

I want hon. members to know that so that they will be here when we proceed with the Government business.

Hon. J. Mitchell: What do the Government propose to go on with to-morrow Members would like some idea as to what measures the Government are likely to proceed with.

The PREMIER: The present intention of the Government is to dispose of as many Bills as possible before proceeding very far with the discussion upon the Estimates. The purpose of this is that the Legislative Council may have some business before them to consider. Otherwise that Chamber will have to adjourn for a week or a fortnight with the result that towards the end of the session this Chamber will then be waiting for the Council.

Hon. J. Mitchell: Is it proposed to proceed with the Industries Assistance Board Bill?

The PREMIER: The second reading of this Bill will be one of the first matters brought forward. Other Bills are ready also to come forward. It is merely a question of taking them in the order that will suit hon. members.

House adjourned at 9.40 p.m.

Legislative Council.

Wednesday, 13th January, 1915.

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The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

PAPERS—WHALING LICENSE.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [4.35]: Yesterday

I made a promise to the Hon. A. G. Jenkins that I would to-day lay upon the Table of the House papers in connection with the granting of an exclusive whaling license to a Norwegian company. Since making that promise, I have discovered that the Premier had given a similar undertaking in another place; and the papers referred to will be laid on the Table of the Legislative Assembly this afternoon. Mr. Jenkins, I understand, will be satisfied so long as he has access to the papers.

BUSINESS OF THE HOUSE.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [4.36]: Yesterday I gave hon. members to believe that the Council would probably adjourn over next week. I find now that the Legislative Assembly intends to devote special attention to Bills in order to provide this House with work; so that there is little likelihood of an adjournment over next week.

ASSENT TO BILLS.

Message from the Governor received and read assenting to the following Bills:—

- 1, Supply (No. 1), £668,270.
- 2, Wagin-Kukerin Railway Extension.

LEAVE OF ABSENCE.

On motion by Hon. J. CORNELL, leave of absence for six consecutive sittings granted to the Hon. R. G. Ardagh on the ground of ill-health.

BILL — LICENSING ACT AMENDMENT ACT CONTINUANCE.

Introduced by the Honorary Minister and read a first time.

BILL—GRAIN AND FOODSTUFF.

Assembly's Message.

A Message having been received from the Assembly notifying that it had agreed

to make amendments Nos. 1, 2, 3, 5, and 6 requested by the Council in the Bill, but declined to make amendment No. 4, the Message was now considered.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.

No. 4—Clause 13, strike out Subclause 3 and insert in lieu thereof: "The price so to be fixed shall be what the Commission consider to have been the market value of such grain or foodstuff at the place and at the time where and when it was acquired":

The COLONIAL SECRETARY: I move—

That the amendment be not pressed. Personally, I see very little difference between the clause as originally drafted and the clause as amended by this Committee. The Solicitor General, however, sees a certain distinction which, in his opinion, would have the effect of inviting litigation; and consequently he has advised that the clause as originally drafted should stand. The matter has been very carefully considered in another place from a non-party standpoint, and the general opinion there was that the original clause is much better than the clause as amended here.

Hon. H. P. COLEBATCH: The reasons advanced by the Colonial Secretary are quite sufficient to justify the Committee in insisting upon our amendment. If it is the intention of the Government that the original clause should have the same meaning as the amendment, why not state that meaning clearly? No member of this House wishes to create litigation; but I, for my part, am not prepared to pass a clause which will close the doors of the court against a person having a legitimate claim. If we agree to forego our amendment, the clause may be interpreted by the courts to mean that the Royal Commission, although they must have regard to the current price, still may do as they please. If the distinction is one between tweedledum and tweedledee, why not let us have our way? This House has not attempted to interfere with the discretion of the Royal Commission in any way. We simply say that the commission shall pay a fair price.

Hon. J. DUFFELL: I endorse Mr. Colebatch's remarks, and hope hon. members will insist upon the amendment. The Assembly's clause constitutes an effort to get round the law of supply and demand. When the matter was before us previously, we were given to understand that there would not be sufficient grain in Western Australia for the needs of this State, and that therefore grain would have to be imported. I mentioned at the time that if wheat had to be imported, then it was absolutely necessary to arrive at a figure fairly representing the price of imported grain landed at Fremantle, which price would be a fair indication of the value of any wheat, wherever lying, in this State. The law of supply and demand must prevail.

Hon. J. F. CULLEN: One point which Mr. Colebatch did not press seems to me very strong. The Government urged this Bill on the ground that a similar measure was working well in South Australia, and they have given us practically the South Australian Act, except as regards this one point. On this point they drop the South Australian safeguard in favour of the producer, and insert words which, while they may mean anything or nothing, would assuredly leave any aggrieved party helpless. I can quite understand the Government saying with the best intentions in the world, "Leave us plenary powers; we will do what is right." That is all right, but unfortunately our confidence in the Royal Commission has been so shaken that we cannot do this any more, and we must have safeguards in any legislation agreed to.

Hon. J. CORNELL: I see no difference whatever between the amendment and the original clause. The original clause provides that the commission shall have regard to the market value of grain and foodstuffs. If they have such regard they must give that price. The amendment says the price shall be what the commission consider to be the market value. Surely there is here no difference worth talking about.

Hon. R. J. LYNN: I am inclined to think the original clause is the better. It

is all very well taking in London parity of c.i.f. quotations at Fremantle, but if for a purchaser we are going to base the market value of wheat at Kellerberrin on the landed price at Fremantle, what are we going to base his selling price on when he wants to send his stuff into the City? There will be many aspects for the commission to consider in connection with the purchase and selling of wheat, and if we say, "The market value at the time and place," will that be a selling market value or a buying market value? If it is coming into competition with the imported wheat, will it be sold at Kellerberrin less the freight to the City, or purchased at Kellerberrin at the City price less the freight to take it there? Considerable discretion must be left to the commission in order that they may take into consideration many points involved. I support the original clause.

Hon. D. G. GAWLER: I should have thought that all persons from whom wheat will be required would have been entitled to receive the market value. The amendment provides that such persons shall get the market value, whereas the original clause says they may get the market value. That is the difference between the clause and the amendment. There is a certain definite, fixed object in prescribing the market value, but to say that the commissioners shall merely take that value into consideration is leaving too much to them altogether.

Hon. W. PATRICK: I think we could safely leave the original clause. If that clause were merely permissive it might not be so safe, but the clause is mandatory on the point that the commissioners shall have regard to the market value.

The COLONIAL SECRETARY: Mr. Colebatch stated that he would be no party to the closing of the doors of the Supreme Court against litigants. The clause cannot have that effect. Any person who comes to the conclusion that he has not had sufficient for his wheat can commission will then be called upon to approach the Supreme Court, and the prove that in fixing the price they had due regard to the market value of the grain. Mr. Cullen says the Government

want plenary powers. The Government will have no power whatever, for the price has to be fixed by the commission, and not by the Government. The Assembly has given way on every amendment made by the Council, with this one exception, and I hope the Council will not press this. I agree that there is practically no difference between the clause and the amendment, but I am not qualified to judge, and I am advised that there is a difference.

Hon. H. P. COLEBATCH: Under the clause it will be in order for the commission to say that they considered the market value and a number of other things besides. If we mean that the owner of the grain is to get the value of the stuff, let us say so.

Hon. A. SANDERSON: The law of supply and demand is to go by the board. The object of the Bill is to do away with it. The clause is the crux of the whole measure. The commission are to fix the price and the Council have approved of that. If we were to prescribe that the price shall be the market value, it would be different, but the amendment merely provides that the price shall be what the commission consider to have been the market value. Having approved of the principle of the Bill, Mr. Cullen now seeks to harass the Government on the chief point in the Bill. It is a useless and foolish Bill from start to finish, and this is the most foolish clause in it. I hope the Committee will let this go through and get the thing out of the way as soon as possible.

Hon. J. F. CULLEN: The Government informed the Legislature that there was a risk of our necessary supplies being depleted by grain being sent out of the country, and asked the House to give such powers as would enable the Government, through a board, to step in and prevent such depletion. Naturally the House agreed to such power. But the Government now say, "We want you to trust absolutely to a board." Six weeks ago I was innocent enough to take all that with the most friendly interpretation, but since then the country has had a rude awakening as to what may happen under

a board. A board nominally consisting of three men may really consist of one operative man and two others acquiescing in everything that he does. This is what has happened, and the one operative man has run amok. It is quite true that his illegal action has been undone, but it has opened the eyes of the Legislature to the risk of what may happen with plenary powers given to any board. The South Australian Act provides that this commission shall pay what it considers to be the market value. That is a safeguard, because the commission could not get out of an unjust action by saying, "We considered it the market value." The courts would not allow that. The Government have taken that safeguard out of the South Australian Act and put in words which they know would baffle any appellant in court. They put in the words "have regard to the market value." It is very easy for a commissioner like the one I have referred to, to say "I have the greatest regard to the market value, but I put the claim of the buyer over against the claim of the seller, and I have decided, with all due regard to the market value, to favour the buyer as against the seller."

Hon. J. Cornell: The commission can say the same as regards consideration.

Hon. J. F. CULLEN: No. The court could nail them on that. That is a definite thing, and it has worked well in the South Australian Act. If the commission dealt fairly with the producers who have grain to sell, all would be well. If, on the other hand, they allowed one man out of three to take a buyer with him and say to the seller "I direct you to sell at 1s. or 2s. a bushel less than you could sell it to someone else," the court could not do anything, as the defence would be "I had full regard to the market value, but this is a special Act under which I may consider the buyer and not the seller." Speakers on the question have said there are more buyers than sellers. The Colonial Secretary has quoted, with the greatest possible unction, members who say that there are buyers who require a lot and only sellers who have a little, and he says "We will go with the buyers who

require a lot." There cannot be more buying than selling under this Bill, and therefore on that account the seller is just as much entitled to consideration as the buyer. The point is that the speakers who have been quoted by the Colonial Secretary represent buyers, and not one of them represents a seller. Every fair-minded man must consider both sides of the question. If the Government are right that there is a shortage, and if this State will have to import, they have no right to force any man to sell at less than the shortage can be imported at. If there is going to be a surplus, then the Act will be practically a dead letter, and there will be no need for it at all. The advisers behind the Government are considering the buyers only and allowing the sellers to go where they like. They are trying to get the House to accept words which they know cannot be enforced in a court. They have refused the fair, honest, equal words that were put into the South Australian Act. I cannot understand the attitude of Mr. Patrick and Mr. Lynn. I defy them, as fair-minded men, to say that they can trust the board without an appeal to the courts behind that board.

Hon. W. Patrick: If you cannot trust the board the whole thing should be thrown out.

Hon. J. F. CULLEN: If you trust the board there is no need for the Bill.

Hon. W. Patrick: I am not a buyer at any rate.

Hon. J. F. CULLEN: You do not represent any sellers. The sellers must be considered. There is no country representative in either House who represents the sellers. They represent districts where there has been no harvest and they are all buyers. They do not care twopence about the seller. What is the position of the seller? People say to-day that 6s. or 7s. is a good price for wheat.

Hon. R. J. Lynn: New Zealand is importing and selling to-day at 5s. 9d.

Hon. J. F. CULLEN: That helps my argument. Why not bring in from New Zealand what you want? You have no right to force any seller to take less

than you can import at. If the Government ask us to take the South Australian Act, there is something wrong when they say, "We want our commission (which may consist of one rabid man) to have a free hand to go what he likes," and when the seller goes to the court, the court will say "We cannot determine the meaning of 'have regard.'" There is in fact no legal meaning in the words.

Hon. A. Sanderson: You want to bring it back to the market value.

Hon. J. F. CULLEN: I want to bring it back to the words of the South Australian Act, namely, what the Commission deem to be the market value at the time and place. This amendment very fairly leaves it to the Commission to say what they deem to be the market value, but they must give what they deem to be the market value. There should be some protection against any such high-handed mad, action as was recently tried in the case which was referred to in the House. I hope the Committee will insist on the safeguards of the South Australian Act.

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

Ayes	..	..	9
Noes	..	..	11
			—
Majority against	..		2
			—

AYES.

Hon. J. Cornell	Hon. C. McKenzie
Hon. J. E. Dodd	Hon. W. Patrick
Hon. J. M. Drew	Hon. A. Sanderson
Hon. J. W. Kirwan	Hon. H. Millington
Hon. R. J. Lynn	(Teller).

NOES.

Hon. C. F. Baxter	Hon. A. G. Jenkins
Hon. E. M. Clarke	Hon. R. D. McKenzie
Hon. H. P. Colebatch	Hon. G. M. Sewell
Hon. J. F. Cullen	Hon. Sir E. H. Wittenoom
Hon. D. G. Gawler	Hon. J. Duffell
Hon. V. Hamersley	(Teller).

Question thus negatived; the Council's amendment pressed.

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

BILL—ESPERANCE NORTHWARDS RAILWAY.

Second Reading—Amendment, six months.

Debate resumed from the previous day.

Hon. J. F. CULLEN (South-East) [5.14]: But for certain developments in connection with this proposed work, I should content myself to-day with simply giving a vote, but the position of the question has, to my mind, been entirely changed since it was last before this House. I have been associated with the question for some ten years. I helped to organise the Goldfields League which secured the railway from Coolgardie to Norseman, and from that time I have naturally taken a considerable interest in the question of carrying that railway further, and serving the country between Norseman and Esperance. When the question was first brought in by the present Government a few years ago, the House will remember that it was proposed to complete the Coolgardie-Norseman line by carrying it on to Esperance. That was entirely a business-like proposition, provided that the country warranted the expenditure. I opposed that Bill on the ground that a case had not been made out for it, whilst strong cases had been made out for other public works which should have precedence. The House will remember that when the Bill was rejected the Government almost immediately brought in a Bill for the work covered by the Bill before the House; that is to say, a Bill to provide for the construction of the part of the line from Esperance northwards, leaving a gap of 60 miles between it and Norseman. My opposition to that was stronger still because I said "Not only has a case not been made out, but to construct this isolated line leading to nowhere would be an absolute danger from a financial point of view." The proposal was brought down again and again and passed by another branch of the legislature. That, however, did not weigh with me because I said the legislature that accepted the first Bill had not been changed in any way,

and there was nothing in the repeated passing of the measure by the same House. But there has been a general election since. The Assembly has gone to the country, and this question, although not the one question, was still prominently before the minds of all the electors. It is quite true that the Government which has submitted the Bill came back with a lessened majority from the constituencies, but the point that weighs with me is that in the new Assembly this Bill has been passed by a majority of four to one; and the question immediately arises, in my mind, as to whether the Legislative Council is justified, on a question purely of State policy, involving no principle, in further resisting the manifest will of the people of the country. That was the problem I had to face, and I weighed it over very carefully, because I still believe that the matter would be worth much further investigation. I recognise that the case for the railway is stronger to-day. It is stronger in two material points. The question of providing water supplies has been practically proved; that is to say, the practicability of getting water reservoirs with holding powers without danger of contamination by salt has been satisfactorily solved. I think there is ample evidence to satisfy us that water can be conserved in that country feasibly, and at a reasonable cost, and that is a very important point. Another point which weighs with me is that of proving bona fide settlement on the belt of Esperance country. When the Bill first came here a few years ago my natural question was "Where are the settlers? How many have you on the lands you are about to open up, and how much work have you done to prove your bona fides?" At that time the best answer I could get was that a lot of land had been applied for, and that the settlers would immediately proceed with the work of development when there was a prospect of railway transit. My reply was that at that time there were at least a dozen other claimants for railways who were on the spot, and who had done a lot of developmental work, and had proved that

their districts would pay if railway facilities were given them, and that, therefore, I could not consent to vote for the Esperance line in advance of the lines required for those other claimants. But to-day I am informed that there are actually 62 settlers on their holdings in the Esperance district who have made a fair beginning, sufficient to prove their bona fides, and sufficient, I think, to remove the doubts of any fair minded man as to the capacity of the soil. The case is stronger still because we have been informed, on good authority, that a good part of the land has been withheld from settlement while the question of transit is in doubt, and that numbers of applicants have not been able to get the land they desired. I think it was a proper thing to discourage further applications whilst the question of railway construction was in the position it was then in; that is to say, there were sufficient settlers there to test the land, and to give to the legislature an object lesson in regard to its suitability for cultivation. I do not think the authorities would have been justified in encouraging further applications whilst that question was in doubt. I have never had any doubt as to the quality of the Esperance land.

Hon. Sir E. H. WITTENOOM: Have you ever seen it?

Hon. J. F. CULLEN: I have been in close touch with those who have been there. I have not any doubt about the quality of the land, but my contention all along has been that there were more urgent claims which we had to consider. There was another question which I wanted to investigate before giving my vote, and it was whether the Government idea that a north and south railway through this part of the Esperance lands might not be improved upon by an east and west railway connecting with the Great Southern line.

Hon. J. W. KIRWAN: Hear, hear!

Hon. J. F. CULLEN: I still hold that view because the Esperance belt is about 100 miles long, east and west, and about 30 to 40 miles wide north and south. I am not in the position to-day to insist on my view being carried out, and I

would not be justified in refusing to vote for the present proposal of the Government, especially as the Legislative Assembly, which has just passed it, has been re-elected, and as the question has been prominently before the country for three years. I have dealt with the various questions in a practical way, and I think it is my duty to cease my opposition to the proposal and to vote with the Government. I have still a feeling that my own view is sounder, but it has been overruled by greater numbers, and I must not hold out for something that I have not been in the position to prove to be a better proposal. I am also swayed by the fact that the one will not necessarily exclude the other, and that in the future there will be no reason why this belt of country should not be connected with the Great Southern railway. I recognise that for that Esperance belt, for some time to come, the proper market is the goldfields market. For that reason I recognise too that this line will have to be completed northwards. I do not think that a railway from Esperance 60 miles northward will be a paying proposal, nor do I think that it will solve the problem of the settlement of that belt of country. I do not think that the settlers on the Esperance belt can possibly compete through Esperance in the wheat market, but I do not expect Esperance to do a great deal of wheat growing. I think that the settlers, present and prospective at Esperance, will follow the example of the people of my own district and the people further south. Their efforts at agriculture will be adjuncts to sheep-breeding. I think that country is well adapted for raising wool and mutton. Agriculture, of course, is a very important adjunct, and that will be its place. Had I been an advisor to the Government in regard to Esperance, instead of saying "We will buy your wheat at such a price and we will guarantee you such profits as you would have had if there had been a railway," I would have encouraged those new settlers to get ready as soon as possible for a few sheep. The only possible way in which wheat growing at Esperance will pay will be

by the erection of a mill to produce flour for the goldfields market. I am satisfied the best course for all that country will be to at once face the question of sheep raising for wool and mutton. I wish to add a word in deprecation of the faults found with representatives of coastal districts. I think the charge of centralisation has been most unfairly pressed against those who have heretofore opposed this line. In fact, I, when a small boy, heard a lot about this bogey of centralisation. Any demagogue who came along made a great mouthful of decentralisation and ever since it has affected my judgment of those who are so ready to talk of decentralisation. If there is a State or country in the world which has fairly distributed its expenditure it is the State of Western Australia. Let any fair-minded man look at the administration of this country's affairs in all its history and he will find there is no other State where so small a percentage of public expenditure has been kept within the metropolitan district. The Legislature from the start has considered the country. I know of only one case of hardship and that is the case of Albany. I admit that Albany had not had its fair share, but, apart from that one instance, Western Australia has been a model of fair-minded and equitable division of public expenditure. I would like to impress upon those who are so fond of using this word decentralisation, that, after all, we live and work through our centre of administration and must have a strong central administration. I ask the decentraliser how he himself is built. Would he have the functions of his heart and brain scattered over his body? Possibly, if some of these people had been on hand at the Creation they would have had the ventricles of the heart in the calves of the leg, and a lobe of the brain in the buttocks. But there must be a strong centre and that centre of administration must deal fairly with the outlying country, and I repeat that in this State, until quite recently, all sections of its people constituted one great party, and during all that time when there might have been some favouring

of the City as against the country, Western Australia has been a model of fair distribution of public expenditure. I do not think any other State or country in the world would bear comparison with the administration of Western Australia in this respect. I shall vote for the Bill.

Hon. D. G. GAWLER (Metropolitan-Suburban) [5.35]: Having voted on the last four occasions in opposition to the Bill, I should like to give my reasons for proposing on this occasion to support the measure. I must admit that I do so with a great amount of reluctance, because the Bill, as brought before us on every occasion, has possessed a political flavour and I say without offence to my friends from the goldfields that it has also possessed a goldfields flavour. It has also been connected, rightly or wrongly, with so-called land scandals at Esperance, and the Government have throughout the piece very largely encouraged settlers to go there without having the authority of Parliament to construct the line. For these reasons and others I am reluctant to support the second reading.

Hon. Sir E. H. Wittenoom: Why do you do so?

Hon. D. G. GAWLER: I will tell the hon. member, but first I wish to summarise the main objections to the Bill, and in view of the exhaustive discussion which has taken place, these objections stand out clearly. One of the main objections is that this is not an agricultural proposition. I have no personal knowledge of the country through which it is proposed to run this railway, and few members here have any such knowledge. This being so, I have to go to experts who do possess that knowledge. It is my only way to decide whether this is an agricultural proposition. To choose but one from many instances quoted by the leader of the House, let me draw attention to a portion of Mr. Canning's report. Mr. Canning is a surveyor of wide experience and I believe he has a very extensive knowledge of land of all des-

criptions in Western Australia. He says—

Mr. Brown, one of the surveyors, has been over the greater portion of the country within the last two years, prior to January last, and knows it well. He states there is a very large area of land of excellent quality in the mallee country. . . Mr. Brown is convinced, however, as I am, that in ordinary seasons, and with the advent of railway facilities the Crown has in the Esperance district one of the largest belts of uniformly good wheat lands existing in the State which, with reasonable facilities, would be very readily applied for and utilised, thus adding to the general productiveness of the State.

This is an opinion to which I cannot fail to attach importance.

Hon. A. G. Jenkins: You had that evidence on the previous occasion.

Hon. D. G. GAWLER: Yes, but not the further evidence I am about to quote.

Hon. Sir E. H. Wittenoom: Why will you vote for this wretched thing?

Hon. D. G. GAWLER: Another point which weighs with me, and which should weigh with every hon. member, is that this proposal received the unanimous support of the Country party. If members of the Country party do not know good agricultural land, they ought to, and I am impressed with this fact.

Hon. Sir E. H. Wittenoom: How many of the Country party have seen the land?

Hon. D. G. GAWLER: Another argument made use of on the last occasion when this Bill was before us was that the railway should not be constructed until other railways authorised had been completed, and the Premier and the Minister for Works at that time went career-ing through the country stating that not another railway would be completed. The Country party have altogether cut the ground from under my feet, as they desire that this line shall be built whether others are completed or not. Another argument used against the proposal is that the expenditure is not justified. If there is one feature of our Constitution

which is not vague, it is that the Legislative Assembly controls the purse strings and if that House, having in view the financial aspect, affirms the desirableness of constructing this line, this House should occupy a subordinate position as regards the financial possibilities of the proposition. The leader of the Opposition in another place stated that if it could be proved to his satisfaction that this was an agricultural proposition he would cease all opposition to the Bill.

Hon. Sir E. H. Wittenoom: He is not infallible.

Hon. D. G. GAWLER: No, but he speaks with some authority. The question of the diversion of trade as a result of building this railway has been mentioned. The two questions as to whether this is a good agricultural proposition, and whether a diversion of trade will result from the construction of the line, comprise mutually destructive arguments. If it is not a good agricultural proposition there can be no diversion of trade, but if it is a good agricultural proposition is it not unfair to say that the line should not be constructed for the development of that district, because of the fear of diversion of trade? On similar grounds we might deny a railway to the most promising district in the State. I do not think this is a statesmanlike view to take and such a view would not commend itself to my constituents. I do not altogether admire the platform of the Country party, but there is one plank in it of which I approve, and that is "decentralisation and utilisation of natural ports for shipping local products." It is said that diversion of trade will extend to a diversion of the goldfields trade by reason of the construction of this line, but I emphasise that this Bill is to authorise the construction of a railway 60 miles north from Esperance and no further.

Hon. A. Sanderson: It will go right through.

Hon. D. G. GAWLER: I reserve to myself the right to say that the line shall not go further.

Hon. H. P. Colebatch: Surely that is a ridiculous proposition.

The PRESIDENT: Order!

Hon. D. G. GAWLER: I say this measure is for a line to develop the Esperance district and not for the development of the goldfields.

Hon. J. W. Kirwan: It has been recommended by the Railway Advisory Board.

The PRESIDENT: I ask hon. members not to interrupt the speaker. There has been too much interjecting.

Hon. D. G. GAWLER: If the proposed railway is to be linked up, I would prefer to see it linked up east and west with the existing system. In considering this measure, I am bound to bear in mind that I, from a constitutional point of view, represent the whole of the State as well as my own constituents. I venture to draw attention to a doctrine laid down by Hallam, a high constitutional authority, as hon. members will admit. He laid down what he termed an important constitutional principle that each member of the House of Commons was deputed to serve not only for his constituents but for the whole Kingdom, and he added—"It was a principle to which the House of Commons was indebted for its weight and dignity as well as its beneficial efficiency, and which none but the servile worshippers of the populace would be found to gainsay." Therefore, I must approach this question not only from the point of view of my constituents but also from the point of view of the whole State. I have endeavoured to indicate some of the objections to the measure and my own views, and I have to ask myself seriously, has the action of the Assembly in passing this Bill been so unreasonable under the circumstances as to justify the Bill not being passed by this House.

Hon. Sir E. H. Wittenoom: Yes.

Hon. D. G. GAWLER: For the reasons given by me at the outset I cannot claim to be in sympathy with the Bill and I do not think the state of the finances justifies the construction of this railway at the present time. Therefore I propose when we get into Committee to move an amendment dealing with that aspect of the question. As

an irresponsible member of the public I might indulge my private preference, but as a responsible member of this House I must take a constitutional view of the question and where my duties as a responsible member of the House and my own inclination conflict I must allow my responsible duty as a member of the House to prevail. This Bill has been passed five times by the Assembly with a general election intervening. The voting on the last occasion was 28 to 7. The majority contained 12 new members who voted for the second reading and four new members who voted against it. Three liberals were amongst the majority, one representing the Metropolitan province, one the Metropolitan-Suburban province and one represents what I may call a pastoral district. Not only that but two of the three parties in the Assembly have approved of the construction of this line. We might ask ourselves how far has the question of the railway appeared on public platforms and in electoral contests. I am not going into that question because it always will be a moot point how far a question figures on political platforms, but I say this: that the Premier in his policy speech at Kalgoorlie stated he intended to bring in a Bill for the construction of this railway and if the people did not know that the Government which they put in power intended to build this railway, then they ought to have done so. I want to draw attention to the Council's responsible position. The functions of the Council are to put on a brake or a check to stop class legislation, to protect minorities, and to prevent measures being passed hastily, and if the people have not had time to consider a measure, to call a halt so that further consideration may be given to the proposal. Outside such powers that have been given to the Legislative Council, this House is subordinate to the Lower House. In matters in detail, apart from matters of policy, this House has co-equal powers. What have we done in regard to this Bill? We have called four halts in regard to this measure and still members have been returned to support it. The whole of the representatives of the agricultural industry

have voted solidly for it and the Assembly controlling the purse strings say that the money should be spent. May I briefly refer to two instances where high constitutional authorities have laid down the duties of the Upper House? Earl Grey has laid it down as a principle that—

It is impossible to allow the Legislative Council to obstruct permanently the passing of measures called for by public opinion, and sent up by the popular branch of the Legislature.

Keith, an authority on constitutional law, also says on this question—

From the composition of Upper Chambers, we turn naturally to their powers, and we find that the broad plan of distributing authority between the two Chambers is the same in the Colonies as in England. The first and most important common principle is that the Lower House initiates money Bills; bound up with it is the second almost equally important principle that, in the ultimate and last resort, the Lower House is the Superior House. A revising Chamber, a Checking Chamber, a Chamber which can sometimes apply the brake with suddenness and vigour, that the Upper House in the Colonies may claim to be; but it has never been asserted that it is an absolute equality with the Lower House. It is not only a second Chamber, but a secondary one. The two principles here mentioned are recognised and implicit in the law and the custom of Colonial Constitutions, but are by no means so obvious as in the English model.

The PRESIDENT: I must call the hon. member's attention to the matter under discussion; it is the Esperance Northwards Railway Bill. Of course, constitutional questions do arise, but I think we have had so little attention directed to this particular Bill that I must call special attention to it.

Hon. D. G. GAWLER: Is it wise to continue our opposition? There is no principle involved, there is no party question, there is no class legislation, and ample time has been given to second thought, and no class injury has been done. We might almost say that it is possible there is an

injury to a minority consisting of the settlers at Esperance, whom we may say this House is here to defend. If we persist in our opposition to the Bill what does it mean? We are setting ourselves up as a Co-ordinate Chamber to the other Chamber and we are dictating to the Government on a question of policy. We have already had an instance of such a state of things occurring in the Federal Parliament, where the Upper House set itself in opposition to the Lower House, and we know what the result was. I am as determined a champion of the rights of the House as any member and I shall always do my best to uphold the rights of this House within the bounds of the Constitution. I think the position of this House is firmly established in the minds of the public. I think every action taken by this House up to the present has been justified; therefore I ask members to pause before they do anything to weaken our position in the minds of the people. I say this however; I suggested it when I commenced my speech, that the House is justified in the circumstances, having recognised the principle of the Bill, in saying that this is not an opportune time to commence the construction of the line considering the financial position of the State. The Premier tells us that there will be nearly a million pounds deficit in the early part of the next year. And we have other things to do, just to mention one or two of them. The civil servants have been guaranteed increases, which I believe are to date back for four years. There is the railway which has been promised for years on the southern side of the river, and what about the railway promised to the Federal Government, the broad gauge line from Perth to Kalgoorlie, and which has been repudiated. It may also be said that since the mandate of the people given at the last election, that the financial aspect has entirely changed and that if the financial aspect had been what it is now, people would not have supported the Government. I shall move in Committee a clause postponing the operations of the Bill to some future time, otherwise I support the second reading.

Hon. Sir E. H. WITTENOOM (North) [5.55]: I regret that I find it necessary in the interests of the country to move an amendment—

That the word "now" be struck out and "this day six months" added to the motion.

I have always opposed this railway when it has been brought forward and the reasons that I have opposed it are more confirmed to-day than ever they have been—indeed I may say they are accentuated—I refer to the financial position. The great objection to the railway is, that it means a thoroughly new system. This railway will not be connected with any other railway in Western Australia; it will mean a new system; there will have to be new workshops, a new staff, new building, and a very large expense in every possible way we can think of. The expense of starting a railway of this description will be tremendous and one which at this time, in the present state of our finances, should not be agreed to. Were this a railway extension, one might be inclined to look upon it even under present financial conditions with a certain amount of favour, but we shall have to establish a new system altogether, and I do not think we should consider the building of the line at the present moment. Of course I shall have hurled at me the Marble Bar railway line, which is an entirely separate system, but what has happened there? We built that railway, it was a good speculative line, as good as the line which was built from Southern Cross to the Goldfields, but unfortunately the line from Port Hedland to Marble Bar has been a failure, and it is a similar line that we ask to agree to to-day. The railway line from Port Hedland to Marble Bar will never pay the cost of the axle grease. There are a number of mines in that district that might have been very good, but they never turned out what people anticipated, and I again repeat the line will never pay axle grease. We have heard a deal of difference of opinion in regard to the land at Esperance, some say it is good, some say it is not good, some say it will return so many bushels. Some people say one thing and some another. There is a great deal

of difference of opinion and with that difference of opinion I do not think that this is the time to build a railway of this description. From everything I hear, it confirms my opinion that the line will never pay for the axle grease used. I am told there are 62 settlers in the district. Let us allow these 62 settlers to have 1,000 bags of wheat each per annum. That comes to about 5,000 tons, and any railway can carry that in a month or six weeks. The argument, of course, is that if those settlers can do that, there will be a lot of other settlers following them. I say, however, that the railway will never pay; and I go further and say it is absolutely a political railway, got up chiefly because the Government are mixed up with the people who live in the Esperance districts, and who are nearly all gold-fields people, and that therefore the Government want the railway very much. A good deal has been made of the Country party voting for this railway Bill. For my part, I do not credit a single member of the Country party with believing in the Esperance railway one sixpence worth. The members of that party say to themselves, "The Government want this railway for some reasons of their own; we do not know what those reasons are, political or otherwise, but the railway does not interfere with our programme or platform; we will give the Government that lot; by and by, when we want something, we will say, 'Look here, Mr. Scaddan, we voted for you on that Esperance railway; now you will have to give us something we want. Take the duty off harvesters.'" When I look upon the astute gentleman who leads the Country party, I can easily see that he has made his followers vote for this railway for the simple reason that it does not affect their platform in any way. By and by, the party will demand a *quid pro quo*.

Hon. J. W. Kirwan: Good generals make good soldiers.

Hon. Sir E. H. WITTENOOM: That is quite right. I am merely pointing out what a smart general that party has, and how beautifully he has drawn the Government into his net. Lastly, I wish

to point out that there is no harbour at Esperance.

Hon. J. W. Kirwan: The hon. member has never been there.

Hon. Sir E. H. WITTENOOM: I have not, but I have heard from Mr. Moxon—

Hon. J. W. Kirwan: They have water there.

Hon. Sir E. H. WITTENOOM: Mr. Moxon says he can carry away all the wheat, and that remark supports my contention that we should not build the railway. Not a single bag of the Esperance wheat will remain in Western Australia. We are asked to build a railway to carry away the Esperance wheat to South Australia, and I submit we are not in a position to spend our money on the construction of a railway which will carry produce to South Australia. I do not think, in any case, that we are justified in building a railway for 62 settlers, especially when it is borne in mind that the present Government have refused to assist such a community as that of Broome at a cost of £35,000. In my opinion it is absolutely disgraceful that a community such as that of Broome should be allowed to lapse, as the Government intended that community should lapse, for the sake of £35,000. Now the Government propose to spend £114,000 on a railway which will never pay axle grease, a railway to serve 62 settlers.

Hon. J. Cornell: The Government did not turn Broome down.

Hon. Sir E. H. WITTENOOM: I say they did. The Premier turned Broome down. He said he would not find £35,000 to be used as an advance against pearl shell. I know that he refused for the simple reason that Broome has a coloured population, which has no votes to give to the Labour party.

Hon. W. Kingsmill: But he was not asked to find the money.

Hon. Sir E. H. WITTENOOM: The Premier was asked to furnish a guarantee, and I have acted as guarantor in my time. My argument is that if the Government can find £114,000 to build a rotten railway like this, designed to carry all the wheat of the district to South Australia,

and yet allow a community which has been of such great benefit to the State as Broome has been—

The PRESIDENT: I must ask hon. members to be seated while an hon. member is speaking. There is too much walking about.

Hon. Sir E. H. WITTENOOM: I do not know that I need say much more on this Bill. I am quite certain that the view I have always held about it is the correct one, namely, that if people elect to go and farm in a district like Esperance, where there is no railway they must put up with the consequences. I say now, as I have said on previous occasions, that it would be far better to make each of those settlers a grant of £1,000—which would mean a total of £62,000, to enable them to settle on land adjacent to an existing railway line, than to build this Esperance railway. The last time I spoke on the question I happened to say—and perhaps I ought not to have said it quite so plainly as I did—that the Esperance railway proposal was brought forward because a certain member who came from the Kalgoorlie district—

The PRESIDENT: I do not think the hon. member should pursue that line of thought. The hon. member is on the verge of imputing motives.

Hon. Sir E. H. WITTENOOM: I shall observe your wishes in every way, Mr. President. I can only hope that the amendment I have moved will be carried.

Hon. G. M. SEWELL (South-East) [6.8]: I wish to say a very few words on this Railway Bill, although, not having visited the Esperance district, I can only speak from what I have heard. The proposed railway will, I understand, open up a large area of good agricultural land.

Hon. Sir E. H. Wittenoom: Don't you believe a word of it!

Hon. G. M. SEWELL: Further, I understand that the land is uniform in character, that although not of the very best class, still it is good land, and that perhaps 100,000 acres in the Esperance district would be worth more than 100,000 acres along the Great Southern railway. Lastly, we have the fact that in the Esperance district there is a large

number of settlers who took up land some years ago and are still, without exception, holding it, not one of them having forfeited. The very fact of those settlers holding the land for so long a period under such discouraging circumstances, is a proof that the land must be good. It is all very well to ask why more land has not been taken up. That question is answered by the simple fact that it is not easy to extend settlement in a district where, in the absence of a railway, it is extremely difficult to make a living by agriculture. The Esperance railway will be a purely agricultural line, and though it will be at a distance from the great agricultural belt, it will eventually take a westerly turn and connect with the Great Southern railway. In doing so it will run through good country, with an assured rainfall, all the way, and therefore prove a payable line for all time. That, however, has no bearing on the present proposal. I shall vote for the Bill.

The PRESIDENT: The amendment is now before the Council, and any member can speak to the amendment.

Hon. H. P. COLEBATCH (East) [6.10]: All that I desire to say on the original motion I can say just as well on the amendment submitted by the Hon. Sir Edward Wittenoom; because there is really no difference, so far as I am aware, between voting for the amendment and voting against the original motion. I cannot see my way clear to alter the attitude I have previously taken in regard to this proposal. It was, I think, the late lamented Tony Weller who told us all to beware of widows. I am reminded of that advice as the result of having listened to the speech of Mr. Cullen this afternoon. When this proposal was before the House 12 or 18 months ago the hon. gentleman opened his address—an address in which he very, very strongly opposed the building of this railway—with the following words:—

This fourth request for the Esperance railway reminds one of the classical story of the importunate widow. I do not intend to make any further extracts from the hon. member's speech, but

it does strike one as curious to find that the importunate widow has finally overcome the hon. member, and that he has decided to give way. For my own part, whilst I could readily understand the attitude of an hon. member who had previously supported the railway and now turned round and said that while supporting the construction of the line as a matter of abstract principle, he considered the present time so inopportune that he intended to reverse his vote and oppose the present Bill, I am utterly unable to follow the reasoning of those who, having always opposed the railway in the past, now propose to vote for it at a juncture which, as they themselves admit, is less opportune for the building of the Esperance line, than any previous occasion was. The latter attitude is one which, I say, I cannot for one moment follow. It has been asserted that the case for this railway has been strengthened by the result of the last harvest in the Esperance district. Let us have a clear understanding as to what the last harvest and also previous harvests in the Esperance district have been. The Colonial Secretary has quoted certain statistics. I intend to quote others—purely and entirely official statistics, which anyone who likes can confirm for himself by reference to official documents.

Sitting suspended from 6.12 to 7.30 p.m.

Hon. H. P. COLEBATCH: I was referring to the figures relating to the harvest in the Esperance district, and Mr. Kirwan made an interjection in regard to the returns from one particular farm. I am not in possession of information regarding that farm, and it is open to Mr. Kirwan to give the details, but I would remind him that, the general average being only 5.8 bushels per acre—even in this season, the best on record in the Esperance district—if he is able to show that on some particular farms the average has been very much higher, it will follow in natural course that on a large portion of the area they got practically no crop at all.

Hon. J. Cornell: That is for you to show.

Hon. H. P. COLEBATCH: No, as I have said, the general average being only a little over five bushels per acre, if it can be shown that on some areas there was a large harvest, it follows as a matter of course that the yields for the rest of the district must have been small indeed to have brought the general average down to 5.8 bushels.

Hon. J. Cornell: You are asking Mr. Kirwan to destroy his own castle.

Hon. H. P. COLEBATCH: I am afraid that his argument would destroy the structure completely. The returns for the Esperance district this season show that the wheat average is 5.8 bushels per acre, the hay harvest is 8 cwt. per acre, oats 7.2 bushels per acre, and barley 7.5 bushels per acre. There is not one payable crop in the whole lot. Taking this as being the best year on record in the Esperance district, although the worst for the rest of the State, supporters of the line endeavour to set up a case for the railway on the strength of this year's yield. It is now three or four years since the Advisory Board inspected that district, and, without any disrespect to the other members of the board, I am inclined to attach more weight to the opinion of Mr. William Paterson than to that of any other member of the board. Mr. Paterson has had a longer acquaintance with the country, and a riper experience of local conditions, than any other member of the board. He did not condemn the land; he said "Let it be tried; let it be put to a test." And in order that it should be put to a test the Government have done these things—things they had never done for the settlers in any other part of the State: In order to make a case for the railway they have said to the settlers at Esperance "We will supply you with seed wheat and with fertilisers, and when you have grown your crops we will buy your wheat at what it would have been worth if you had a railway." No other portion of the State has been given such advantages. When settlers in other districts desired to make a case for a railway, they

have had to make the case themselves. There are many people farming 40 and 50 miles distant from a railway, and they have had to build up their holdings by their own efforts, have had to cart their seed and fertiliser at their own expense, and to sell their own crops for themselves. Mr. Paterson said "Let the land be tested," and, in order that it might be tested, the Government gave these exceptionally favourable conditions, saying "We will supply you with the seed and the fertiliser, and we will take your wheat at what you would have got for it had the railway been built." Under these conditions, farming has been carried on down there for three years. In 1912-13 there was under wheat in that district 918 acres producing 2,935 bushels, or an average of 3.2 bushels per acre. In the following year, 1913-14, the area was 1,574 acres, yielding 6,552 bushels, or an average of 4.2 bushels per acre. This year we have 2,041 acres under wheat, with an estimated yield of 11,805 bushels, or an average of 5.8 bushels per acre. That is the estimate, and I am not going to question its accuracy; indeed I hope that it may be more than fulfilled. But for the three years' period during which this land has been put to a test under exceptionally favourable circumstances, so far as the settlers are concerned, inasmuch as they have not had to stand the cost of the extra distance as other settlers in other districts have had to do, we have had a gross acreage of 4,533 and a total production of 21,000 bushels, or an average of 4.7 bushels per acre. If we are to take Mr. Paterson's opinion, the only thing we can say is that the district has been tried and found wanting. Because it is not possible to suggest that the average production of 4.7 bushels over a period of three years is a result from which one could dream of deriving an extensive revenue. Turning to hay, we find that in 1912-13 there was a total area of 1,450 acres under crop, yielding 681 tons, or half a ton to the acre: not a payable crop, except in years like the present, when hay is at famine prices. In 1913-14 the area under hay was 2,117 acres, yielding 790 tons, or an average of 8 cwt. to the acre;

and in the present year the area is 2,403 acres, yielding 968 tons, or an average of 8 cwt. per acre. The gross result for the three years' operations, three years of test under favourable circumstances, is 5,978 acres, 2,439 tons of hay, or an average of just over 8 cwt. per acre, an absolutely unpayable proposition, except in phenomenal years. Land under oats in 1912-13 totalled 19 acres, and yielded 119 bushels, or an average of 6.2 bushels per acre. In 1913-14 there was under oats 41 acres, yielding 452 bushels, or 11 bushels to the acre. This year they have 114 acres under crop, estimated to yield 816 bushels, or an average of 7.2 bushels to the acre. The grand totals for the three years in respect to oats are, 174 acres, 1,387 bushels, or an average of 8 bushels per acre—again, for those three years of oats, an utterly unpayable proposition. There does not appear to have been any barley sown in 1912-13, but in 1913-14 nine acres yielded 138 bushels, or an average of 15.3 bushels per acre—by far the best return for the period. This current year they have 20 acres under crop. Ten have failed, and the other ten have yielded 150 bushels, or an average of 7.5 bushels for every acre sown. So, according to the returns we cannot find a payable crop anywhere; and yet we are told that the thing has been proved. We have been told that this land has been but scratched, without fertiliser; it is said that it costs from £5 to £7 per ton to cart the fertiliser there. That would not amount to more than 4s. per acre, so it would be foolish for farmers to refrain from using fertiliser merely because it costs 4s. per acre more than it does in other parts of the State, which is not equivalent to an increased yield of two bushels; and we all know that fertilising represents an increase of far more than two bushels per acre. As a matter of fact the Government have actually provided fertiliser each year. In 1912 some 43 tons 15 cwt. was provided, in 1913 they had 59 tons 13 cwt., and in the current year 59 tons 8 cwt. Therefore it is not correct to say that those lands have been farmed without fertilising, and have not had anything

like a fair chance. Then we are told that it is all bad farming. What reason is there for a statement of that kind?

Hon. J. Cornell: Who said it?

Hon. H. P. COLEBATCH: I think the Colonial Secretary made reference to it. But why should that be the case? There are 44 settlers down there, and the total acreage they have attempted to deal with during last year is only just about 4,000 acres, or less than 100 acres per man. What excuse is there for bad farming when three years ago those people were told by Mr. Paterson, on behalf of the Advisory Board, that the position must be tested, that they were required to prove their case for the railway, and that if they succeeded they would have the railway. If the settlers in any other portion of the State had been put in the same position, and if on top of that the Government had said "We will help you to prove your case; you shall not suffer from the fact that you have no railway, for we will take your seed and your fertiliser to your doors, and we will buy your wheat at the price you would have got had the railway been there"—and if, three years after that they were only able to show a general average of four bushels to the acre, and if their best average was under six bushels, what chance would they have in asking Parliament to grant them a railway? I cannot see how we are to get away from the position. Those people were told three years ago that the district was to be tested and that the railway would depend on their returns; yet the Minister now comes here and says that they have been farming badly.

Hon. J. W. Kirwan: If the hon. member went to the district he would understand the position.

Hon. H. P. COLEBATCH: I have listened to all that has been said in the different debates, but have never yet been able to understand it.

Hon. J. W. Kirwan: You could not have listened, or you would not make the statements you are now making. Read Mr. Sutton's report.

Hon. H. P. COLEBATCH: I have read it. My object is, not to discount the value of this land as wheat land. What I object to is that the returns for this year's harvest should be brought before the Chamber in support of the contention that the railway is now justified. That is the position I take up.

Hon. J. Cornell: Be a sport and take the chance.

Hon. H. P. COLEBATCH: We want something to take the chance on. We have not many sums of £250,000, or whatever the required amount may be; and there are many propositions in the State in the way of public works which are not in the nature of a chance which I for one would not be prepared to set aside in favour of a problematical proposition like this. We have been told also, I think it was Mr. Gawler or Mr. Cullen who made the point, that we must support the Bill now for political reasons, because so many others support it. That argument does not appeal to me. I may remind Mr. Cullen that I am not one to be overcome by the importunities of these classical widows. The hon. member does not look like a man who would give way to the importunities of a widow any more than I would myself. The argument used by Mr. Gawler would apply to every matter that comes before us. It would be tantamount to saying to another place "We may reject a thing because we do not believe in it, but if you pass it often enough we will give way." Consideration of the results of the last elections would lead one to the conclusion that the party which so strongly supported the railway met with some reverses. Personally, I do not attach much importance to the fact that the Labour party and the Country party are unanimous on this question, because both these parties have a provision in their constitution which makes it practically compulsory upon them to be unanimous on every subject. That is a position which has its advantages of course from the party point of view, and therefore members of these parties must not complain if we, who object, show this to be the weakness of

their position. It only means that the majority of the Labour party and the majority of the Country party are in favour of the proposal, and that the other members have been coerced into voting in opposition to their convictions. Only a little while ago the Labour members representing Fremantle opposed the Bill and voted against it. The fact that party pressure has induced these people to vote against their convictions is not an argument which appeals to me in any way. It is no reason at all events why I should change my views on the question.

Hon. J. Cornell: What is the reason why the Liberal party is stronger for it to-day than it was before?

Hon. H. P. COLEBATCH: There is no reason in the world why Liberal members should not vote as they think fit. They are not coerced so that they must vote against their convictions. If any of them agree as to the advisability of constructing the Esperance railway, they are perfectly free to vote for it if they so desire. So far as the Country party is concerned the support of its members for the Esperance railway arises out of the fact that when they were formed as a party and sought to justify their action in breaking away from the Liberal party, they had to find some fault with that Liberal party, and the fault they found was in regard to centralisation, and it was on the question of decentralisation that they finally decided to support the railway. A member of the Country party who secured election to the House at the last general elections for the Legislative Council wrote to the Press in the district in which he lived to the effect that he would not be a party to the passing of the Esperance railway without getting the assurance that precedence would first be given to other lines which had been promised, and that these lines would be put in hand before the Esperance railway.

Hon. J. W. Kirwan: When did that take place?

Hon. H. P. COLEBATCH: That was in May of last year. He wanted a de-

finite undertaking and he would not support the Esperance railway except under these conditions that I have enumerated. I know perfectly well that a very large section of the Country party is entirely opposed to the Esperance railway, not only at any time, but more particularly now. Therefore, I refuse to attach very much importance to the fact that the party in Parliament is unanimous on this question because their constitution compels them to be unanimous one way or the other. I think there are somewhere about 11 members of the Country party now in Parliament. If it should happen that six of these were in favour of the Esperance railway and five were against it, they would vote unanimously in favour of it. If, on the other hand, it happened that six were opposed to the railway and five were in favour of it, then the reverse would be the case, and the party would vote against it. I think the House is entitled to know exactly what the Government propose to do in regard to the building of this line. Already there has been one railway Bill submitted—I think it was passed—and judging by the Notice Paper in another place there are five or six more of the same stamp to be brought down. It is entirely a wrong idea, to my mind, that we should pass all these railway Bills without any knowledge of when they are to be put in hand, and which line is to be given precedence over the other. I would like to remind hon. members that there is a very large number of railways, authorisation for which has already been passed in a previous session of Parliament. The progress of these railways has been extremely disappointing and it is probable that the rate of construction will be found even more disappointing when it is perhaps seen that the Esperance railway is to be given precedence over other undertakings of the kind. There is, for instance, the Bolgart extension which has been delayed in a most unreasonable fashion. There is also the Wyalcatchem-Mt. Marshall railway line, the construction of which it has been promised should be pushed on more vigorously next month, and the settlers of which district are very much concerned

as to whether they are to have an opportunity of carting their produce by rail this coming season or not. All over the Southern District several railways have been authorised. I do not think that any one of us is so ignorant of the financial position of the State as not to know that it is not in the position just now to have all these lines built. We should be told which of the lines are going to be built and which are not. It is not a fair proposition to the settlers to pass a whole bunch of railway Bills and not inform them which shall be built and which shall be allowed to stand over almost indefinitely. The passing of these Bills simply means that we have not had due consideration for the financial position of the State at the present time. My own idea is that all the money we can possibly get should be spent in the way that will bring in a very early return. Is this particular railway likely to do this? Mr. Gawler speaks of the railway merely as a proposition for the building of a line from Esperance 60 miles northwards. Does any member of the Country party, who above all, should be competent to express an opinion, imagine for one moment that farming can be run to pay under conditions like that when any wheat that would be grown would probably have to be exported from such an expensive port as Esperance would be? I do not wish to say anything in disparagement of that port, which must, however, be a most expensive port for many years to come. Even supposing the returns which have been furnished are not a true criterion of the value of the country—and it was chiefly to illustrate that point that I quoted these returns—is it safe to assume that the land is not quite first class? Surely returns such as these, running as they do over a period of three years, show that the land is not rich wheat growing land. Even Mr. Sewell has said that he does not believe that it is good land, but that it is only fair land.

Hon. J. W. Kirwan: Has the hon. member seen mallee country?

Hon. H. P. COLEBATCH: I am simply going by the returns. It is a very different matter when you talk about

showing one a district. One might have to spend at least 12 months in this district before one could get a true idea of what the land was worth. One might meet a man and be taken over a certain portion of it on one day, and if one took that particular portion of the country as equal to the best shown, one might have a very good opinion of the district. But if, however, one went from there to somebody else's land of a totally different description, and if one was informed that this was land similar to the surrounding country, one might form a very bad opinion of the district. For my own part I would not care to express any opinion unless I had spent a great deal of time in the district. With land of this quality, which no one in the face of the returns can pretend is good land, is it reasonable to suppose that farming can be made to pay when the income is to be derived solely from wheat export, which export would have to take place from an expensive port like Esperance? So long as the line remains one of 60 miles northwards from Esperance it will be a losing proposition from the point of view of the farmers. It is distinctly unfair to the farmers to treat them in this way. Farmers in the district are entitled to, and must have, the best market for their produce, and the best market is always the local market. It is only the surplus products which they export. These people who are already settled in the district will meet with little or no success until the railway is connected through to the goldfields market, which will enable them to supply the requirements of the goldfields with chaff and serve the people there with the produce which they are growing.

Hon. R. J. Lynn: That extension will come next year.

Hon. H. P. COLEBATCH: That is the point I was trying to make. Until the line is pushed right through to connect Esperance with the goldfields how can we hope for any productive returns from the land in the vicinity? We are not justified in treating the line merely as an isolated railway.

Hon. D. G. Gawler: Why not run the line east and west to connect with the Great Southern railway?

Hon. H. P. COLEBATCH: I am looking at the matter from the goldfields point of view, and I say it would be an unreasonable position for the goldfields to be kept away from that port by a narrow strip of country which would divide them from the head of the line at Norseman and the railway from Esperance 60 miles northwards. The strongest argument in favour of it, in fact the only argument, is that the goldfields people and the women and children of the goldfields are entitled to railway facilities to enable them to reach a health resort such as Esperance. It is a strong argument in favour of the line, and I wish the finances of the country were in such a condition that we would be justified in building the whole length of the railway to join it with the goldfields centres. I can see nothing else in the proposition except from that point of view. It is shameful that the people on the goldfields should have thrown in their way the difficulties they have in reaching a health resort like Albany. I have every sympathy with the people up there from that point of view. But a railway running only 60 miles northwards from Esperance will be of no good to the farmers or to the goldfields people, and it must mean a very big loss to the State from the railway point of view. There must, for instance, be separate workshops in connection with the railway and everything else. I do not think that the present expenditure incurred in regard to isolated railways has given good results. So long as this line runs only 60 miles northwards from Esperance it is going to be a very big loss to the State.

Hon. J. W. Kirwan: Do you consider that some of the light agricultural railways are not a loss to the State?

Hon. H. P. COLEBATCH: If we take them separately and calculate the freight only from the terminus to the junction with the main line we shall probably find that the lines are losing propositions. But it has to be remembered that every one of these lines feeds

the main railway system of the State, and that each one has to be taken in conjunction with the entire system. This Esperance line, however, will feed nothing at all, and will have to be a separate system altogether, and so long as it remains in that position the State must be a heavy loser by it. If the Bill is passed I hope that some effort will be made to delay the construction of the line until the State is in a position to build the entire length of the line. Having got authority for that I hope the Government will not start building the line until they secure from Parliament authority for the construction of the whole of the line. It is nonsense to build 60 miles of railway and avoid connecting it up with Kalgoorlie. This cannot commend itself to me, nor can it commend itself to any fair and reasonable man. I am sure that even Mr. Kirwan, if the Bill is passed, will not cease his agitation for the completion of the line as far as Kalgoorlie. He knows as well as I do that the Bill will be of no use whatever to the farmers in that district for with the line running only 60 miles they will not be able to enjoy the advantages of a local market. He knows, too, that the dearest wish of the people on the goldfields is to have easy access to the port of Esperance. If the Bill is passed I say he will continue his agitation and use just the same arguments probably that I am using now, that if the line is to be built at all it should not stop at the 60 mile mark. I am not very much concerned with the position as affecting the trade of Perth and Fremantle. Some metropolitan and metropolitan-suburban members do not seem to care very much about the matter at all. It does, however, appeal to me that a great deal of our import trade is in the nature of the re-importation of stuff sent out from the old country which first goes to Adelaide or to Melbourne, where the market is greater than it is in Western Australia, and is then shipped back to Fremantle. When the Bill is passed and the railway goes through those products will of course go to Esperance, and a large quantity of the

goldfields trade, which now goes through Fremantle, will be sent to Esperance. A large quantity of chaff, also, which is now purchased for the goldfields from the growers along the Eastern districts will, of course, have to be grown if the farmers are going to do any good at all in the Esperance district. There are compensating advantages to be considered of course. If by the building of the railway you can make living better and cheaper for the goldfields people, we shall, of course, get a return for the State in some way or other. I do not say, however, that we are not to-day in a position to sacrifice the trade of a portion of the State and also sacrifice the earnings of our present railway system. The traffic carried over the existing railways for the convenience of the goldfields people will be taken away from these lines, if it is shot off on to the Esperance line. If we pass this we will be committing ourselves to the whole scheme, for the line will never be successful unless its completion to Kalgoorlie is brought about as quickly as possible. On the other hand, there is the question of the finances of the State. It is astounding to me that railway Bills should be submitted to us without any explanation as to where the money is to come from.

Hon. J. W. Kirwan: The hon. member opposed the railway Bill last week.

Hon. H. P. COLEBATCH: I did not do so. The Minister was asked in connection with that railway to state the position of the finances. As a matter of fact, I knew something of the railway Bill which was proposed last week. It is a trifling matter compared with that just now before us. It is not an isolated line for one thing. It will feed the existing railways of the State, and will make for immediate production. It will take the farmers' produce to the market, and, therefore, it is one upon which we might well spend money. We should be given more information about the finances of the State. If we want to find out about them, however, we have to try and find out for ourselves, and

find out where we are to get the money which will have to be spent on this line. According to the figures submitted when the Budget Speech was delivered a week or two ago, at the end of June the unexpended balances of loan moneys amounted to £1,189,525. It was also mentioned that the Commonwealth was going to advance to the State £3,100,000 at the rate of £250,000 per month, commencing in the month of December. That will mean that for the current financial year we shall receive £1,750,000 from this source, or a total of less than three millions, and already we have against that a deficit of one million, leaving only two millions of loan money to expend in the current year, as against over three millions which has been the average for the past three years. With our loan expenditure cut to the extent of 33 per cent., how are propositions of this kind to be financed? If we look further ahead, what prospect is there, even in the next financial year, of financing a scheme like this? We shall have £1,350,000, the balance of this Commonwealth loan, but it seems highly improbable that we shall be able to get much more. I think we must all recognise that after the war is over, it will be extremely difficult for a country like this to borrow large sums of money. We shall be told that the time has come when we must look after ourselves, that the necessities of others will be greater than ours, and it behoves us, therefore, to conserve our resources and see that no money is spent except on undertakings which will bring in a certain and immediate return. Even if we were able to borrow more money, the alarming increase in interest and sinking fund should make us hesitate before we embarked on works which were not likely to be self-supporting. In 1911 the indebtedness per head of the population was £73. Now it is £94, without taking into account the three millions to be lent by the Commonwealth. When we have borrowed that money it seems improbable that our population will have increased, and the indebtedness per head must then be over £100. At the present

time the interest bill is £1,287,000 per annum, and our sinking fund amounts to £257,000, or a total of 1½ millions, equal to about £5 per head—man, woman, and child. Is that a position that we can regard with complacency? Can we say, as my friend Mr. Cornell, has declared, "Be a sport and take the risk," when we know well that many of our present undertakings do not pay interest and sinking fund? Yet it is suggested that we should add to those a work necessitating an expenditure of another half a million, for that is what will be involved if we thoroughly develop and equip the port of Esperance as well. I have always taken the view that when we can afford to build a railway line from Kalgoorlie to Esperance, and properly equip the harbour at Esperance, and then run a line east and west to junction somewhere with the Great Southern, such a work should be undertaken. That is a worthy project which must at some time or other be faced, but in view of the present financial position, can we face it now? It has been suggested that if the Bill is passed some amendment should be made to it so as to tie the hands of the Government. That, to my mind, is a most extraordinary proposition. I am not going to say that I shall not vote for it. I might be induced, even to take an extraordinary action like that to stop the construction of the work for a time, but I would remind those who suggested that course of action, that such a thing has never before been proposed, that once having affirmed the desirableness of a work we should then take it out of the hands of the Administration. The whole position is unusual. This Bill is going to be passed on the votes of its opponents, on the votes of people who do not believe it is the right thing to do. I read an instructive leading article in the *West Australian* yesterday morning, in which in one paragraph an appeal was made to this House to pass the Bill, and in the next the Government were appealed to not to carry out the work. The article appeared to have been written by two people holding entirely different views.

This proposition is to be carried, I believe, on the votes of the people who do not think it is the right thing to do. We shall not get good legislative results if this is to become the practice in this Chamber. From my own personal knowledge I am aware that many members of the Farmers' and Settlers' Association are utterly opposed to the Bill, and the very highest officials say that it is nothing less than a crime to spend on this very doubtful project money that is so urgently needed for other more important works.

Hon. Sir E. H. WITTENOOM: They will get a *quid pro quo*.

Hon. H. P. COLEBATCH: When they have spent the quid there will be no quo. I think this will be a good work to put in hand some day when we have the money, but not now. Looking back to the genesis of the railway, the goldfields people organised a cry for separation for Federation, because they were refused this line, and the people who opposed Federation at that time were for the most part the country people who are now represented by the Country party. What do we find? That at the present time those people are assisting the goldfields to get this railway. Originally the goldfields people clamoured for this line, and when they could not get it they clamoured for separation. Now the farming community, at a time when they know perfectly well that the Government, no matter how willing it might be to help them, but have not the money to do so, those people, not so much by their votes, but by their influence as members of the Country party, will now help to give the goldfields people that which they want. I do not know that there is much else that I need say, except to repeat that this is surely the time when we should consider the position of the finances. If hon. members seriously think there is nothing we can spend this £150,000 or £200,000 on better than the Esperance railway, then vote for it, but we know very well that there are half a dozen works of

greater urgency than the Esperance line. Therefore why vote for wasting this money? There are three important expenditures I have opposed since I have been elected to this House, and I see no reason to be ashamed of the attitude which I have adopted in connection with those projects. I opposed strongly, though unsuccessfully, the throwing away of half a million of money in the purchase of the trams. I still regret that that half a million of money has not been used in the development of the resources of the State, and I see no reason to be grateful to the Government for having taken over those trams. The position has not been improved one jot. Another work I opposed, which would have benefited chiefly the people of my constituency, was the construction of the broad gauge line from Kalgoorlie to Fremantle. I opposed it at that time because we had not the money. The Government said, "Yes, we have the money, and we are going to build it. We have cancelled an order for light rails and have substituted an order for heavy rails." The exigencies of the position, however, asserted themselves and the Government abandoned the idea, and last session we appropriated a sum of £300,000 which the Government persuaded Parliament to vote for the construction of that broad gauge. I opposed the work for the reason that it was only substituting one facility for another, that it would not pay interest and sinking fund, and that we could not afford to pile up an interest and sinking fund bill as we are doing now. I would appeal to members simply to do this. If they think the project before the House is a good scheme, vote for it, if they do not, then don't.

Hon. J. F. Cullen: The hon. member thinks it is a good scheme.

Hon. H. P. COLEBATCH: I can place before my friend 100 better schemes than this, but I would not do so in the present position of the finances of the State. What we have to consider is, whether we are justified at the present time in spending £200,000 in build-

ing a railway from the port of Esperance 60 miles north, when that line cannot prove anything but a losing proposition from a railway point of view, and when it cannot be of any use to the settlers, because they will not be able to farm their lands at a profit until they have a home market as well as an outside market to cater for. Already we are embarrassed by a number of trading concerns, for which large sums of money have been borrowed, and which are not paying working expenses let alone interest and sinking fund. The Esperance project will be another. The railway will not pay working expenses, let alone interest and sinking fund. Those members who vote for it will have to take the responsibility of it. From a political point of view the carrying out of this line will clear the atmosphere. I have no personal interest in it, and I would be glad to see the thing put out of the way, but from what I know of the position of the finances I cannot allow my name to be associated with the voting for the proposition at the present time.

Hon. J. W. KIRWAN (South) [8.10]: I intend to be very brief in what I have to say. I understand it is the desire of the Colonial Secretary, as it is the desire of myself and every member who is in favour of this line, that as full a vote as possible should be taken on the question. If that vote be taken this evening, all members will be accounted for, either by pairs or by their presence in the House. Six pairs have been recorded, accounting thus for 12 members. The Colonial Secretary is further desirous that a division should be taken to-night, because if it is held over until to-morrow, several country members may be absent. If, however, it be the feeling of the House that there would be a better representation of members to-morrow or on another day, I would be only too glad to assist any member who desires that the vote should be held over. But I have spoken to a number of members, and I have heard no objection raised to the division being taken this evening. I

would like to read a letter which I have received from Mr. McLarty on the subject of this Bill. He writes—

I am an invalid confined to my bed with a shocking bad knee caused by a severe kick from a horse. I very much regret being away from the debate on the Esperance railway. I intended to speak at some length on the question, but I arranged before the adjournment to pair with Mr. Allen when the division takes place. The Council cannot possibly reject the Bill this time. There is no doubt in my mind that the Esperance district will yet be the largest wheat producing centre in this State. I thought you might wonder why I was not in my place, and so I am writing.

All the members who are absent are accounted for by pairs. The only speeches so far delivered against the Bill are those by the hon. Sir Edward Wittenoom and Mr. Colebatch. I can scarcely believe that these hon. gentlemen followed the speech delivered by the Colonial Secretary, or they would not have made some of the statements they did. The Colonial Secretary when introducing the Bill delivered a very able address. He went into the question fully; he quoted all the official reports which have been made concerning the district, and I was rather surprised to hear both hon. gentlemen say that since the Bill was last before the House the case had not been made any stronger. If they had followed the remarks of the Colonial Secretary they would have found that several additional reports from independent officials had been quoted by the Minister. Those reports have been secured since the Bill was last before the House, and they undoubtedly add to the weight of evidence in favour of the railway. I need only mention the names of some of the gentlemen who have reported favourably and strongly on the question. There are Mr. W. Canning, the District Surveyor, Mr. Brown, one of the surveyors in the district, and there is a particularly favourable report by Mr. Sutton, the Wheat Commissioner. I will not weary the House by

repeating what has already been quoted fully by the Minister. I do not know whether Sir Edward Wittenoom was present when the Minister was speaking, or whether Mr. Colebatch followed what the Minister said. Neither of them, except for a reference by Mr. Colebatch in the most incidental way in reply to an interjection of mine, made any allusion to these very important and recent reports. Mr. Colebatch seemed to think that the season just experienced at Esperance was a good one—he said it was the best on record; I noted his words. That does not bear out the report of Mr. Sutton, the Wheat Commissioner. If the hon. member had listened to that report, he would have found that the season was by no means a good one, but that it was one of the worst.

Hon. H. P. Colebatch: I said the best on record for the returns.

Hon. J. W. KIRWAN: I do not agree with the hon. member. He quoted a number of returns which are very low as regards the total for the whole district. He has made numbers of speeches here and condemned that part of the State. It is a very large province. Men who have lived there, and who know a good deal more about wheat-growing country than the hon. member, have said that a railway would add a new and rich province to the State. But the hon. member has ceaselessly condemned this district on the strength of returns, of which if he had visited the district and seen the mallee country and how it is farmed and learned the difficulties of the settlers he would have taken an altogether different view. Had he gone there, as I have been numbers of times—and every member who has been in the district favours this railway—had he visited individual farms, properly cultivated, where fallowing was adopted and fertilisers employed, he would have found the average on such farms very good indeed. Take Thompson's farm where the average has been 15 bushels to the acre, and where they have grown as much as 2½ tons to the acre. Let him go to Richardson's farm, and to Lewis's farm, and he will find similarly

favourable results. In the case of Grass Patch, the extent of the farming has not been very considerable, though settlers have been established there a great many years. When we asked Mr. Thompson why it was that he did not go in for a larger area he referred to the transportation difficulties. They are able to produce all they want on that farm, and they have abundance of everything they require in the way of food, but they cannot obtain a market for their produce until they have railway facilities to give them access to the market. It is not fair to the settlers, poor men who are fighting a tremendous battle to make homes for themselves and their families, to quote the averages of the district against them. I do not know whether Mr. Colebatch knows anything about mallee country, and I do not know where mallee country exists in Western Australia except in that district. The mallee grows 20 to 30 feet high; the process is to roll the trees, and after a period burn them, but the ground is a network of roots, and the farmers who have not the money generally use a disc harrow, and put in their crops anyhow. The Colonial Secretary stood in the centre of a dozen farmers, saying, "I know of no better land in the State than this but you will get no crop off this particular paddock," and even I, although not a farmer, on looking around, recognised it utterly impossible to get a crop there. The roots had not been removed, there was no room for any crop to grow. When the total area is taken into account, the wonder is that there should be a bushel to the acre. Mr. Baxter, who knows a good deal about farming, delivered an address on the subject when the Bill was last before the House. He knows every inch of the country.

Hon. H. P. Colebatch: He was not in the House when the Bill was discussed.

Hon. J. W. KIRWAN: The hon. member can read his remarks when the Bill was last before the House. He had to go to Fremantle to-day to meet relatives who are arriving by the steamer.

Hon. H. P. Colebatch: On a point of explanation, I want to put the hon. member right. It was in speaking on the

Address-in-reply that the hon. Mr. Baxter made the remark referred to. He was not in the House at the time the Esperance Railway Bill was discussed.

Hon. J. W. KIRWAN: The hon. Mr. Baxter made the speech on one occasion. Whether it was on the second reading of the Bill is immaterial. I consider his speech was that of a man in no way interested in the district. He represents a distant constituency but he knows every inch of the country, and no man could speak more highly of the district than he did. Mr. Baxter was anxious to have an opportunity to speak on this Bill but I impressed upon him that if we could get the Bill taken to a division to-night it would be better than delaying it. Consequently Mr. Baxter paired although there is not a member more enthusiastically in favour of the measure. It is no wonder that the averages are as low as they are. One requires to have a proper test of this district. He must go to the farms that are properly worked; there are only three or four such in the whole district, and in the returns the averages obtained by them are reduced by the averages on the farms of the newer settlers. Mr. Colebatch spoke of there being 44 settlers. That is an example of the inaccuracy with which he speaks about the whole district. There are more than 44 settlers but it happened that 44 got a limited supply of fertilisers. The hon. member, however, has constantly spoken as if there were only 44 settlers there. That number obtained a limited supply of fertilisers, but this fact in no way disproves the wheat growing capacity of the district. The surprise is that the returns are so high. There have been two or three rather bad seasons in the Esperance district, but no matter what the seasons are, owing to the conditions of farming, anyone inspecting the district would be surprised that the yields had been so good. I am glad Mr. Colebatch at last admits this is a good scheme, but he is not satisfied that is the right time to build the railway. The case set up by the Minister is unanswerable, but the hon. member is driven to say that the time is not opportune, wait and wait; he wants

continual delay. Other railway Bills and public works have been brought forward and the hon. member has not quoted the financial position of the State as an argument against them. Why did he not bring forward the argument when we at the last sitting of the House before Christmas passed on the most imperfect information a Bill for the extension of the Wagin-Kukerin railway? One hon. member who represented the district said he had seen the land and it was good, and I took the assurance of the Government. I have voted as a goldfields member over and over again for agricultural lines; other goldfields members have done the same. We have accepted the assurance of the Government that the lines were warranted. We are only too glad to hear that in any part of the State there is good land, and agricultural representatives will find no stronger supporters of the agricultural development of this State than goldfields members. I do not remember an instance of a single agricultural railway having been questioned with the exception of this one. If we had this 1¼ million acres of the best wheat-growing land in any other part of the State would it have gone without railway facilities for so long? It is the fear that the railway might some day be extended from Esperance to Norseman that has caused its construction to be delayed so long. It is almost treason for anyone to say a word against the agricultural possibilities of any portion of this State. I heard an outcry raised in this House because a member of the Senate questioned the agricultural value of some of the lands to which the late Ministry were sending settlers. He pointed out that the rainfall was not secure, and he was denounced as disloyal to the State. Indeed, he was condemned throughout the State in all the moods and tenses, and there was a general agreement that in all portions of Western Australia the land is good—unless it be in the Esperance district.

Hon. D. G. Gawler: He said there was no good land in Western Australia, I think; did he not?

Hon. J. W. KIRWAN: I forget the exact words that he used, but I remember

that because he criticised the agricultural value of the land in this State he was severely censured in this House. I am not saying that he was not properly censured. I am merely following the line of argument in this respect, that the only land that is permitted to be criticised and decried is the land of the Esperance district. On the other hand, if anyone argues that the Esperance land is good land he is almost accused of disloyalty to Western Australia. With regard to Esperance the tables are quite reversed. It is rather late in the day for Mr. Colebatch to bring forward the argument about the financial position of Western Australia when this particular line is before Parliament. If Mr. Colebatch be genuine in his opposition to the railway purely because of the financial position of the State, why does he not take the proper course and say, "I shall oppose all public works in Western Australia"?

Hon. H. P. Colebatch: I will oppose every work that will not bring in an immediate return.

Hon. J. W. KIRWAN: The hon. member is prepared to oppose every work that will not bring in an immediate return. We all know that developmental works never bring in an immediate return. We do not expect an immediate return from developmental railways. Has anybody in this House ever opposed an agricultural railway because it would not pay immediately? This is the first agricultural railway that has ever been opposed in this Chamber on the ground that it would not produce an immediate return. Goldfields members, agricultural members, and indeed all members of both Houses have agreed that developmental railways should not be expected to bring in a return for some years. But a different policy altogether is to be applied to this particular railway, for reasons which hon. members know very well themselves. Furthermore, Sir Edward Wittenoom and Mr. Colebatch in saying that no stronger case has been brought forward for the railway on this occasion, ignore the constitutional aspect. The position has been so clearly put by Mr. Cullen and Mr. Gawler that I need not

dwell upon it more than to point out that this railway has survived two general elections. The Government returned at the general election of 1911, the Scaddan Government, came in with a majority of 16 in favour of the railway. At the last general election, in 1914, the Premier, Mr. Scaddan, put the Esperance railway in the forefront of his public works policy. And what was the result? It is true that the Government were returned with a diminished majority, a majority of only two; but the new party which took the place of the defeated members of the Ministerial party was entirely pledged to the Esperance railway. The position now is that, whilst in the last Parliament of the members in another place 33 were for and 17 against the railway, there are now 38 for the railway and 11 against, one member being doubtful. If this House has any regard for constitutional precedent, if we follow the example of double Chambers elsewhere in the world, if we go to the mother Parliament herself, we shall find that the second Chamber does not ignore the clearly expressed will of the people. The second Chamber may delay certain measures; but even in the case of the House of Lords there is, I think, only one instance of the rejection of a Bill of an important character which had survived two general elections. That particular instance, as you, Sir, are aware, was the Budget of Mr. Lloyd George. That rejection so aroused the indignation of the public of the British Isles that the result was to force on the Veto Bill, which, as you, Mr. President, know, has crippled the power of the House of Lords. Surely members of this Chamber, even although they may be more Conservative than members of another place, cannot ignore the public opinion of this State. They surely do not propose to set up their own private judgment against the almost united wishes of the three parties in another place. Not only the Government, not only the Country party in another place, but a large percentage, more than one-third, of the Liberals, of the direct Opposition in another place supported this particular Bill. Mr. Colebatch talks

some street corner talk about some members—

Hon. H. P. Colebatch: Your statement is not accurate. It was not one-third of the Liberal members voted for the Bill.

Hon. J. W. KIRWAN: Six members of the Opposition are in favour of the Esperance railway, have declared themselves in favour of the Esperance railway; and the Opposition numbers 16. If Mr. Colebatch divides 16 by three he will get five and a fraction. In point of fact, my statement was not accurate; but I was so anxious to be well within the mark that I said one-third. Six out of 16 is more than one-third of the Liberal members. From the mere circumstance that a few individual supporters of the Country party may have informed Mr. Colebatch that they are not in favour of the Esperance railway, he apparently infers that the whole of the members of the Country party in another place, and also in this House, have been forced to vote for the line. I submit it is almost an insult to the intelligence of the members of this House to suggest that they should give serious consideration to an argument of that kind. It goes to show to what straits the opponents of the Bill are driven when a gentleman of Mr. Colebatch's high ability and great capacity as a speaker, with his wonderful facility of providing arguments for or against almost any case that he wishes to support or oppose, finds himself obliged to advance a contention so weak as that. Another point I may put before the House is that the whole of the Press of this State, with the exception of, possibly, two or three country journals, including the *Northam Advertiser*, have pronounced themselves as being in favour of the Esperance railway. Surely that measure of unanimity is an evidence that the people of Western Australia desire the Legislative Council to pass the Bill, and I am quite certain that the majority of the members of this House do not wish to carry their own personal opinions to the extreme of over-riding what I may term the practically united voice of Western Australia. Incidentally, I may say further that no less an authority than Mr. Sutton

—the Colonial Secretary has already dealt with this point, and I mention it merely in order to further emphasise it—has recommended the establishment of a Government flour mill in the Esperance district. I believe every member of this House has a high regard for Mr. Sutton, and recognises that that gentleman would not advocate the establishment of a mill in that district unless he was perfectly satisfied that it was a good wheat-growing district, that it provided a proper sort of wheat, and that there would be a sufficient quantity of that proper sort. The wheat from one of the farms in this particular locality, one which I desire to take as an example of the improved farms in the Esperance district, gained a high prize at the agricultural show. The quality of the Esperance wheat is indicated by the fact that at the Royal Agricultural Show of 1913 in the hard wheat class the second prize was awarded, out of a large number of exhibitors, to Mr. George Thompson, of Grass Patch. Mr. Thompson's exhibit was beaten only by the bag of wheat which was awarded the cup presented by the *Sunday Times* for the best bag of wheat shown. This, surely, is some evidence of the high quality of the wheat produced by the Esperance district. Some people may say that the farms I have mentioned are on specially good ground, but every report that has been published regarding the Esperance land has drawn attention to the wonderful uniformity in regard to the value of the country there. That uniformity is a characteristic which has been specially pointed out; and the farms to which I have referred are not isolated patches, nor are they particularly good patches, but they are samples of what the whole of the country is—neither better nor worse. I almost feel that I ought to apologise to the House for detaining it so long on this question, and I sincerely trust hon. members are satisfied that the construction of the railway is in the best interests of Western Australia, that the work will, as has been said over and over again, add a new province to Western Australia, and that it will do no harm to any other part

of the State but will add to the wealth and prosperity of the whole.

Hon. W. PATRICK (Central) [8.29]: I move—

That the debate be adjourned to the next sitting of the House.

Motion put and a division taken with the following result:—

Ayes	..	..	..	9
Noes	..	..	..	6
				—
Majority for				3
				—

AYES.

Hon. E. M. Clarke	Hon. C. McKenzie
Hon. H. P. Colebatch	Hon. R. D. McKenzie
Hon. D. G. Gawler	Hon. W. Patrick
Hon. A. G. Jenkins	Hon. V. Hamersley
Hon. R. J. Lynd	(Teller).

NOES.

Hon. J. F. Cullen	Hon. J. W. Kirwan
Hon. J. E. Dodd	Hon. H. Millington
Hon. J. M. Drew	Hon. G. M. Sewell
	(Teller).

Motion thus passed; the debate adjourned.

BILL—CHURCH OF ENGLAND LANDS.

Second reading.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [8.47] in moving the second reading said: The Bill has been prepared under instructions from the Attorney General at the request of the Anglican Archbishop and Sir Edward Stone. It appears that land has been from time to time granted to the Church of England, sometimes for church sites and sometimes for ecclesiastical purposes. Some of the grants are of doubtful validity, as they specify purposes not mentioned either in the old Land Regulations or in Section 39 of the Land Act of 1898. The term "ecclesiastical purposes" does not occur in either the regulations or the Act, and therefore, although the grants appear to be unobjectionable, still they are not technically within the terms of the law. It is therefore desirable to validate them and with that object the Bill is intro-

duced. This validation will be effected by Clause 2. The Bill further proposes to give power for the selling, leasing, or mortgaging of certain lands. As certain purposes are mentioned in the grants, it is impossible to sell or otherwise dispose of them, even although the lands be no longer required for the purposes for which they were originally secured. Legislation is consequently necessary, in order to provide this power. This is given by Clause 3. Clause 4 is for the protection of purchasers and others. Clause 5 requires the approval of the Government for sales or mortgages or leases for a term exceeding 21 years. Clause 6 validates previous transactions. The powers given in the Bill are similar to those already given to Roman Catholic authorities. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

Sitting suspended from 8.52 to 9.56 p.m

BILL—GRAIN AND FOODSTUFF

Council's Pressed Request.

Message from the Assembly received and read notifying that there was a difficulty in the way of consideration by the Assembly of a Message in which a request was pressed, and requesting that the Council should further consider its Message; the Assembly's Message was now considered.

Standing Orders Suspension.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [9.59]: I move—

That so much of the Standing Orders be suspended as is necessary to permit of the Message from the Legislative Assembly in reply to Message No. 7 from the Legislative Council being considered and dealt with during the present sitting.

The PRESIDENT: In order to prevent confusion, I may point out that our Message to the Legislative Assembly is numbered 7 and that the Legislative Assembly's Message in reply is also numbered 7. Therefore, in speaking of the Messages hon. members had better refer to them as the Council's Message and the Assembly's Message respectively; or else we shall have confusion.

The COLONIAL SECRETARY: As the Legislative Assembly's Message clearly indicates, a difficulty has arisen. The Assembly, owing to its Standing Orders, is unable to deal with the Message which was sent from the Legislative Council. In accordance with the Assembly's interpretation of the Standing Orders of the Assembly, and also—as the Assembly alleges—in accordance with the Constitution Act, another place is unable to deal with our message. I may point out the absolute necessity for passing this Bill without further delay. That delay, which has already occurred, has involved the farmers in the loss of a large sum of money. The price of wheat during the last three weeks has risen 1s. a bushel, and when we consider the large extent of country that has to be cultivated, and that with Government assistance, we can realise what this will mean to the general farming community. Under the Bill the Government propose, through the medium of a board, to purchase wheat, sufficient of it to sow 750,000 acres. With a good season that area of land will produce between six and seven million bushels of wheat for export. Members, therefore, will see the urgent necessity of passing the Bill without pressing the amendment, because the position now is that if the amendment is further pressed the Bill will be defeated. As I have said the price of wheat has gone up 1s. during the last three weeks, and if the Bill does not become law within the next fortnight it will probably go up a further 1s. a bushel, with the ultimate result that the farmers will be in as bad a position next season as they are now. I therefore move the motion.

The PRESIDENT: All these facts are highly illustrative of the urgency of the matter, but they do not touch the question

at all. There is a difficulty in the way, according to the Assembly's Message, and hon. members will see by Standing Order 244 that our procedure was quite regular. However, there is now no other way of dealing with the matter than by the suspension of our Standing Orders.

Hon. D. G. GAWLER (Metropolitan-Suburban) [10.3]: Shall I be in order in moving as an amendment that the Message be taken into consideration on Tuesday next?

The PRESIDENT: Yes.

Hon. D. G. GAWLER: I propose to do it for the reason that we are told there are difficulties in the way of the Assembly considering our amendment. So far as I can gather, the difficulty is that the Assembly does not recognise our right to press the amendment. If so, that raises a constitutional point of the greatest importance to this House, and therefore I think we should have time to consider the position. I will move the amendment for Tuesday because I understand a number of the country members will not be here tomorrow. I am not at all anxious to delay the measure, but if, as I understand, the reason underlying this Message is the denial of our right to press the amendment, I think the position should receive full consideration. I therefore move an amendment—

That the Message be taken into consideration on Tuesday next.

The PRESIDENT: The motion for the suspension of Standing Orders must be carried by an absolute majority of the Council. When I began to speak there was not an absolute majority present, but there is now an absolute majority.

Hon. H. P. COLEBATCH (East) [10.6]: I take it we are in order in debating the question?

The PRESIDENT: Certainly.

Hon. H. P. COLEBATCH: The reason given for the suspension of the Standing Orders is that there has already been serious delay in regard to the passage of the Bill, and from the manner in which the statement is made one would think that this House was responsible for that delay. I want to publicly repudiate any suggestion that this House is in the

slightest degree responsible for any delay that has occurred. I do not know who is responsible; it is not my place to find out. But I know that hon. members were here before the Christmas holidays, and were prepared to remain here and consider the Bill in question or any other Bill deemed by the Government to be of importance. At no stage has there been any suggestion that the conduct of business should be taken out of the hands of the leader of the House, and it is most unfair to put before the public the assertion that the House was in any way responsible for the delay. Probably every hon. member was prepared to remain in his place before the Christmas adjournment in order that this Bill, or any other Bill of importance, might be submitted. Whoever is responsible for the delay which has occurred should take the blame. It is monstrous that it should go out that this House was in any degree whatever responsible for that delay. We are told that the delay has resulted in an advance of 1s. a bushel in the price of wheat, that those who are going to buy wheat and who expect to reap a rich return from it next season will have to pay 1s. a bushel more for their seed. Does it not follow that if those people have to pay 1s. more, those farmers who have a little to sell are going to get 1s. more for their wheat. I do not see, therefore, that any great injustice has been done by the delay. But in any case the responsibility of the delay is not ours. Now we are asked to suspend the Standing Orders in order to test, at a time when a number of our members are absent, the rights and privileges of this House. It seems to me a most unreasonable proposition, because after this long delay the matter of one day will scarcely affect the position. We have dealt with the Bill in strict accordance with our Standing Orders. As a member of the Standing Orders committee of this House I say, without posing as an authority, that our Standing Orders are in accordance with the Constitution.

Hon. J. E. Dodd (Honorary Minister): The interests of the country or the in-

terests of our Standing Orders—which are the more important?

Hon. H. P. COLEBATCH: Does the hon. member suggest that in the interests of the country there is any difference whether we deal with this matter now or to-morrow?

Hon. J. E. Dodd (Honorary Minister): Yes, a lot of difference.

Hon. H. P. COLEBATCH: Then will the hon. member make it clear to the country who is responsible for the delay that has occurred, and not try to pass the responsibility on to hon. members who are in no way to blame for the delay? Our Standing Orders are in complete accord with the Constitution. In another place it has been recently claimed that their Standing Orders are in accordance with the Constitution, and that ours are not. However this may be, I do think the time has arrived, that indeed it is long past, when a joint Standing Orders Committee from both Houses should have met and decided on a common ground in regard to the Standing Orders, or failing that, resolved to put the matter to a test. In many cases of money Bills we have pressed amendments, and those amendments have been considered, to the extent at least of asking for a conference regarding them. Yet in the following session almost the same amendments were pressed, and we were told that their Standing Orders would not permit of any conference. Still again, amendments on another money Bill, the Fremantle Improvement Bill, were not only received, but acceded to. It certainly strikes me that this emergency legislation is going to be used for the purpose of forcing this Chamber into the abrogation of its right and privileges. If we give way it will mean that whenever a money Bill comes before the House we can make any suggested amendments, and having done that, if those suggestions are not accepted we are finished; we must either then give way or take the responsibility of rejecting the Bill altogether. This Bill, in common with dozens of others, is not a money Bill in the strict constitutional sense of the term. One-half of the Bills that come before us can be converted into

money Bills by the insertion of a clause dealing with public moneys, with the result that the powers of this Chamber will be whittled away. I am not prepared, in the absence of many of our members, to take a course which would represent an admission that our Standing Orders are wrong, and which would tie us up in the position which another place is trying to force upon us. The Colonial Secretary is ill-advised in moving the motion at the present time. It would be very much better to leave it till to-morrow, when more members will be present.

Hon. J. W. KIRWAN (South) [10.12]: Mr. Colebatch has just said that our Standing Orders are in accordance with the Constitution. But in that respect we have nothing to go upon except his own statement. I ask hon. members to examine for themselves the section of the Constitution Act affected in this connection. Mr. Colebatch is not a lawyer, any more than I am, and if I tell you that the Standing Orders are not in accordance with the Constitution I have just as much authority to say so as has Mr. Colebatch to say that the Standing Orders are in accordance with the Constitution. It is of no use whatever quoting our Standing Orders if they are not consistent with the Constitution. Of what use are they unless we can show that they are in accord with the Constitution? If they are not, they are *ultra vires*. I do not wish to cast any reflection on the Standing Orders committee of this House, but they are human beings, and all human beings are liable to err. In this case certainly I think it was not in accordance with the Constitution to send the Message we did; it may have been in accordance with our Standing Orders, but not in accordance with the Constitution. Under that Constitution there is one way, and one way only, in which this House could deal with alterations in money Bills. That is provided in Section 46, which lays down clearly—

In the case of a proposed Bill which, according to law, must have originated in the Legislative Assembly, the Legislative Council may at any stage—

Hon. D. G. Gawler: At any stage?

Hon. J. W. KIRWAN: The section continues—

return it to the Legislative Assembly with a message requesting the omission or amendment of any items or provisions therein.

The only way is that of a message requesting a certain thing. There is no provision to be found in this Constitution allowing for the pressing of an amendment under such a section.

Hon. D. G. Gawler: Look at Standing Order 244.

Hon. J. W. KIRWAN: What are the Standing Orders in comparison with the Constitution itself? There is nothing that can override the Constitution of the State. We may quote the Standing Orders until we are black in the face, but it is the Constitution that we have to take into account. If our Standing Orders are wrong, or if they are inconsistent with the Constitution, and they must of necessity be wrong if that is so, surely we are entitled to ask the House for the suspension of the Standing Orders in order that these may not interfere with the utility of the House or of Parliament as a whole. I would urge upon hon. members to recognise that position and to see the urgency of the Bill which is now before the Chamber and remember that first of all we have to consider the Constitution of the State and to recognise clearly that our action is controlled by Section 46 of the Constitution.

Hon. D. G. GAWLER (Metropolitan-Suburban) [10.17]: I would like to point out to the hon. member who has just sat down that apparently he has laid down this rule that the Standing Orders shall be framed with his approval.

Hon. J. W. Kirwan: With the approval of the Constitution.

Hon. D. G. GAWLER: That is what the hon. member is suggesting. He says that because they are *ultra vires* the Standing Orders are no good. If he looks at the beginning of the Standing Orders he will find these words—

Adopted by the Council on the 1st August, 1907, and approved by the Governor on the 8th August, 1907,

with alterations and additions to May, 1914. It does not need me or any lawyer or indeed anybody with any common-sense to tell the hon. member that he cannot by his own lips say that Standing Orders which have been approved of are wrong. Whether they are *ultra vires* or not, and he assumes that they are, there they remain until they are abrogated. I say they are not *ultra vires*. From the wording of Section 46, which the hon. member has quoted, it is obvious that it is intended that the Council shall be entitled to press these requests. It says:

May at any stage return to the Legislative Assembly.

Hon. J. W. Kirwan: Where does it say that?

Hon. D. G. GAWLER: They are the words that the hon. member has just quoted himself. Assuming that Standing Order 244 is *ultra vires* and I say it is, it clearly shows that we can press these requests. At any rate, I think it is apart altogether from the subject before the House. The subject before the House is an important Constitutional one. At present we ought to insist on pressing requests. Now we hear from the Assembly, in words which hardly convey to my mind any particular meaning at all, that they deny our right to press these requests and ask us to give way. I object to giving away the privileges of the House without further consideration. The request for the adjournment of the Message until Tuesday would meet the position in a very reasonable way. I think that Mr. Colebatch has shown clearly the reasons why no blame at all can be attachable to this House for the position that has come about.

Hon. J. F. CULLEN (South-East) [10.19]: I concur in the repudiation by Mr. Colebatch of any blame attachable to this Chamber. No explanation has been given.

The PRESIDENT: Is the hon. member going to second the amendment moved by the Hon. Mr. Gawler?

Hon. J. F. CULLEN: I am seconding the amendment. No explanation has been given as to why the matter has been slept upon for nearly four weeks. It could easily have been dealt with before the adjournment for the Christmas holidays. I now—

Point of Order.

Hon. J. Cornell: On a point of order: Is it competent for an hon. member to move an amendment for an adjournment on a motion. The amendment moved is that we should adjourn until Tuesday next.

Hon. D. G. Gawler: No, that the Message be taken into consideration on Tuesday next.

Hon. J. Cornell: I submit that if the motion now before us is defeated it will rest with the leader of the House to arrange the Notice Paper so that the Message will be taken into consideration either to-morrow or on Tuesday next.

The Colonial Secretary: I must strongly—

The President: I did not catch any question in that point of order, I only heard a statement of fact.

Hon. J. Cornell: My point of order, Sir, is this. The motion is that so much of the Standing Orders be suspended to allow the Message to be considered to-night. The amendment is that consideration of the Message be left until Tuesday next. I submit if the motion before the Chair is defeated it will then remain for the leader of the House to so arrange the Notice Paper that the Message shall be considered either to-morrow or on Tuesday next. I submit that it is not a question for this House to decide when the Message shall be considered on a motion before the Chamber.

The President: On this paper which has just been put into my hands I see there is no particular date there as to when we have to consider the Message. The question is that so much of the Standing Orders be suspended now to enable something to be done at a future time.

Hon. J. Cornell: I submit that if the Standing Orders are suspended we will deal with them. If they are not suspended the leader of the House will on the Notice Paper arrange when we shall deal with the Message. Mr. Gawler proposed to us when we should deal with it.

The President: The motion is that so much of the Standing Orders be suspended, but it does not mean all the Standing Orders. It enables us to deal with this Message this evening, I take it.

Debate resumed.

Hon. J. F. CULLEN: Before being interrupted I remarked that no explanation had been tendered to this House for the delay in dealing with this matter, and now this House is asked to rush it through because it has been delayed. The most extraordinary thing said by the leader of the Opposition as an argument for rushing this matter is that wheat has risen 1s. a bushel. Does he assume it is a crime against the country, or does he assume that any legislature should attempt to override the natural processes of business? He has not hinted that this rise has been illegitimate or that there has been any cornering of the market here. Is it not to be assumed that there are buyers so anxious to get wheat for legitimate use that they are giving 1s. more than they were a week before? Is the legislature going to step in and attempt to prevent the legitimate movements of the market of the day? Is it going to be used as an argument why this House should abrogate its proper functions. I submit that this is an important matter and should come before a full House. There cannot be a full House here now until Tuesday. Thursday is looked upon as a somewhat informal meeting when no important divisions are taken. It is an understanding between the leader of the House and all country members that Thursday will not be used for important discussions. To-morrow a large number of the country members will have to leave town. It would be unfair to deal with the matter to-night

in the absence of those members who had no idea that the matter was coming up, and I hope the leader of the House will agree to take this matter on Tuesday. He may rest assured that he will lose no time by doing so. He will get through just as quickly.

Hon. J. CORNELL (South) [10.25]: This is not a question for heat or re-priming. The question before the House now is that there is no other way out of the difficulty than by the suspension of the Standing Orders. If that is the case, if we cannot deal with this question other than by the suspension of the Standing Orders—I think it is generally admitted by the leader of the House that it is the case—then we should suspend the Standing Orders to deal with it. Mr. Colebatch in opposing the motion for the suspension of the Standing Orders dealt with something not germane to the question under consideration. The unfortunate incident which occurred at the closing of the session whereby this Bill did not come forward, I think is regretted by everyone who is in favour of the Bill. Though we may discuss the whys and wherefores of the question and the sins and omissions of those responsible for the transmission of the Bill between the two Houses on that occasion, it will not surely put us back to where we were before the adjournment. The position as it now presents itself is as to whether or not the urgency of the matter, warrants us in dealing with the Message now, to-morrow, or on Tuesday next. It has been pointed out to me that the unfortunate omission that occurred before the Christmas holidays has mulcted the country in costs to the extent of £50,000.

Hon. J. F. Cullen: Has it gone out of the country?

Hon. V. Hamersley: Or into the sea?

Hon. J. CORNELL: None of it has gone into my pockets. It has not gone out of the country, I understand.

Hon. R. J. Lynn: Bad luck for you.

Hon. J. CORNELL: I am always unlucky. In considering this sum we have to make a comparison of what the delay until Tuesday next will mulct the country in. Exception has

been taken by Mr. Colebatch to the fact that there is a thin House. I have seen the time on a re-committal, when motions had suited Mr. Colebatch and other members of the House and they desired to accomplish a certain purpose, they looked for a thinness so long as this apparition was on our side or, I should say, the Government side. I say that this House to-night—in making a comparison of those who do generally sit in the House—is not a thin House. It is a very full House to-night, and I trust that the House will agree to the only way out of the difficulty, namely, to suspend the Standing Orders and let us proceed with the question as to whether or not we shall deal with this matter. So far as the constitutional aspect is concerned that can be entered into when this House decides whether or not it will deal with the question to-night. Mr. Gawler has moved that we take the matter into consideration on Tuesday. I submit if this House is not prepared to consider the Message to-night the wisest proposal would be to vote it down to-night, and let each day as it comes provide for itself. If the members of the Legislative Council to-morrow are of the opinion that the matter should not be discussed to-morrow then members should vote it down. If the Council will not agree to discuss it to-night I hope members will vote out both the amendment and the motion. The question raised by Mr. Cullen that Thursday is looked upon as a day for mutual admiration I do not view in that light. We are elected to do the business of the country whether we meet on Tuesday or Thursday. I hope the Council will agree to suspend the Standing Orders and allow of the consideration of this question to-night. Of course it will be permissible for some member to move the adjournment of the debate until the next meeting. If I am wrong you, Mr. President, can correct me.

Hon. R. J. LYNN (West) [10.33]: Like many hon. members here, I cannot lay claim to having a legal mind, but I do believe, in reading the Constitution Act, that every power is given to the Council to frame its own Standing

Orders, joint or otherwise, but in my opinion this is not a question that we should consider from that aspect at all. I think we should show more of a spirit of compromise rather than a spirit of standing on our rights respecting the Standing Orders. I believe it is necessary and essential in order to expedite the business of the State that this Bill should be passed, and passed at once. In order that a spirit of compromise might exist in this House we might well consider the advisability of suspending our Standing Orders for to-night so as to enable us to deal with a matter which is of such vital interest to the State. I am in accord with Mr. Cornell when he stated that this was not a thin House. If we adjourn until tomorrow, or Tuesday, or Wednesday, we may not have a larger gathering of members. If we take into consideration the number of members absent, we can account for practically a full House, and in view of the urgency of this measure we should be only too pleased to suspend the Standing Orders so as to consider this Message from the Assembly and thus get out of a difficulty.

Hon. J. E. DODD (Honorary Minister—South) [10.36]: I am glad to have heard the remarks of Mr. Lynn because I think they show clearly what should be the spirit of this House in connection with the matter which is before us now. Is the House going to stand upon a pedestal of dignity on a matter of this kind, or does the House think the Government can pay 10s. a bushel for wheat in order to satisfy the whims of some hon. members here? I am not here to say who is to blame for the trouble which occurred in not dealing with this matter before Christmas, but I do say there is something now which we can undo and every day's delay in the passage of this Bill will mean possibly some thousands of pounds out of the pockets of large bodies of consumers and producers of the State. I think we should consider the big majority of the people, in view of the fact that already some thousands of pounds have been lost in connection with the delay which

has taken place over the passing of the measure. We should not continue further simply on a question of dignity; let us consider what is happening. The Legislative Council made a number of amendments and every one was accepted bar one. Now with no spirit of compromise whatever hon. members are prepared to stand out even in regard to that one, let us place the interests of the country before the Standing Orders.

The PRESIDENT [10.38]: I think from what has been said by many of the members, there is a wrong impression still about these two messages. The Legislative Council's message to the Assembly was this—

The Legislative Council acquaints the Legislative Assembly in reply to Message No. 6 from the Legislative Assembly that the Legislative Council presses its request for amendment No. 4 as set out in the schedule of the Legislative Council's message in reference to the Grain and Foodstuff Bill, and in the Schedule thereto:

That message was sent to the Legislative Assembly. That message has never been considered on its merits. This is the reply—

The Legislative Assembly acquaints the Legislative Council that there is a difficulty in the way of the consideration by the Legislative Assembly of a Message in which a request is pressed, and requests the Legislative Council to further consider Message No. 7 transmitted by them in regard to the Grain and Foodstuffs Bill.

The difficulty, therefore, is in another House, not here.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [10.39]: It is just as well that the position should be clearly understood. According to the Constitution Act as interpreted by the Legislative Assembly, the Legislative Council cannot press an amendment to a Money Bill, and this undoubtedly is a Money Bill. Clause 24 reads—

The Colonial Treasurer may from time to time make advances out of any funds at his disposal to the Minister,

and to the Board for carrying out the purposes of this Act.

That is the interpretation placed upon it by the Legislative Assembly. It may be a right interpretation, or it may be wrong, but at any rate, that is their interpretation, and the other Chamber has come to the conclusion that it will not be able to deal further with the message submitted by this House. Consequently if this House is not prepared to withdraw the Message and give it further consideration, the Bill will not become law. It has been proposed by Mr. Gawler that the consideration of the motion submitted by him for the suspension of the Standing Orders should be adjourned until Tuesday. There should be no necessity to secure an adjournment of that character because the motion for the suspension of the Standing Orders should be either supported or opposed. It would be a very easy matter for me to move for the consideration of the message on Tuesday.

Hon. J. F. Cullen: That would be the better course.

The COLONIAL SECRETARY: But it would be totally against the interests of the country, and at the present time wheat is going up in price almost every hour. Reference has been made to the delay in the passing of the Bill. I do not accuse anyone except myself for the delay which has occurred over the matter. It should have been my duty before Christmas to see that the Bill received proper consideration, but the matter was overlooked. Hon. members may desire to know Mr. Sutton's views of the situation. Mr. Sutton declares that every hour's delay renders it more difficult to secure seed for the farmers' requirements, and will increase the dislocation of business to be brought about by the purchasing of the necessary wheat. Hon. members here appear to represent the view only of a very small section of the community. They appear to represent only the sellers, and the sellers are only a mere fraction of the community. The Government propose to buy wheat not for themselves but for resale to the farmers, in order that the whole of the land in Western Australia suitable for cultivation may be cropped

next season. It is the intention of the Government to give such assistance to the farmers which will enable them to cultivate and sow no less than 750,000 acres of land. This will mean six or seven million bushels for export. If the Bill is not passed to-night the Government will not be in a position to help the farmers, and the State 12 months hence will find itself in a disastrous position. I am surprised to hear those members who represent agricultural districts speaking merely in the interests of a narrow section, the few who have been fortunate enough to get small crops this year. Hon. members in another place said that there were few farmers who had little to sell. There is, however, a large number of farmers who have a lot to buy, and hon. members should consider generally the interests of those and of the country. If it is the opinion of members that the principle of the law of supply and demand should obtain, they ought to vote straight out against the Bill and against all legislation of this character introduced during the present crisis. At the present time there are only two large buyers in the State, the millers and the Government, and owing to the competition between them the price of wheat has gone up. If this Bill is not passed, and it will not be passed unless the House comes to its senses—

Hon. J. F. Cullen: Is the Minister in order in suggesting that this House has lost its senses?

The PRESIDENT: I do not think that is a point of order.

Hon. J. F. Cullen: My point of order is that the Colonial Secretary said "Unless this House comes to its senses." I submit it is abusive and unparliamentary.

Hon. J. Cornell: The hon. member himself says some very hard things.

The COLONIAL SECRETARY: It is nothing in comparison with what I have had to submit to during the last three years.

The PRESIDENT: The hon. the Minister will continue.

The COLONIAL SECRETARY: The hon. member has made all sorts of accusations—

The PRESIDENT: Order! the hon. the Minister will continue his speech.

The COLONIAL SECRETARY: Apparently a majority of the members here are acting, conscientiously no doubt, in the interests of one small section of the community and those who have a little wheat to sell, and in order to assist and benefit them they are prepared to burden the whole of the farming community.

The PRESIDENT: I do not think the hon. member should impute motives of that kind.

The COLONIAL SECRETARY: I regret if I have offended against the Standing Orders.

The PRESIDENT: I do not think you should impute motives even to a minority.

The COLONIAL SECRETARY: The hon. Mr. Colebatch represents a farming province, and I expected he would realise that his attitude tended against the interests of the agricultural community.

Hon. H. P. Colebatch: I have not expressed any opinion, but have merely spoken on the suspension of the Standing Orders.

The COLONIAL SECRETARY: The amendment pressed by this House would be a very good thing for certain speculators in Western Australia, but a very bad thing for the farmers as a general body and for the community.

Hon. H. P. Colebatch: A little while ago you said it meant the same as the clause.

The COLONIAL SECRETARY: I said I could see very little difference between the two, but I admitted I was not qualified to judge, and the Solicitor General said there was a vast distinction, and to avoid litigation it was necessary that the clause as originally drafted should be retained. Either Mr. Gawler or Mr. Colebatch referred to the Fremantle Improvement Bill.

Hon. D. G. Gawler: Not I.

The COLONIAL SECRETARY: It was said the Assembly permitted the Council to press an amendment in connection with the measure. I believe this was so, but the Fremantle Improvement Bill was not a money Bill.

Hon. D. G. Gawler: It was introduced into another place by Message.

The COLONIAL SECRETARY: It was not a money Bill because it was not introduced by Message into the Legislative Assembly.

Hon. A. G. Jenkins: Another place has allowed us to press our amendments on numerous occasions.

The COLONIAL SECRETARY: I wish hon. members to clearly understand the situation that the fate of this Bill is at stake.

Hon. J. F. Cullen: There should be no threats.

The COLONIAL SECRETARY: There should be no adjournment of the question until Tuesday next. Several members may be absent, but they should be in their places. An important measure, the Esperance Northwards Railway Bill, involving an expenditure of £114,000 has been under consideration, and if hon. members are absent now it is their own fault; they should be in their places.

Hon. A. G. Jenkins: Five or six are away, not knowing that this was coming on.

The COLONIAL SECRETARY: If the Government cease buying the price of wheat will fall to its natural level, and speculators who anticipate that the failure of this Bill will mean putting up the price of wheat to what they like will be greatly mistaken. I do not desire to threaten hon. members, but I wish to lay the whole of the facts before them so that they may understand the true position that the life of this measure is at stake.

Hon. D. G. Gawler: Will you agree to an adjournment till to-morrow?

The PRESIDENT: I do not consider the hon. Mr. Gawler's proposal constitutes an amendment.

Hon. D. G. GAWLER: May I alter the form of it? I propose to ask leave to withdraw the previous one and to move—

The PRESIDENT: We are not dealing with that, but with the suspension of the Standing Orders.

Hon. D. G. GAWLER: My amendment would come first.

The PRESIDENT: I do not regard it as an amendment, but simply as a motion to adjourn the debate.

Hon. D. G. GAWLER: I propose to move the adjournment of the debate.

The PRESIDENT: If I accept it as a motion to adjourn the debate, it must be put without any discussion.

Hon. D. G. GAWLER: I move—

That the debate be adjourned.

Motion put and a division called for.

Hon. D. G. GAWLER: Have I power to ask leave at this stage to withdraw my motion?

The PRESIDENT: Yes.

Motion by leave withdrawn.

Question (Standing Orders Suspension) put, and a division taken with the following result:—

Ayes	..	..	..	8
Noes	..	..	..	10

Majority against .. 2

AYES.

Hon. J. Cornell	Hon. C. McKenzie
Hon. J. E. Dodd	Hon. H. Millington
Hon. J. M. Drew	Hon. G. M. Sewell
Hon. J. W. Kirwan	(Teller.)
Hon. R. J. Lynn	

NOES.

Hon. E. M. Clarke	Hon. R. D. McKenzie
Hon. H. P. Colebatch	Hon. W. Patrick
Hon. J. F. Cullen	Hon. Sir E. H. Wittenoom
Hon. D. G. Gawler	Hon. J. Duffell
Hon. V. Hamersley	(Teller.)
Hon. A. G. Jenkins	

Question thus negatived

PAIRS.

For.	Against.
Hon. R. O. Ardagh	Hon. A. G. Jenkins
Hon. E. McLarty	Hon. J. F. Allen
Hon. D. G. Gawler	Hon. J. J. Holmes
Hon. W. Kingsmill	Hon. C. Sommers
Hon. C. F. Baxter	Hon. A. Sanderson
Hon. Sir J. W. Hackett	Hon. J. Duffell

ADJOURNMENT—SPECIAL.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [10.57]: I move—

That the House at its rising adjourn till Tuesday, 19th January, at 4.30 p.m.

Question passed.

House adjourned at 10.58 p.m.

Legislative Assembly,

Wednesday, 13th January, 1915.

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the following Bills:—

- 1, Supply, £668,270.
- 2, Wagin-Kukerin Railway Extension.

PAPERS PRESENTED.

By the Premier: Papers relating to the proposed issue of an Exclusive Whaling License to the Australia Whaling Company.

QUESTION — COOLGARDIE STATE BATTERY DRIVER.

Mr. McDOWALL asked the Minister for Mines: 1, Is he aware that an engine-driver, who was employed at the Coolgardie State battery during the inquiry into the case of one Hosking, on presenting himself for re-engagement just before the present run of the battery was commenced, was informed that his place had been filled? 2, Also, is he aware that the driver selected to take his place is a German to whom very pronounced anti-British sentiments are attributed? 3, Will he cause inquiries to