenditure on the Fremantle Harbour, from the 1st of January next, would be governed to a great extent by the Fremantle Harbour Board that had been constituted, and that board would guide the Government as to what expenditure might be necessary in future. It was not anticipated in the immediate future that any large sum would be necessary.

**MR. THOMAS :** We had been spending hundreds of thousands of pounds on the harbour at Fremantle, when a tithe of what was proposed to be spent on the Fremantle Harbour would make Esperance a safe port.

**Item—Point Sampson, near Cossack, stock jetty and approaches, £11,668 13s. 4d. :**

**MR. PIGOTT :** The building of this jetty was a serious mistake on the part of the Government. The jetty would not in any way be sheltered from the prevailing winds that blew on the coast from March to November, known as the easterly trade winds. Those acquainted with the place agreed that there had not been a vessel yet which could lie alongside the jetty when the eastern winds blew into that port. The Government should take up this matter without any farther delay. A contract, he believed, had already been let for the building of the jetty; but it was the opinion of all ship masters who traded up that coast that the jetty was absolutely useless for nine or ten months of the year, and it was very doubtful if it would be used for the remaining three months. It was stated that if the jetty were constructed a large number of stock would be shipped to Fremantle. He did not agree with that statement. If the port could be made a good one and safe for vessels to go alongside the jetty, a number of stock available for market would not be shipped to Fremantle. With the opening up of the stock routes 95 per cent. of the stock would be travelled overland. This year alone up to the present time a large number of stock had been travelled overland from Kimberley. Cattle had been sold as fats before they reached Perth; and this year no contracts had been entered into with cattle steamers from Derby. Whoever was responsible for calling for tenders for this jetty could hardly have known the facts of the case; and it would be safe to say that none of the officers who had been asked to report on the work had favoured the proposal. That statement would be withdrawn if disproved; but several of these officers had told him that the jetty represented a tremendous waste of money. Though the contract had been let, the present contractor should be

compensated for cancelling the contract, and the Government should take back the timber to Fremantle. It was evident the advocates of the jetty were insincere, and had an ulterior object. Port Hedland had taken their trade. The late Premier (Mr. Leake) had promised a railway to the Pilbarra goldfields. Between Cossack and Port Hedland there was great rivalry. Without this jetty there was no prospect of the railway starting from Cossack; hence the agitation. Goods could never be landed on the jetty from a steamer without an expenditure of from £15,000 or £20,000 on a tram line to connect with the tramway from Cossack to Roebourne. This item was an example of wanton extravagance in the North, not at the instigation of the people as a whole but of a few, who had not put the facts before the Government. Pay the contractors anything in reason not to proceed with the work; and if the work must be done it should not be charged to loan but to revenue, for the jetty would not be worth 25 per cent. of the £11,000 odd the Government proposed to spend. A steamer coming from Singapore must discharge her cargo into lighters; and then if there were an easterly wind she could not approach the jetty. True, if sheep happened to be ready and the weather fine, they could be shipped. He was somewhat ashamed of not having been in the House last year when the preliminary item of £1,000 for a survey was passed, but he had been called away by his duties in another State. On his return he was told the £1,000 was for a survey, and the Premier (Mr. Leake) said it was unlikely that the work would proceed. Let the Minister pause and make inquiries from his officers.

THE MINISTER FOR WORKS thanked the hon. member for his information; but for years this work had been pressed for and promised, and previous Governments had been assured the work was most necessary in the interests of the squatters of the North; that the jetty would enable any number of sheep to be shipped, thus reducing the price of meat and benefiting squatter and consumer alike. Both design and survey were the work of competent engineers; and if facts were as the hon. member stated, there must have been some great

mistake. However, as the work was in hand, he would make immediate inquiries.

DR. HICKS: The easterly winds which prevailed from May till September undoubtedly prevented any steamer from approaching the jetty; but those conditions would hardly continue for more than 10 or 12 days in the year. True, as part of the ocean swell impinged on the jetty, a breakwater must subsequently be added. The chief opposition to the work had come all along from the people of Cossack, since its construction would involve the removal of Cossack to Point Sampson. The shipment of stock must make the jetty remunerative. The district could ship 80,000 sheep per year. At the present time sheep cost by lighter 9d. per head; and at least 8d. per head would be saved by the jetty. By a deviation of the Cossack-Roebourne tram-line cargo could be brought over the jetty, which now cost some 8s. per ton to lighter; and he had seen from 400 to 600 tons landed at Cossack jetty within a month.

MR. PIGOTT: The hon. member admitted the jetty would be practically useless without a breakwater.

DR. HICKS: For 10 or 12 days in the year.

MR. PIGOTT: And absolutely useless for cargo without a huge expenditure on a tramway. Even if the jetty were built and never used, there was great risk of its being washed away by a hurricane in the first season. No insurance company would take a 95 per cent. risk on the jetty. He believed people in the North as a whole would object to the jetty being built. The cost of the jetty at £16,000 and a tramway at about £20,000 would be wasted, unless other large expenditure was undertaken. These sums had better be spent on making a railway from Port Hedland to the goldfields. He condemned the construction of this jetty as a work that would be useless, and one that would be a disgrace to the Government which carried it out.

Vote put and passed.

*Loan Suspense Account*.—Item, Point Sampson, Stock Jetty and Approaches. £331 6s. 8d.

MR. NANSON: Here was the same item under another heading, and members for the district had informed the

Committee that if this work were executed it would be useless without a farther large expenditure. The member for Roebourne had admitted, while not opposing the vote, that this work would be useless without something more; that to make the jetty of use the town of Cossack would have to be shifted, the tramway would have to be deviated, and a breakwater must be made. There was no information from the Government as to the cost of these several large requirements. The people in the North had been crying out for the Port Hedland railway to be constructed, and it was evident that if the total of these several sums were put into that work it would go a considerable distance towards constructing the railway. Whether that was so or not, the State could not afford to recklessly squander loan moneys; and he was amazed to find the Minister for Works absolutely without knowledge concerning this item. Did the Government take on, as a sort of legacy of damnation, works that a previous Government were unable to carry out? The Government should try to find out whether works left to them by a previous Government were really necessary, and whether this money could not be expended to better advantage elsewhere.

**THE MINISTER FOR WORKS:** Of course inquiries had been made and reports obtained in regard to this work. It would not be put on the Loan Estimates unless it was recommended after inquiry. Certain members of the Ministry had intimate knowledge as to the necessity for this work, and this should be a guide to him as Minister for Works. All he could do now was to say that farther inquiry would be made, and if it could not be proved that this work could be done for the money and be of advantage to the district and to the State, the work would be stopped at the earliest possible stage.

**MR. JOHNSON:** Had a contract been let?

**THE MINISTER FOR WORKS:** Yes.

**MR. PIGOTT:** Would the Minister lay on the table to-morrow, for the convenience of members, all the reports made by departmental officers regarding this work?

**THE MINISTER FOR WORKS:** promised to let the hon. member and others who desired it see the reports.

**MR. NANSON:** As the Committee were informed that a contract had been let for this work, he asked, when was this system to be stopped? Here was the very Government whose members used to inveigh against unauthorised expenditure when made by a previous Government now bringing forward Estimates showing various amounts of money expended absolutely without parliamentary sanction. He supposed the limit of patience even of members on the other side of the House would be reached. Members of the Labour party not long ago, headed by members of the present Government, used to inveigh against unauthorised expenditure by the then Government; but now this practice was receiving support from those very members, and was being carried on by those Ministers who formerly condemned it in the case of another Government. What special necessity could there have been to push this matter on? It looked as if the Government, anticipating trouble, had entered into engagements which should bind Parliament before sanction was obtained.

**MR. JOHNSON** asked for more information on the item. Was this sum authorised last year? Did the House last year vote that a sum of money be spent on this work?

**DR. HICKS:** Money was voted two years ago.

**MR. JOHNSON:** Members representing the district allowed the work to pass last year without informing the House generally as to the necessity for the work; yet now that a contract had been entered into, they got up and said the work was not justified. If the member for the district recognised that the work would be practically useless unless a farther large expenditure was incurred, he should have explained that to the Committee when the work was first before the House. What was the amount of the contract? Were we pledged to an expenditure of £11,000 because a contract had been let? The member for the Murray had stated that a contract was let for £16,000. Would the Minister say exactly what had been done, whether the contract had been let and what the amount of it was?

**THE MINISTER FOR WORKS:** A contract had been let for £12,000 for the construction of a jetty 1,800 feet long,

with stockyards. Inquiry would be made, and if there was not the utmost justification for the work it would be stopped.

**MR. MORAN:** The member for Kalgoorlie had waxed warm because £11,000 was to be spent without the sanction of Parliament; but if the hon. member had been in the House earlier he would have heard the Minister say that half a million of money had been spent without authority. The Government had let contracts for new works and now came forward for authority to spend the money.

**THE MINISTER FOR WORKS:** The hon. member had twitted him with spending half a million of money without authority. The hon. member knew it was absolutely necessary that work should go on, pending the passage of the Estimates. Should all loan works, and works of every description, be stopped on the 30th June, and not a stroke of work done until the date of the passage of the Estimates? This work had been promised year after year. An amount towards it was passed on the Estimates last year and the work was recommended to be undertaken. He promised to inquire into the matter, and he hoped the member for West Kimberley would go into the papers with him.

**MR. MORAN:** It was not desired that works in progress should be stopped on the 30th of June. Last year there were works authorised to the amount of £2,027,000, and the amount expended was £1,600,000, consequently there was authority in existence to expend £400,000 to carry on, besides which the Minister had expended on the new authority another half a million of money; therefore the Minister must have expended since last June a million of money. Such a work as a new jetty was very different from works in progress. This was only in keeping with the careless way we were getting into in this country.

**MR. PIGOTT:** There was another jetty built by the Government, of which the member for West Perth was a strong supporter. The jetty cost several thousands of pounds, and was washed away within a month of completion. It was rebuilt, and up to the present day no steamer had ever gone alongside it.

**MR. ATKINS:** It was never intended that steamers should go alongside that jetty.

**MR. DAGLISH** suggested that a fourth column be added to the Estimates, so that the Government could show the approximate estimated total expenditure on any given work. Last year the Committee were asked to pass £1,000 for this work, and that would appear to have been the cost of the work; now it was found that the work was to cost £12,000.

**MR. ILLINGWORTH** said he wished to express his opinion on the somewhat unusual suggestions of the Government in regard to the form of the loan accounts. It would be noticed that all through the accounts there was a suspense account on every item, and the proposal was to provide for these suspenses out of certain sums supposed to be raised. It had been stated that something like two millions were available on the loan account. As a matter of fact, the actual sum available was £855,620. The total possibilities of the Government on the London market, if the Government went to-morrow, was a million and a half, and if that sum were borrowed the Government would have to refund to the Savings Bank, for issue of inscribed stock, the difference between the sum he had mentioned and the money that had been borrowed. He had urged in the earlier portion of this session that the Government were not in a position to go forward with works unless they obtained a loan authorisation. It was simply impossible in his judgment to pursue a public works policy without that authorisation. It was quite true the Government could raise a loan to-morrow, if the market was favourable, to the amount of a million and a half, but when the Government had raised that sum the amount available would be £853,620.

**THE PREMIER:** Why not have the balance available?

**MR. ILLINGWORTH:** For the reason that the Government could not issue inscribed stock unless authorised by a Loan Bill. At present the Government had drawn against their authorisation every shilling except £855,620, and if the Government raised the whole of their authorisation, the total sum available would be £855,620. About £1,100,000 would be available in the country providing the Government had a loan authorisation, but they could not issue it. The Savings Bank money could not be used and the inscribed stock could not be issued unless

supported by a loan authority. That was the reason he said the Government had made a mistake in closing the session without authority to borrow. He could not allow the opportunity to pass without expressing regret that the Government were not making a wise provision for the future. If the Government saw their way clear to finance, it was perhaps not his place to dictate; but he had a duty to perform as a member of Parliament, and he pointed out what he considered was a mistake on the part of the Government in their procedure. It was strongly desired that the public works policy of the Government should proceed, and all that was necessary—he did not suggest that the Government should go to the London market for a large sum, but wherever the Government got their money, it must be supported by loan authorisation. To raise the money in the country as suggested by the Treasurer would be admirable if it could be done; but the country could not and would not at the present time raise money at the prices for which it had been raised hitherto. The last one and a half millions was raised at £102 10s. in London. The net cost, after all the expenses so bitterly complained of by the present Treasurer, brought the loan up to £99 15s. or £99 16s.; and it was certain that a  $8\frac{1}{2}$  per cent. loan could not now be raised at that price net. That was a contingency of the market for which the Government were not to blame; but they were to blame for allowing this session to close without obtaining what all members were willing to give them, and what would be passed in five minutes—authority to borrow more money. The country could not be financed without that power; and he warned the Government that they were taking a most dangerous step in allowing the session to close without taking the necessary authority. Having given that warning he had done his duty.

**THE PREMIER:** As to the financial proposals, the Government had of course been advised by the Treasurer after due consideration, and were satisfied that the course adopted was the wisest. They had authorisations which would enable them to obtain money if the market were favourable, and they thought they could finance under the existing authorisations.

But they were quite certain they would be ill-advised if they asked for additional authorisations when they wished to impress on the British investor their desire as far as possible to avoid doing so. If this House were asked for an authorisation, the fact was very soon cabled to the old country, and did not assist the Government in their attempt to strengthen our financial position.

**MR. NANSON:** The discussion had strayed from the item. Last session a sum was voted for surveying this jetty. Did that justify letting a contract without parliamentary authority? Last session it was understood that only £1,000 would be spent, and that the Government would not let a contract without farther authority; whereas a contract had been entered into to spend some £12,000 on this jetty. The late Premier (Mr. Leake) had told the member for West Kimberley (Mr. Pigott) that it was doubtful whether the work would be proceeded with; hence there was doubt whether it was necessary, and whether a huge expenditure would not be required to make the jetty useful. The present Government had flouted Parliament, and we were airily told by the Minister that the work if unnecessary could be stopped. Would not the contractor require compensation for the cancellation of his contract? Had the work been begun? In what stage was it? Evidently the Minister had only the faintest knowledge of what had been done. Would immediate steps be taken to stop the work pending inquiry?

**THE PREMIER:** Yes; whether the work had or had not been started.

**THE MINISTER FOR WORKS:** Whether the work was being actually proceeded with was uncertain. It was impossible to have an up-to-date knowledge of every detail on the Estimates. Immediate inquiry would be made, and the work if in hand would be stopped till the Government were satisfied of its necessity.

**MR. ATKINS:** A man who had bought half a share in a timber mill was cutting the timber, much of which was at the railway station. Some of the sawn timber and also the piles were loaded in the ship, which was either leaving or had left. The contractor had sent up his plant to make a start.

MR. ILLINGWORTH : The Committee were indebted to the member for West Kimberley for starting this discussion. If the timber was only leaving port, the Government should endeavour to prevent its going farther. This occurrence emphasised the necessity for a column specifying what amounts works were to cost; yet the so-called fourth column in the Estimates had been most heartily condemned this session. In former sessions he and others had urged that when the House was asked for a vote of, say, £1,000 there should be an intimation of the final cost of the work; and he hoped, notwithstanding the criticism adverse to the fourth column, its use would be continued, and the information supplied more accurately than was possible this session. Year after year we had been asked to vote, say, £1,000 for a work, without intimation as to the real cost. Next year £4,000 or £5,000 would be asked for, and eventually the work, which members, perhaps through carelessness, imagined would cost only £1,000, cost £10,000 or £15,000, like this jetty, which would ultimately cost £12,000, and perhaps would not be of much use when erected.

MR. ATKINS : As to the jetty at Onslow being carried away, it was made too low, though in accordance with plans and specifications; and instead of being built straight out to sea, it was taken askew along the shore, and the first willy-willy destroyed it. The new jetty erected by Atkins and Law was not intended for steamers but for lighters.

MR. WALLACE : The member for the district should be able to inform the Committee whether it was prudent to stop this work. Members like the last speaker were to be thanked for their information; but the arguments of the direct Opposition, particularly the blatant mendacity of the member for West Perth—

MR. MORAN : By way of a pleasant change he would ask that the expression be withdrawn.

MR. WALLACE : Let the hon. member "take his gruel" as Government supporters took theirs. Though he withdrew the expression, he held his opinion. This wilful representation continuously carried on by that hon. member, whose

blatancy gave his speeches access to the Press, and whose untruths—

MR. MORAN asked for a withdrawal of "untruths."

MR. WALLACE withdrew the expression. He was following the tactics of the hon. member by getting in the words, so that they might be spread abroad, thereby achieving the object sought. Let us assist in striking out any expenditure that was unnecessary. There had been a blind rush to let this contract, on the report of some officer; but the necessity for the work appeared not to exist.

MR. BUTCHER : It was a wrong impression to say the work was unnecessary. He did not think any work contemplated was of more vital importance; but the trouble appeared to be that the work was being put in the wrong place, and a greater trouble was to find a right place.

MR. HARPER : Having a knowledge of this district, it appeared to him extraordinary that this work ever came to be contemplated. Suppose a rocky reef ran straight out half a mile from Cottesloe Beach, near Fremantle, with no shelter except on the landward side; and suppose we put a jetty on that beach the same as was proposed to be done at Port Sampson, the result would be just as good there as putting one here at Cottesloe Beach, so far as the use for vessels was concerned. There would be no protection from easterly winds; on neither side would there be any shelter, but a little shelter from a westerly wind. The question was where to find a safe place to discharge and load vessels at Cossack. That had been the trouble from the earliest days of the settlement, and no one had been able to indicate what it was possible to do. There were good harbours to the westward, but they did not serve the Cossack district. This work was looked on as a way out of the difficulty; but he hoped the Government would inquire carefully into it before expending any money.

MR. STONE urged that the item be struck out. The contract seemed to have been let without proper inquiry.

MR. TAYLOR : There would be heavy compensation required, but it might be wise to pay that and stop the work.

Other items agreed to, and the vote passed.



**CLASS IV.—Water Supply and Sewerage for Towns :**

Item—Sewerage for Perth and Fremantle, £5,677 :

MR. DAGLISH : How was this money being expended? Was it part of a comprehensive scheme, or was the money being thrown away by absurd expenditure under the authority of the different municipalities concerned? A sum of £3,600 was also expended last year.

THE MINISTER FOR WORKS : This item of sewerage was intended to be spent in completion of a real test of the septic tank system of treating sewage matter. A septic tank instalment put in the Government House grounds, for dealing with ordinary sewage matter, had proved a success in every way. At North Fremantle the Government were trying another experiment to deal with ordinary nightsoil by the same process, and that had turned out a complete success also. To the credit of Western Australia be it said, he believed this was the first place in the world that had attempted to deal with nightsoil by the septic tank system; and having proved a success, it had solved to a great extent the difficulty with regard to the sewage of Perth and Fremantle in the future. This was money well spent, but it was not part of a comprehensive scheme.

MR. JACOBY : Were the experiments being conducted with a view to controlling the whole sewage of a town? He had recently conversed with a medical practitioner who had examined this system in the old country, and his statement was that though eminently successful on a small scale, for such places as factories and public buildings, yet it would be useless for dealing with the sewage matter of towns.

THE MINISTER FOR WORKS : This experiment had proved its suitability for use on a large scale in towns. He did not know where the hon. member obtained his information. The Government had medical testimony in abundance and of the highest character that the septic tank system had proved a huge success in dealing with sewage matter in large cities on the continent of Europe.

Other items agreed to, and the vote passed.

**CLASS V.—Coolgardie Goldfields Water Scheme — From General Loan Fund, £235,847 3s. :**

MR. DAGLISH : In the report of the Royal Commission which inquired into this scheme there was a recommendation that the resident engineer was not suitable for the duties of his position. Had that recommendation been carried out, and in what way?

THE MINISTER FOR WORKS : The report of the commission went to show that in the opinion of the commissioners this officer was not fit to hold the position, because in his desire to be loyal to his superior officer he had not given certain information he was supposed to be in a position to give and ought to have given. The matter was inquired into, and it then appeared that this officer was well qualified for the position he was in. His work from that time to the present had been an unqualified success, and had shown that he was worthy of being retained in his position.

MR. JACOBY : With regard to the opinion which the commission expressed in reference to this officer, he (Mr. Jacoby) disagreed with it. He had had opportunity of forming an opinion in regard to this officer and of other officers connected with that scheme, and he thought the opinion which the Minister had just expressed would be fully indorsed by all engineers who had opportunity of seeing the work for themselves. The commission went into a phantasy of condemnation in regard to an officer who was loyal to his superior.

MR. DAGLISH : If it was loyalty to his superior officer that led to Mr. Reynoldson's evidence before the commission and led to his neglect, then his loyalty to his superior was the cause of absolute disloyalty to the State. It was not the superior officer who paid Mr. Reynoldson. The first duty of an officer was to the State.

MR. JACOBY : Then every officer should be a tale-bearer.

MR. DAGLISH : A man should fulfil his duty to the State first. When things went wrong it became the duty of an officer to report to his chief, and if his chief failed to take notice of his report, the responsibility was on the chief. In this instance, as far as the commission

found, no reports had been made, and things had gone on for two years. The commission's report on this point was as follows :—

Mr. Reynoldson came to this State at the invitation of Mr. Hodgson, under whom he had studied for his profession and subsequently worked. The rapidity with which he rose to the second position in the Coolgardie Water Scheme appears to have been due to the personal influence of Mr. Hodgson, which it is natural to suppose produced a strong feeling of loyalty to the latter. The position, however, involved a fairly complete knowledge of the cost of works, and if Mr. Reynoldson were fitted for the position he held, he must have known that the work was being carried out at extravagant rates, and it was his obvious duty to have brought the matter under the notice of his superior officer in such a way as to insure its reaching the Engineer-in-Chief. (He had special opportunities of doing this directly when in control during Mr. Hodgson's absence on leave.) Whether his omission to do this was due to blindness occasioned by loyalty to Mr. Hodgson, or whether it was due to incompetence, is a matter of doubt; but whatever may have been the cause, the commission is of opinion that the fact is sufficient to testify to his (Mr. Reynoldson's) unfitness for the position he now holds.

If that meant anything, it meant either Mr. Reynoldson was incompetent or disloyal to the Government. He would not advocate anyone being encouraged in improper tale-bearing, but if the State paid an officer it was entitled to that officer's best services. He knew nothing of Mr. Reynoldson except what was given in the evidence before the commission, and it was more unpleasant to condemn a man than to praise him. He joined with the other members of the commission in the unanimous finding on this point. The recommendations of the commission were not being carried out. It was unwise to appoint commissions if their recommendations were to be treated as so much waste paper. More attention should be given to the recommendations made than was evidenced in this instance.

**THE MINISTER FOR WORKS :** In referring to loyalty to superior officers he was simply quoting the words of the commission. He had previously paid a tribute to the good work which the commission had done, and he had paid very careful attention to their report, and that was evidenced in the action he took in regard to this officer. Mr. Hodgson had left the service, so that there was no

influence by anyone over this officer. He (the Minister) called the attention of the present Engineer-in-Chief to the report of the commission, and asked for a straight-out opinion of the officer, whether he should be retained in his position, whether he could be trusted, and whether he was qualified to do his work; and he went farther when these questions were answered in the affirmative, and pointed out to the Engineer-in-Chief the risk he was running in having given the advice, in spite of the commission, that the officer should be retained in his position. The Engineer-in-Chief then stated that an injustice would be done to the officer by getting rid of him, that he knew of no one more qualified to take his place. He (the Minister) had watched this officer's work as closely as he could, and he felt it his duty to bear testimony that Mr. Reynoldson had done very good work indeed. If one had not the assurance from the Engineer-in-Chief, he would have acted on the report of the Royal Commission.

**MR. ATKINS :** As a member of the commission he might state that it appeared to the commission that a scape-goat was made of one man and that the rest were pretty well allowed to go free. That was not his idea of carrying out what were the recommendations of the commission. The commission had asked that certain work should be let by contract, the desire being that tenders should be invited for some of the work, so as to get a definite opinion as to what the value of the work was and to have something to compare the cost by. The tenders were not called, and the commission had to make the investigation themselves. If tenders had been called, the commission would have seen what the work was worth, but no notice had been taken of the recommendation.

Vote passed.

*From Loan Suspense Account, £255,952 17s. :*

**MR. MORAN :** There was no authority under any of these items to go in for a reticulation of the streets. Did the Minister intend to go in for the reticulation of Coolgardie, Boulder, and Kalgoorlie? This work should have been in progress for some months and the taps

ready to be turned on when the scheme was opened at Kalgoorlie.

**THE MINISTER FOR WORKS:** It was intended from this vote to make a start with the reticulation of Coolgardie, Kalgoorlie and Boulder. Tenders had been called for the pipes.

Vote passed.

**CLASS VI.—Development of Goldfields and Mineral Resources; from General Loan Fund, £34,412 4s. 1d.:**

**THE MINISTER FOR WORKS** moved that after "fund" the words "administered by the Mines Department" be inserted.

Amendment passed.

Item—Pilbarra Goldfields, £2,000:

**MR. JACOBY** asked for explanation.

**THE MINISTER FOR WORKS:** This was for sinking a well at Port Hedland, deepening existing wells in the district, and boring in the vicinity of Nullagine.

Vote passed.

**CLASS VIII.—Development of Agriculture—agreed to.**

**CLASS IX.—Immigration, £387 6s. 5d.:**

**MR. JOHNSON:** Last year £3,000 was expended. Why the difference, and why the next item of £4,612 from loan suspense account?

**THE PREMIER:** This was the balance left from the Immigration vote of past years. It was intended as far as possible to defray out of revenue the cost of importing from the Eastern States the wives and families of men resident here. If the cost should be heavy, it would be a fair charge against loan.

**MR. HASTIE:** In the majority of cases, were not such advances repaid by the borrowers, and did not the moneys go into the ordinary revenue?

**THE PREMIER:** Yes.

**MR. HASTIE:** Then as £3,400 had been spent, the net expenditure would probably be less than £400; and next year less than £600 should suffice.

**THE PREMIER:** That was hoped.

Item—From loan suspense account, £4,612 13s. 7d.—agreed to.

Vote put and passed.

This concluded the Loan Estimates. Resolutions reported, and the report adopted.

#### FISHERIES ACT AMENDMENT BILL.

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

#### ADJOURNMENT.

The House adjourned at 24 minutes past 11 o'clock, until the next day.

### Legislative Council,

Thursday, 18th December, 1902.

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

#### PRAYERS.

#### PAPER PRESENTED.

By the **MINISTER FOR LANDS:** Annual report, Railway Department.

#### POISON LEASE EXCHANGED FOR FREEHOLD.

#### MINISTERIAL STATEMENT.

**THE MINISTER FOR LANDS** (Hon. A. Jameson): In connection with a question which arose yesterday relative to certain fees simple granted to the Occi-